

# **AGENDA**

**CITY COUNCIL MEETING  
CITY OF WHEAT RIDGE, COLORADO  
7500 WEST 29<sup>TH</sup> AVENUE, MUNICIPAL BUILDING**

**January 22, 2018**  
**7:00 p.m.**

*Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Call Sara Spaulding, Public Information Officer, at 303-235-2877 at least one week in advance of a meeting if you are interested in participating and need inclusion assistance.*

## **CALL TO ORDER**

**PLEDGE OF ALLEGIANCE** – Scout Troop 329 will perform flag ceremony, post the colors and recite pledge

## **ROLL CALL OF MEMBERS**

## **APPROVAL OF Council Minutes**

## **PROCLAMATIONS AND CEREMONIES**

## **CITIZENS' RIGHT TO SPEAK**

- a. Citizens, who wish, may speak on any matter not on the Agenda for a maximum of 3 minutes and sign the Public Comment Roster.
- b. Citizens who wish to speak on Agenda Items, please sign the GENERAL AGENDA ROSTER or appropriate PUBLIC HEARING ROSTER before the item is called to be heard.
- c. Citizens who wish to speak on Study Session Agenda Items, please sign the STUDY SESSION AGENDA ROSTER.

## **APPROVAL OF AGENDA**

1. **CONSENT AGENDA**
  - a) Motion to approve the purchase of 2018 vehicle replacements and the purchase and installation of lighting, auxiliary and communications equipment in a total amount not to exceed \$351,897
  - b) Motion to appoint Jerry DiTullio as a City Director to the Wheat Ridge Business District Board of Directors, term to expire March 31, 2021
  - c) Resolution 09-2018 – amending the Fiscal year 2018 General Fund Budget in the amount of \$6,698 for the purpose of appropriating Grant Awards for the purchase and installation of a Bike and Pedestrian Counter on the Clear Creek Trail and for a Pergola and Fruit Trees at Happiness Gardens

**CONCENT AGENDA cont.**

- d) Motion to approve payment to Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2018 Workers' Compensation Premium in the amount of \$304,536 and 2018 Property/Casualty Premium in the amount of \$231,139
- e) Motion to approve 2018 Payment to Renewal Wheat Ridge in the amount of \$300,000

**PUBLIC HEARINGS AND ORDINANCES ON SECOND READING**

- 2. Council Bill 02-2018– extending the Temporary Moratorium of the submission, acceptance, processing, and approval of applications and requests for a permit, license land use approval or other approval for a Freestanding Emergency Room Facility
- 3. Council Bill 03-2018 – amending Chapter 7 of the Wheat Ridge Code of Laws regarding Elections to ensure consistency and compatibility with the Colorado Municipal Election Laws

**DECISIONS, RESOLUTIONS AND MOTION**

- 4. Motion to award contract to Design Concepts, Inc. in a not to exceed amount of \$175,695 for the purpose of preparing the design and construction documents for Prospect Park Renovation Phase II
- 5. Resolution 08-2018 – accepting a water color painting by Artist Charlotte Talbert

**CITY MANAGER'S MATTERS**

**CITY ATTORNEY'S MATTERS**

**ELECTED OFFICIALS' MATTERS**

**ADJOURN to Special Study Session**

**REQUEST FOR CITY COUNCIL ACTION**


**TITLE: MOTION TO APPROVE THE PURCHASE OF 2018 VEHICLE REPLACEMENTS AND THE PURCHASE AND INSTALLATION OF LIGHTING, AUXILIARY AND COMMUNICATIONS EQUIPMENT IN A TOTAL AMOUNT NOT TO EXCEED \$351,897.**

- ☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

- ☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO

  
Public Works Director

  
City Manager

**ISSUE:**

Staff recommends purchase of the following vehicles under the State of Colorado Price Agreements:

Four (4) 2018 Ford Police Interceptor Utility Vehicles	\$ 33,425/ea.
Two (2) 2018 Ford Fusion Hybrid Sedans	\$ 22,430/ea.
One (1) 2018 Mid-Size 4x2 Chevrolet Colorado Extended Cab Pickup	\$ 22,376/ea.
One (1) 2018 Mid-Size 4x4 Chevrolet Colorado Extended Cab Pickup	\$ 27,507/ea.
One (1) 2018 Ford F-350 Cab & Chassis with Dump Body	\$ 40,454/ea.

