



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council
DATE: October 13, 2004
SUBJECT: Study Session Agenda for Monday, October 18, 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. Jefferson Economic Council Briefing – President Preston Gibson
2. Boards & Commissions Applicants
3. Update for Church Ditch Water Authority
4. Discussion of DRCOG 2030 Plan

CITY COUNCIL REPORTS

1. Report from Mayor
2. Reports from City Councillors

EXECUTIVE SESSION

1. City Attorney and Presiding Judge's Performance Appraisals (Personnel Matter)

INFORMATION ONLY

1. Monthly Residential Development Report - Attachment

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



WESTMINSTER

Staff Report

City Council Study Session Meeting
October 18, 2004



SUBJECT: Jefferson Economic Council Presentation

PREPARED BY: Becky Johnson, Economic Development Program Coordinator

Recommended City Council Action:

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

Summary Statement

Preston Gibson, President and CEO of Jefferson Economic Council, will make a presentation to City Council that will include an overview of the organization and services provided by Jefferson Economic Council (JEC).

Background Information

Councillor Tim Kauffman is the City's representative on the JEC Board of Directors. Business incentive agreements are a key function of the organization as well as being a connection with workforce training opportunities.

The Executive Director from JEC is usually asked to update City council on the ED organizations. The overview will include discussion of JEC's various committees, support of transportation initiatives, and business attraction and retention activities. Preston and staff will be present to answer any questions.

Respectfully submitted,

J. Brent McFall
City Manager

Cc: Susan Grafton, Economic Development Manager



WESTMINSTER

Staff Report

City Council Study Session Meeting
October 18, 2004



SUBJECT: Board and Commission Applicants for 2005 Pool

PREPARED BY: Michele Kelley, City Clerk

Recommended City Council Action:

Set a date for interviews of the 13 new applicants for the Boards and Commission pool for 2005.

Summary Statement

- City Council previously set the deadline of October 8th, for citizens interested in applying for the Boards and Commission pool for 2005.
- Thirteen applications have been submitted, and City Council will need to set dates for interviewing all of the candidates.
- There are currently 14 applicants from the 2004 to be carried over to 2005.
- Prior to the interview process beginning, each current Board or Commission member, where their term of office will be expiring on December 31st of this year, will be contacted to see if they are interested in being reappointed.

Expenditure Required: \$ 0

Source of Funds: N/A

Policy Issue

Determine dates and times to conduct the Board and Commission interviews.

Alternative

Council could determine that interviews will be held at a later date. This alternative is not recommended because appointments to the Boards and Commission will be considered in early December.

Background Information

Applications were solicited for Westminster citizens to apply for the Boards and Commissions pool, which would establish candidates for 2005 vacancies. Various means were used to reach the community, including a press releases published in the Westminster Window, and information on the City's web page, information on Channel 8, and letters to all of the home owner associations within the City. Thirteen applications from residents were received through the deadline of October 8th.

Currently there are 14 citizens, within the 2003 pool, who wish to have their names considered for vacancies during 2004. A chart is attached indicating the boards and commission of interest of the current pool members and the new people to be interviewed as part of the 2005 pool.

Currently the following vacancies exist:

Historical Landmark Board – Henry Sand Criteria includes demonstrated interest, competence or knowledge in historic preservation. Professional members must be experienced in reservation related disciplines such as architecture, landscape architecture, architectural history, archaeology, history and planning, or related disciplines such as building trades, real estate, law, cultural geography or cultural anthropology.

Human Services Board – David Davia

Special Permit and License Board – Bill DeVoe

Transportation Commission – Bruce Vezina

Copies of the individual applications are attached in alphabetical order.

Copies of the applications of citizens currently in the pool for 2004 are also attached.

City Council will need to determine dates and times for the interview schedule of the 2005 applicants.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments



WESTMINSTER

Staff Report

City Council Study Session Meeting
October 18, 2004



SUBJECT: Establishment of the Church Ditch Water Authority

PREPARED BY: Dan Strietelmeier, Water Resources Engineering Coordinator

Recommended City Council Action

Direct Staff to prepare an Agenda Memorandum for consideration of the creation of the Church Ditch Water Authority at the October 25 City Council Meeting.

