

**City of Westminster City Council Study Session
April 17, 2006**

Mayor McNally called the Study Session to order at 6:35 PM. All Council was in attendance.

City Staff in attendance included: Assistant City Manager Steve Smithers; City Attorney Marty McCullough; Senior Management Analyst Emily Moon; Public Information Specialist Joe Reid; Capital Projects Coordinator Aaron Gagne; Director of Public Works & Utilities Jim Arndt; Rocky Flats Coordinator Al Nelson; Special Projects Coordinator Ron Hellbusch; Director of Community Development John Carpenter; City Engineer Dave Downing; and Administrative Secretary Melissa Salazar.

The guests in attendance were Mikkell Kelley with the Westminster Window; Danny Tomlinson, Bob Ferm, and Erin Silver with Tomlinson & Associates.

Legislative Lobbyists' Update

Danny Tomlinson, Bob Ferm and Erin Silver gave a report to City Council on this year's remaining state legislative bills. No action was necessary; this was an informative update only.

Rocky Flats Update on Regulatory Closure

The Rocky Flats Environmental Technology Site (RFETS) reached physical cleanup in October 2005. The site is currently undergoing regulatory closure and Jim Arndt and Al Nelson were present to update Council on the regulatory closure process. This process consists of the issuance of documents and the required public comment period for those obligatory by regulatory requirements, as well as other supporting documents that will be developed. No action was necessary; this was an informative update only.

Also, Ron Hellbusch updated Council on the McKinley Bill, House Bill 1389. Staff is recommending for Council to oppose this bill concerning "information to be presented to visitors at Rocky Flats." Representative McKinley's bill proposes specific wording for the signs that will be posted at the entrances to the Rocky Flats National Wildlife Refuge. The proposed language is strongly worded, misleading and reflects Rep. McKinley's attempt to pre-empt the work of the Rocky Flats Stewardship Council, the U.S. Department of Energy and the U.S. Fish and Wildlife Service to determine signage. City Council concurred with Staff recommendation to oppose the bill.

Ron Hellbusch updated Council concerning RFSC Director, David Abelson in regard to inappropriate comments he has written about the City of Westminster and the City of Broomfield in a historical document that will be used as a guide for other organizations to use for clean-up processes elsewhere. Staff requested Council's direction on drafting a letter to David on behalf of Council asking him to remove his inappropriate comments from this report or drafting a disclaimer. Council concurred with Staff recommendations to draft a letter and take further steps as necessary to assure the accuracy of the report.

Funding for 128th Avenue/I-25 Overpass Replacement

Steve Smithers, John Carpenter and Dave Downing were present to discuss with Council regarding the Funding for the 128th Ave./I-25 Overpass Replacement. The Colorado Department of Transportation (CDOT) has moved up the timing of their replacement of the 128th Avenue/I-25 Overpass. City Staff members from Thornton and Westminster have been working with CDOT Staff to determine the timing and scope of this project. CDOT has indicated to both Westminster and Thornton that they are only

willing to replace the existing structure and are not willing to address the need to expand this bridge from two-lanes to four-lanes. CDOT is willing to entertain the design of the bridge as four-lanes and eventual construction of the bridge as four-lanes as long as the cities of Westminster and Thornton are willing to pay for the approximate \$2.2 million of additional costs for widening the bridge to four-lanes. Council is in agreement that CDOT should step up to the plate and pay for the costs of the 128th bridge replacement. A meeting will be set up between the Mayors, City Managers and CDOT to attempt to negotiate greater participation by CDOT in the costs.

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

Mayor McNally adjourned the Study Session at 7:50 PM to enter into an Executive Session to discuss progress on the condemnation of the Holly Park Townhome property and related litigation, in accordance with the provisions of WMC section 1-11-3(C)(2), 1-11-3(C)(3) and 1-11-3(C)(8).