**Total Cost: \$268,897**

Staff also requests approval to purchase, install and/or relocate auxiliary equipment required for the operation of the replacement vehicles along with the installation of lighting, markings and communication equipment at a total cost of \$83,000. The total cost of the vehicles, including preparation for use is not to exceed \$351,897.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

The funds for these purchases are budgeted in the 2018 Public Works Department General Fund Budget, Account Number 01-303-800-807, Fleet Replacement. The combined total budget for the cost of all vehicles and large equipment, including the cost of the transfer, purchase and installation of new and used equipment, lighting, communications and other miscellaneous equipment is \$607,900. This budgeted amount also includes funds for the approved mechanical sweeper purchase/replacement, and for a Police Department motorcycle replacement, scheduled for Council consideration at a later date.

**BACKGROUND:**

The annual review of the City's fleet of vehicles and equipment identified 32 vehicles and 7 pieces of equipment that should be replaced. The City vehicle and replacement policy, revised by the City Council in 2011, was utilized to determine replacement eligibility. This policy essentially provides replacement guidelines that consider long-term effective service life and costs for budgeting purposes. Among the guidelines considered are high/rising maintenance and repair costs, operating costs, excessive downtime of equipment, parts or service no longer available, poor utilization, updated legal considerations, etc.

Financial restraints have limited the budget dedicated to vehicle and equipment replacement for several years and each year un-funded vehicle requests have grown. This year eight (8) vehicles are programmed for replacement, plus one (1) vehicle as a new addition to the fleet, leaving approximately \$1.7 million in high mileage or outdated vehicles and equipment in the fleet. Vehicle repairs, maintenance and down time are expected to increase as the fleet ages.

**RECOMMENDATIONS:**

The vendor source and purchase price of equipment is through the State of Colorado and Colorado Department of Transportation purchasing contract, which allows the City to attain the equipment at the best price and in accordance with bid/purchasing requirements. Staff recommends the purchase of the following vehicles this year:

1. Three (3) new model year 2018, mid-size, marked, all-wheel drive, Ford Police Patrol Utility Interceptor vehicles will be purchased from Larry H. Miller Ford of Lakewood, Colorado, to replace three (3) existing, high maintenance Chevrolet Caprice Police Patrol marked sedans, units 80, 97 and 98 in the Patrol division of the Police department.
2. One (1) new model year 2018, mid-size, marked, all-wheel drive, Ford Police Patrol Utility Interceptor vehicles will be purchased from Larry H. Miller Ford of Lakewood, Colorado, as a new addition vehicle in the Patrol division of the Police department.
3. Two (2) new model year 2018, mid-size, hybrid, Ford Fusion sedans will be purchased from Larry H. Miller Ford of Lakewood, Colorado, to replace two (2) existing, high mileage Honda Accord sedans unit 3 and unit 21 in the Investigations division of the Police department.
4. One (1) new model year 2018, mid-size, Chevrolet Colorado 4x2, extended cab pickup will be purchased from John Elway Chevrolet of Englewood, Colorado to replace one (1)

existing, high mileage Dodge Dakota 4x2 pickup, unit 217 in the Engineering division of the Public Works department.

5. One (1) new model year 2018, mid-size, Chevrolet Colorado 4x4, extended cab pickup will be purchased from John Elway Chevrolet of Englewood, Colorado to replace one (1) existing, high mileage Chevrolet S-10 4x2 pickup, unit 202 in the Maintenance division of the Parks and Recreation department.
6. One (1) new model year 2018, large, heavy duty 4x2 cab and chassis with a dump body will be purchased from Korf Continental Ford of Julesburg, Colorado to replace one (1) existing, high mileage Chevrolet heavy-duty cab and chassis with a dump body, unit 32 in the Maintenance division of the Parks & Recreation department.