Summary Statement

- The Church Ditch Company is a carrier ditch company, operated through the City of Northglenn and managed by a multi-jurisdictional Board of Directors. The City of Westminster holds one seat on the three person Board with Northglenn holding the remaining two seats.
- Since the 1980's, the municipal water holders in the Church Ditch Company have been researching the concept of converting from a carrier ditch company to a water authority.
- Creation of a Church Ditch Water Authority ("Authority") would allow the ditch to be operated more efficiently, would streamline the rate setting process, and would clean up many of the easement and property ownership issues.
- The establishment of a water authority, a governmental entity, would also provide protection, under the governmental immunity act, during operation of the Church Ditch.
- Establishment of the Authority will allow the ditch to be maintained more efficiently assisting with seepage control and capacity restoration issues.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City of Westminster enter into an agreement to establish the Church Ditch Water Authority for operation of the Church Ditch?

Alternative

The City of Westminster City Council could choose to not create the Church Ditch Water Authority and continue to operate the ditch through the Church Ditch Company. Staff does not recommend this alternative since the City of Northglenn owns two-thirds of the Church Ditch and they will be proposing the creation of the authority during their October 14 City Council meeting. In addition, for the reasons stated above, this would not be in the best long-term interest of the Church Ditch.

Background Information

The Church Ditch holds senior water rights on Clear Creek and the Church Ditch Company's mission is to ensure the appropriate delivery of water to the contract inch holders in the Ditch (a contract inch is a unit of ownership similar to a share of stock). The water in the ditch is distributed proportionally to the number of contract inches owned by a particular user. Westminster owns approximately 47% of the contract inches, which constitutes the largest ownership interest of all inch holders. These inches represent approximately 2,700 acre feet of firm yield water per year for Westminster. The City of Northglenn owns approximately 17% of the inches, Thornton and Arvada, as well as Coors Brewing Company, also own Church Ditch inches.

Since the 1980's, the Church Ditch Company and City of Northglenn legal counsel have been researching the process for converting the Church Ditch Company from a carrier ditch company, to a water authority. The ability to create an authority is covered by Colorado law, pursuant to C.R.S. § 29-1-204.2, which specifically authorizes, by contract, any combination of municipalities to establish a water authority in order to effect the development of water resource systems or facilities in whole or in part for the benefit of the inhabitants of such contracting parties. The Authority would be governed by a Board of Directors consisting of two Directors appointed by the City of Northglenn, and one Director appointed by the City of Westminster.

The Authority would accept all real and personal property rights, water rights, diversion structures, contract rights, assets, rights, liabilities and obligations of the Company and the Cities of Northglenn and Westminster. The inch-holders would be known by the Authority as "Contractual Users," and would have the same contractual relationship previously enjoyed with the Church Ditch Company operating as a carrier ditch company. Although there is some debate on the issue, there does not appear to be anything in the definition of a carrier ditch that would preclude it from being operated by an authority, as long as the carrier ditch is meeting its contractual obligation to provide water.

The Authority would be authorized to set carriage rates for the water delivery contracts. Presently, the Church Ditch carriage rates are set by the Jefferson County Commissioners in accordance with Colorado law. This process is extremely inefficient and makes little sense for the Cities, the majority inch holders, when preparing the Church Ditch Company budget. The Water Resources Staff from Northglenn and Westminster have much more expertise in ditch operations and creating an Authority will streamline the rate setting process. Any increase in rates will most significantly impact Northglenn and Westminster as owners of 64% of the inches. The Authority would be required to hold noticed public hearings to establish a procedure and criteria for rate setting, which

criteria and procedure would then be duly adopted by the Authority by Resolution. At the 2004 Church Ditch annual inch holders meeting held in February, the new authority and rate setting procedure were presented and since that time there have been several questions regarding the rate setting from the inch holders. Several inch holders spoke against the Authority creation at the Northglenn City Council meeting however, the Northglenn City Council is anticipated to approve the item on October 14. Staff will inform City Council at the Study Session of the outcome at the October 14 Northglenn City Council meeting. The Company has shared information on the creation of the Authority, however; inch holders have been encouraged to contact their own legal counsel regarding the State statute allowing the creation of an authority and the subsequent change in the rate setting process.