All of the vehicles being replaced will be disposed of by auction.

The estimated cost of auxiliary equipment, markings, decals and miscellaneous items for the vehicles are as follows:

Four (4) police patrol vehicles: \$68,000

Two (2) hybrid sedans: \$12,000

Two (2) mid-sized pickups: \$2,000

One (1) large, heavy-duty cab and chassis with dump body: \$1,000

The total cost of all the auxiliary equipment, decals, marking and miscellaneous equipment requested at this time is not to exceed \$83,000.00.

**RECOMMENDED MOTION:**

“I move to approve the purchase of 2018 vehicle replacements and the purchase and installation of lighting, auxiliary and communications equipment in a total amount not to exceed \$351,897.”

Or,

“I move to deny the approval of the purchase of 2018 vehicle replacements and the purchase and installation of lighting, auxiliary and communications equipment for the following reason(s): \_\_\_\_\_”

**REPORT PREPARED/REVIEWED BY:**

Greg Knudson, Operations Manager

Scott Brink, Public Works Director

Jennifer Nellis, Purchasing Agent

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Vehicle Price Agreements and Specifications

**CITY OF WHEAT RIDGE**

Specifications for One (1) Marked Police Department Utility Police Interceptor All-Wheel Drive  
(New Addition To Fleet)

January 23, 2018

BASED ON 2018 STATE OF COLORADO PRICE  
AGREEMENT #201800000000000026

Base vehicle as bid: 2017 Ford Patrol AWD Interceptor Utility: \$35,550.00

**Standard Specifications**

Body Code: K8A Patrol Passenger Utility, Medium, AWD  
Interior/Color: Cloth Front & Vinyl Rear/Charcoal Black  
Base Body Exterior Color: Shadow Black  
Fuel Type: Unleaded Gasoline

**Add Factory Option(s)**

43D	Dark car feature-Courtesy Lamp Disable	\$ 20.00
17T	Dome Lamp-Red/White In Cargo Area	\$ 50.00
92G	Glass-Solar Tint 2 <sup>nd</sup> & 3 <sup>rd</sup> Row	\$ 120.00
53M	SYNC Basic-Voice Activated Communication System	\$ 295.00
61S	Remappable (4) switches On Steering Wheel with Voice	\$ 155.00
18W	Rear Window Power Delete	\$ 25.00
59E	Keyed Alike – 1435x	\$ 35.00
90E	Ballistic Door Panels-Driver & Passenger Front Doors	\$3,170.00
55B	BLIS-Blind Spot Monitoring with Cross Traffic Alert	\$ 545.00
76R	Reverse Sensing (Sonar with Chime)	\$ 275.00
60R	Noise Suppression Bonds	\$ 100.00
66A	Front Headlight Lighting Solution-Utility	\$ 850.00
76D	Protector Deflector Plate-Utility	\$ 335.00

**Total Price of Factory Options: \$5,975.00**

**Delete Factory Option(s)**

810D Complete #810 Package <\$8,100.00>

**Total Price of Vehicle Only with Selected Factory Options: \$33,425.00**

Specifications for one (1) Parks & Recreation Dept. - Large, Heavy Duty, 4x4  
Cab & Chassis

January 22, 2018

Base vehicle as bid: 2018 Ford F-350 XL, 4x2 Cab & Chassis: \$24,479.00

Body Code: T1  
Exterior Color: Z1, Oxford White  
Interior: Matching, cloth  
Fuel Type: Unleaded Gasoline

150	Dump-Thru Liftgate 1600#	\$ 4,982.00
429	Trailer Brake Control-Electric	\$ 468.00
430	Package:CL V Towing/RCVR Hitch (includes wiring harness)	\$ 688.00
443	Package: Roof Strobe with Self Leveling Bracket	\$ 792.00
481	Package: 9-Foot Dump Bed Body	\$ 9,045.00

**Total Price of Vehicle Only with Selected Factory Options:      \$40,454.00**

**CITY OF WHEAT RIDGE**

Specifications for one (1) Parks & Recreation Dept. – Mid-Size, 4x4, Extended  
Cab, Pickup  
(Replacement For Unit #202)

January 22, 2018

BASED ON 2018 STATE OF COLORADO PRICE  
AGREEMENT #2018000000000000013

Base vehicle as bid: 2016 Chevrolet Colorado, Extended Cab,  
4x4 Pickup: \$24,716.00

**Standard Specifications**

Body Code: F1

Exterior Color: White

Interior: CS, Matching Cloth

Fuel Type: Unleaded Gasoline

**Factory Option Additions**

216	3.6L V-6 Engine for Tow Package	\$ 1,120.00
408	Rear Axle Anti-Spin (for 430)	\$ 325.00
423	Tool Box-Across Bed, Gull Wing	\$ 366.00
430	PCKG: Towing/RCVR Hitch	\$ 250.00
443	PKG: Strobe Light	\$ 280.00
469	Spray In Bedliner	\$ 450.00

**Total Price of Factory Options: \$ 2,791.00**

**Total Price of Vehicle Only with Selected Factory Options: \$27,507.00**



**CITY OF WHEAT RIDGE**

Specifications for one (1) Public Works Dept. – Mid-Size, 4x2, Extended Cab,  
Pickup  
(Replacement For Unit #217)

January 22, 2018

BASED ON 2018 STATE OF COLORADO PRICE  
AGREEMENT #2018000000000000013

Base vehicle as bid: 2018 Chevrolet Colorado, Extended Cab,  
4x2 Pickup: \$21,280.00

**Standard Specifications**

Body Code: F1

Exterior Color: White

Interior: CS, Matching Cloth

Fuel Type: Unleaded Gasoline

**Factory Option Additions**

423	Tool Box-Across Bed, Gull Wing	\$ 366.00
443	PKG: Strobe Light	\$ 280.00
450	Spray In Bedliner	\$ 450.00

**Total Price of Factory Options: \$ 1,096.00**

**Total Price of Vehicle Only with Selected Factory Options: \$22,376.00**

**CITY OF WHEAT RIDGE**

Specifications for one (1) Police Department - Front Wheel Drive Hybrid  
(Gas/Electric) Sedan  
(Replacement for Unit 3)

January 22, 2018

BASED ON 2018 STATE OF COLORADO PRICE  
AGREEMENT #20180000000000000026

Base vehicle as bid: 2018 Ford Fusion Hybrid (Gas/Electric) Sedan: \$22,430.00

**Standard Specifications**

Body Code: AH  
Exterior Color: Blue  
Interior: Matching  
Fuel Type: Unleaded Gasoline

**Factory Options**

None

**Total Price of Vehicle Only with Selected Factory Options:        \$22,430.00**

Specifications for Three (3) Marked Police Department Utility Police Interceptor  
All-Wheel Drive  
(Replacement for Units 80, 97 & 98)

BASED ON 2018 STATE OF COLORADO PRICE  
AGREEMENT #201800000000000026

**Total Price of Vehicle Only with Selected Factory Options:   \$33,425.00**

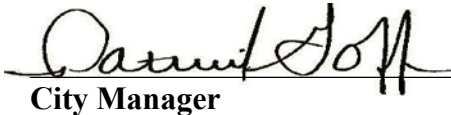
**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: MOTION TO APPOINT JERRY DITULLIO AS A CITY DIRECTOR TO THE WHEAT RIDGE BUSINESS DISTRICT BOARD OF DIRECTORS, TERM TO EXPIRE MARCH 31, 2021**

- ☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

- ☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO

  
City Manager**ISSUE:**

The Wheat Ridge Business District (WRBD) is managed by a Board of Directors. Eight Directors (“Elected Directors”) are elected by the District membership to serve for three-year terms with no term limits. Three Directors (“City Directors”) are appointed by City Council and may, from time to time, be replaced. The Council appointees may be, but not need be, members of Council.

**PRIOR ACTION:**

Tim Fitzgerald resigned as a City Director in 2017.