As stated previously, conversion of the Church Ditch Company from carrier ditch to water authority would allow the ditch to be operated more efficiently and would be advantageous in dealing with many of the adjacent property owner encroachment and drainage issues along the ditch. At a minimum, the new authority would enjoy the benefits of sovereign immunity and it would give the cities increased flexibility in rate setting to ensure adequate maintenance of the ditch. Creation of the Authority is in the best interests of Northglenn and Westminster as well as all of the inch holders and will provide improved protection of Westminster's Church Ditch water supply.

Staff will be present at the October 18th City Council Study Session to answer any questions with respect to this topic.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER

Staff Report

City Council Study Session Meeting
October 18, 2004



SUBJECT: DRCOG Metro Visions 2030 Plan Discussion

PREPARED BY: Steve Smithers, Assistant City Manager

Recommended City Council Action:

Review the attached plan and discuss and provide comments at Monday Night's Study Session.

Summary Statement

- The Denver Regional Council of Governments (DRCOG) has distributed a copy of the draft Metro Vision 2030 Plan for review and comment.
- DRCOG adopted the first Metro Vision Plan (2020) in 1997.
- The goal of the plan is to protect the quality of life that makes the Denver Metro Region an attractive place to live and work, and to raise a family.
- The Board of Directors of DRCOG is updating Metro Vision to:
 - Extend it to the year 2030
 - Review and refine Metro Vision's six core elements by clarifying and expanding the definition of each, if necessary
 - Consider adding a jobs/housing connection core element or including it in an existing core element
 - Create a way to regularly measure the progress being made to implement Metro Vision
 - Review and examine semi-urban development
- DRCOG is currently projecting to complete the plan by December 2004.
- Staff will be showing a short video that overviews the 2030 Metro Vision Plan.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Based on the draft that is attached to this Staff Report, does City Council have concerns or suggestions on the 2030 Metro Vision Plan?

Alternative

The City could accept the plan as drafted. City Staff is still in the process of analyzing the draft plan; however, given the breadth and importance of the issues addressed in the plan the City will probably want to provide comments to DRCOG.

Background Information

A task force of local elected officials, business and environmental group representatives prepared Metro Vision 2020, a growth and development plan for the region. In 1997, the DRCOG Board of Directors adopted the plan, which was based on a set of regional development principles and policies.

Leading up to Metro Vision, four alternative development scenarios for the region were assessed and examined. The preferred development scenario, which became the basis for Metro Vision, combined the best features of the four alternatives.

Metro Vision is a regional plan for future growth and development. According to DRCOG Metro Vision:

- Is a single, comprehensive guide for regional planning that integrates previously separate plans for growth, development, transportation, and water quality management.
- Outlines strategies that will help the region preserve its quality of life while also positioning it to benefit from growth.
- Recognizes that today's issues cross community lines and each community's actions affect the region as a whole.
- Gives each community an opportunity to make its own decisions within a larger framework of regional principles.
- Is designed to preserve the community differences and flexibility that give the region its vitality and character.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment(s)



Staff Report

Information Only Staff Report
October 18, 2004



SUBJECT: Monthly Residential Development Report

PREPARED BY: Shannon Sweeney, Planning Coordinator

Summary Statement:

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

- The following report updates 2004 residential development activity per subdivision...
The table below shows an overall increase (15.9%) in new residential construction for 2004 year-to-date compared to 2003 year-to-date totals.
Residential development activity so far in 2004 reflects increases in single-family detached (3.4%) and single-family attached (58.2%), a decrease in multi-family (-26.1%), and no change in senior housing development when compared to last year at this time.