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

Three City Directors are appointed by City Council and may, from time to time, be replaced. The Council appointees may be, but not need be, members of Council. Currently Mayor Starker and Councilmember Hoppe are City Directors.

**RECOMMENDATIONS:**

Jerry DiTullio has indicated that he would be willing to serve on the Wheat Ridge Business District Board.

**RECOMMENDED MOTIONS:**

“I move to appoint Jerry DiTullio as a City Director on the Wheat Ridge Business District Board of Directors, term to expire March 31, 2021.”

Or,

“I move to deny the appointment of Jerry DiTullio as a City Director on the Wheat Ridge Business District Board of Directors for the following reason(s)\_\_\_\_\_.”

**REPORT PREPARED BY:**

Patrick Goff, City Manager

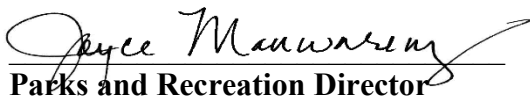
**REQUEST FOR CITY COUNCIL ACTION**


**TITLE: RESOLUTION NO. 09-2018 - A RESOLUTION AMENDING THE FISCAL YEAR 2018 GENERAL FUND BUDGET IN THE AMOUNT OF \$6,698 FOR THE PURPOSE OF APPROPRIATING GRANT AWARDS FOR THE PURCHASE AND INSTALLATION OF A BIKE AND PEDESTRIAN COUNTER ON THE CLEAR CREEK TRAIL AND FOR A PERGOLA AND FRUIT TREES AT HAPPINESS GARDENS.**

☐ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☒ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO

  
Parks and Recreation Director

  
City Manager

**ISSUE:**

The Parks and Recreation Department applied for and received two Jefferson County Public Health grants totaling \$6,698 to purchase a bike and pedestrian counter for the Clear Creek Trail and a pergola and fruit trees for Happiness Gardens. A budget amendment is required to appropriate these unanticipated grant funds for expenditure.

**PRIOR ACTION:**

Resolution #35-2014 was passed authorizing and supporting the City's commitment to encourage healthy opportunities for members of the community.

**FINANCIAL IMPACT:**

The purchases total \$6,698. The Parks and Recreation Department does not have the funding to complete this project without acceptance of the grant award.

**BACKGROUND:**

A bike and pedestrian counter on the Clear Creek Trail will allow the department to gather accurate usage data. Currently, the number of users is estimated. A trail counter will provide data on the number of users, the mode of transportation (bike or pedestrian), and the demand during each hour of the day. The counter is portable so the Parks and Recreation Department can track usage on different trail segments. This information will allow the Parks and Recreation Department to manage trail usage as well as support future trail grant applications.

A pergola at Happiness Gardens will provide a shaded gathering space for gardeners. The fruit trees planted at Happiness Gardens will increase community access to healthy foods.

**RECOMMENDATIONS:**

Staff recommends the approval of the budget amendment to allow for award acceptance to purchase a trail counter and make improvements to Happiness Gardens.

**RECOMMENDED MOTION:**

“I move to approve Resolution No. 09-2018, a resolution amending the fiscal year 2018 General Fund budget in the amount of \$6,698 for the purpose of appropriating grant awards for the installation of a bike and pedestrian counter on the Clear Creek Trail and for a pergola and fruit trees at Happiness Gardens”

Or,

“I move to postpone indefinitely Resolution No. 09-2018, a resolution amending the fiscal year 2018 General Fund budget in the amount of \$6,698 for the purpose of appropriating grant awards for the installation of a bike and pedestrian counter on the Clear Creek Trail and for a pergola and fruit trees at Happiness Gardens for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Matt Anderson, Parks and Recreation Analyst

Margaret Paget, Forestry and Open Space Supervisor

Joyce Manwaring, Parks and Recreation Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Resolution No. 09-2018

**CITY OF WHEAT RIDGE, COLORADO**  
**RESOLUTION NO. 09**  
**Series of 2018**

**TITLE: A RESOLUTION AMENDING THE 2018 GENERAL FUND BUDGET IN THE AMOUNT OF \$6,698 FOR THE PURPOSE OF APPROPRIATING GRANT AWARDS FOR THE PURCHASE OF A BIKE AND PEDESTRIAN COUNTER ON THE CLEAR CREEK TRAIL AND FOR A PERGOLA AND FRUIT TREES AT HAPPINESS GARDENS.**

**WHEREAS**, the Parks and Recreation Department has received a grant to install a trail counter on the Clear Creek Trail; and

**WHEREAS**, the Parks and Recreation Department has received a grant to install a pergola and purchase fruit trees for Happiness Gardens; and

**WHEREAS**, these grants have been awarded from Jefferson County Public Health; and

**WHEREAS**, these grant awards were not appropriated in the 2018 budget; and

**WHEREAS**, an amendment to the General Fund budget is required to expend these funds; and

**WHEREAS**, the Wheat Ridge Charter requires that amendments to the budget be effected by the City Council adopting a Resolution; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Wheat Ridge, Colorado, as follows:

**THE FOLLOWING AMENDMENTS TO THE GENERAL FUND ARE HEREBY APPROVED:**

1. A supplemental budget appropriation in the amount of \$4,048 to account #01-605-650-660 for the purpose of appropriating grant awards for a Clear Creek Trail Counter.
2. A supplemental budget appropriation in the amount of \$2,650 to account #01-604-650-660 for the purpose of appropriating grant awards for a Happiness Gardens pergola and fruit trees.

**DONE AND RESOLVED** this 22nd day of January 2018.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk



**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: MOTION TO APPROVE PAYMENT TO COLORADO INTERGOVERNMENTAL RISK SHARING AGENCY (CIRSA) FOR 2018 WORKERS' COMPENSATION PREMIUM IN THE AMOUNT OF \$304,536 AND 2018 PROPERTY/CASUALTY PREMIUM IN THE AMOUNT OF \$231,139**

☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☐ YES☒ NO  
Administrative Services Director  
City Manager**ISSUE:**

The Colorado Intergovernmental Risk Sharing Agency (CIRSA) provides property/casualty and workers' compensation coverage for the City of Wheat Ridge. Each year the City of Wheat Ridge completes a CIRSA renewal application process for both property/casualty and workers' compensation coverage in June and the premium amount is based on the information provided in the applications. The pool billing amount is then reduced if the City is eligible for credits offered by CIRSA. The annual payments due for 2018 are \$304,536 for workers' compensation and \$231,139 for property/casualty.

**PRIOR ACTION:**

CIRSA premiums are budgeted line items in the 2018 adopted budget, General Government – Central Charges account.

**FINANCIAL IMPACT:**

For 2018, the City received a total of \$18,032 in credits between the two policies due to the proactive work of the employee Safety Committee in accident prevention and overall loss control efforts.

**BACKGROUND:**

Each year the City of Wheat Ridge completes a CIRSA renewal application process for both property/casualty and workers compensation coverage and the premium amount is based on the information provided in the applications. The pool billing amount is then reduced if the City is eligible for credits offered by CIRSA.

For 2018 the City received loss control audit credits of \$12,946 for worker's compensation and \$5,086 for property/casualty. Additionally, organizations within the CIRSA membership pool that have been successful at using loss control techniques to control losses receive a credit. This credit is known as the "Impact of Loss Experience." For 2018, the City is receiving a credit of \$6,488 for workers' compensation coverage. For property/casualty, we did not receive a credit. However, the May 9<sup>th</sup> Hailstorm is a contributing factor to not receiving this credit. Damages to City property are estimated at \$2.1 million as a result of the storm.

	<b>Workers Compensation</b>	<b>Property Casualty</b>
Cont. Before Reserve and Loss Experience	\$323,970	\$236,225
Impact of Loss Experience	-\$6,488	\$0
<b><i>18' Preliminary Quote</i></b>	<b>\$317,482</b>	<b>\$236,225</b>
2017 Loss Control Audit Credit	-\$12,946	-\$5,086
<b><i>18' Total Premium Due</i></b>	<b>\$304,536</b>	<b>\$231,139</b>

The adjusted workers' compensation payment for 2018 is \$304,536, which reflects a premium decrease of \$53,560 paid in 2017. The adjusted property/casualty payment for 2018 is \$231,139, which reflects a \$35,497 increase in premium from the \$195,642 paid in 2017.