NEW RESIDENTIAL UNITS (2003 AND 2004)

Table with 7 columns: UNIT TYPE, SEPTEMBER (2003, 2004), % CHG., YEAR-TO-DATE (2003, 2004), % CHG. Rows include Single-Family Detached, Single-Family Attached, Multiple-Family, Senior Housing, and TOTAL.

Background Information

In September 2004, service commitments were issued for 44 new housing units within the subdivisions listed on the attached table. There were a total of 26 single-family detached, 18 single-family attached, and no multi-family or senior housing building permits issued in September.

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 Table

ACTIVE RESIDENTIAL DEVELOPMENT

<u>Single-Family Detached Projects:</u>	Aug-04	Sep-04	2003 YTD	2004 YTD	# Rem.*	2003 Total
Asbury Park III (94th & Teller)	0	1	1	1	0	1
Asbury Acres (94th & Wadsworth Bl.)	0	0	0	0	6	0
Bradburn (120th & Tennyson)	2	9	41	41	153	64
CedarBridge (111th & Bryant)	0	0	0	4	6	0
Covenant (115th & Sheridan)	0	0	28	6	0	40
Habitat for Humanity (two locations)	0	0	2	0	0	2
Hazelwood Annexation (147th & Huron)	0	0	0	1	0	0
Huntington Trails (144th & Huron)	0	0	0	0	210	0
Legacy Ridge (108th & Leg. Ridge Pky.)	0	0	0	0	2	1
Legacy Ridge West (104th & Leg. Ridge Pky.)	8	5	51	136	70	93
Lexington (140th & Huron)	0	0	0	0	5	1
Maple Place (75th & Stuart)	0	0	0	4	0	0
Meadow View (107th & Simms)	0	1	0	4	16	0
Quail Crossing (136th & Kalamath)	0	0	16	9	0	20
Ranch Reserve (114th & Federal)	1	1	10	3	3	10
Ranch Reserve II (114th & Federal)	3	2	16	11	13	18
Ranch Reserve III (112th & Federal)	0	0	11	10	1	16
Savory Farm (112th & Federal)	0	0	9	4	0	22
Various Infill	2	0	3	3	11	3
Village at Harmony Park (128th & Zuni)	10	7	50	63	139	61
Wadsworth Estates (94th & Wads. Blvd.)	0	0	12	5	1	13
Weatherstone (118th & Sheridan)	0	0	45	0	0	45
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>	26	26	295	305	654	410
<u>Single-Family Attached Projects:</u>						
Alpine Vista (88th & Lowell)	0	0	0	0	84	0
Bradburn (120th & Tennyson)	5	6	0	73	92	0
CedarBridge (111th & Bryant)	0	0	0	0	2	0
Cottonwood Village (88th & Federal)	0	0	0	10	72	0
Highlands at Westbury (112th & Pecos)	27	12	0	39	132	30
Hollypark (96th & Federal)	0	0	0	0	20	0
Legacy Ridge West (112th & Leg. Ridge Pky.)	0	0	28	0	0	28
Ranch Creek Villas (120th & Federal)	0	0	24	16	16	40
Summit Pointe (W. of Zuni at 82nd Pl.)	4	0	12	4	59	12
Sunstream (93rd & Lark Bunting)	0	0	0	2	26	0
Walnut Grove (108th & Wadsworth)	6	0	46	30	0	46
<i>SUBTOTAL</i>	42	18	110	174	503	156
<u>Multiple-Family Projects:</u>						
Bradburn (120th & Tennyson)	0	0	0	0	54	0
Prospector's Point (87th & Decatur)	0	0	0	17	29	0
South Westminster (East Bay)	0	0	0	0	64	0
South Westminster (3 Harris Park projects)	0	0	23	0	27	23
<i>SUBTOTAL</i>	0	0	23	17	174	23
<u>Senior Housing Projects:</u>						
Covenant Retirement Village	0	0	0	0	32	0
Crystal Lakes (San Marino)	0	0	0	0	7	0
<i>SUBTOTAL</i>	0	0	0	0	39	0
TOTAL (all housing types)	68	44	428	496	1370	589

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