**RECOMMENDATIONS:**

Staff recommends payment of the CIRSA annual premiums.

**RECOMMENDED MOTION:**

"I move to approve payment to CIRSA for 2018 workers' compensation premium in the amount of \$304,536 and the 2018 property/casualty premium in the amount of \$231,139."

Or,

"I move to deny the payment to CIRSA for workers' compensation and property/casualty premiums for the following reason(s) \_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Heather Geyer, Administrative Services Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Invoice # W18055 - Workers' Compensation Pool billing for 2018
2. Invoice # 180111 - Property /Casualty Pool billing for 2018



# ANNUAL INVOICE

City Of Wheat Ridge  
Attn: Laura McAvoy  
7500 West 29th Ave.  
Wheat Ridge CO 80033

**Date: January 01, 2018**

**Invoice #: W18055**

**Member ID: 13100**

DESCRIPTION	COVERAGE DATES	AMOUNT DUE
Workers' Compensation Coverage: (see breakdown of annual contribution attached)	01/01/18-01/01/19	\$317,482.00
2017 Loss Control Audit Credit		(\$12,946.00)
	<b>TOTAL</b>	<b>\$304,536.00</b>

This invoice constitutes your Workers' Compensation Pool billing for 2018. Based on your selection when you accepted your quote, you opted to pay your contribution premium in full. Payment is due on January 1, 2018. Payments received in our office after February 15 will be charged interest at the current Prime Rate.

Delinquencies are subject to CIRSA Bylaws, Article VIII (1) (a) and Article XV.

This invoice includes all exposure changes reported to us from the time your renewal quote was calculated, August 18, 2017, to the time the invoice was calculated, December 20, 2017. Any changes between August 18 and December 20, including but not limited to the addition or deletion of payroll, or amendment of a class code, are reflected in this invoice. Any changes after December 20 will be included in your payroll audit performed in February 2019.

## PAYMENT OPTIONS:

**Pay On-Line Website Address:**

<https://ww2.e-billexpress.com/ebpp/CIRSA/>

**Pay by Electronic Funds Transfer:**

Bank Name: Wells Fargo Bank N.A.  
Account Name: CIRSA  
Routing Number: 102000076  
Account Number: 1018076908

**Pay by Check Mailing Address:**

CIRSA  
P.O. Box 910543  
Denver, CO 80291-0543

# CIRSA

Workers' Compensation Pool  
Allocation of 2018 Annual Contribution

## Wheat Ridge

Description	Rating Category	Allocated Payroll	Allocated Annual Contribution \$317,482	Rate per \$100 of Pay
Landscape and Gardening – New Installations	0042	\$0	\$0	
Asphalt Works, Drivers	1463	\$0	\$0	
Photography	4361	\$0	\$0	
Electrician	5190	\$0	\$0	
Parking Meter Maint/Repair	5192	\$0	\$0	
Carpentry including Interior Finish or Trim	5437	\$0	\$0	
Streets, Road, Bridge Construction and Repair	5506	\$400,000	\$18,793	\$4.70
Excavation	6217	\$0	\$0	
Street Lighting and Traffic Signal Construction or Repair	6325	\$145,000	\$4,289	\$2.96
Marina – Sale or Repair, Operation or Boat Docks	6826	\$0	\$0	
Ambulance Driver – Paid	7370	\$0	\$0	
Bookmobile	7380	\$0	\$0	
Transportation – All Transit Bus Workers including Drivers	7382	\$0	\$0	
Airport or Helicopter Operations - Ground Crew	7403	\$0	\$0	
Gas – All Employees including Meter Readers	7502	\$0	\$0	
Water – All Operations including Installation, Construction or Repair;				
Meter Readers	7520	\$0	\$0	
Electric – including Meter Readers	7539	\$0	\$0	
Sewage Disposal - All Operations including Installation, Construction				
or Repair	7580	\$0	\$0	
Garbage Works, Landfill	7590	\$0	\$0	
Firefighters & Chief	7710	\$0	\$0	
Firefighters – Paid and Unpaid Volunteers	7711	\$0	\$0	
Volunteer Search & Rescue or Amb. Teams	7719	\$0	\$0	
Police & Chief; Traffic Controllers	7720	\$6,760,000	\$190,945	\$2.82
Police - Volunteers Paid	7720.1	\$0	\$0	
Police - Volunteers Unpaid	7720.2	\$0	\$0	
Auto or Mobile Equipment Maintenance or Repair	8380	\$115,000	\$2,516	\$2.19
Field Engineers & Surveyors	8601	\$300,000	\$970	\$0.32
Case & Social Workers; Claim Adjusters	8742	\$56,000	\$127	\$0.23
Clerical, Librarians, Judges	8810	\$3,844,732	\$4,509	\$0.12
Council/Trustees – Paid	8810.1	\$0	\$0	
Appointed Boards & Comm. - Paid	8810.2	\$0	\$0	
Council/Trustees – Unpaid	8811	\$140,400	\$53	\$0.04
Appointed Boards & Comm. - Unpaid	8811.1	\$982,800	\$374	\$0.04
Animal Control	8831	\$0	\$0	
Child Day Care	8868	\$48,000	\$242	\$0.50
Building Management and Maintenance	9015	\$265,000	\$9,577	\$3.61
Fairground, Amusement Park, Ice and Roller Skating Rink	9016	\$0	\$0	
Hotel Workers	9052	\$0	\$0	
Golf Courses	9060	\$0	\$0	
Restaurant & Food Service	9082	\$0	\$0	
Parks and Recreation including Swimming Pool Employees	9102	\$1,748,954	\$51,730	\$2.96
Theatre - All Except Actors	9154	\$0	\$0	
Theater – Actor	9156	\$0	\$0	
Ski Trail Maintenance and Ski Lift Employees	9180	\$0	\$0	
Cemetery	9220	\$0	\$0	
Street Cleaning & Snow Removal	9402	\$59,000	\$2,233	\$3.78
Refuse & Garbage Collection including drivers	9403	\$0	\$0	
Not Otherwise Classified - Field and Office	9410	\$2,257,000	\$31,125	\$1.38
Totals		\$17,121,886	\$317,482	



# ANNUAL INVOICE

City Of Wheat Ridge  
Attn: Laura McAvoy  
7500 West 29th Ave.  
Wheat Ridge CO 80033

Date: January 01, 2018

Invoice #: 180111

Member ID: 13100

DESCRIPTION	COVERAGE DATES	AMOUNT DUE
Property/Casualty Coverage:	01/01/18-01/01/19	
General Liability, including separately rated exposures		\$15,092.00
Public Officials E&O Liability		\$47,791.00
Police Professional Liability		\$56,229.00
Auto Liability		\$35,849.00
Auto Physical Damage		\$11,940.00
Property Damage		\$69,324.00
Total Property/Casualty Coverage:		\$236,225.00
2017 Loss Control Audit Credit		(\$5,086.00)
	<b>TOTAL</b>	<b>\$231,139.00</b>

This invoice constitutes your Property/Casualty Pool billing for 2018. Based on your selection when you accepted your quote, you opted to pay your contribution premium in full. Payment is due on January 1, 2018. Payments received in our office after February 15 will be charged interest at the current Prime Rate.

Delinquencies are subject to CIRSA Bylaws, Article VIII (1) (a) and Article XV.

This invoice includes all exposure changes reported to us from the time your renewal quote was calculated, August 18, 2017, to the time the invoice was calculated, December 20, 2017. Any changes between August 18 and December 20, including but not limited to the addition or deletion of buildings, mobile equipment and automobiles, are reflected in this invoice. Any changes after December 20 will be billed or credited separately.

This invoice does not include any optional coverages your entity has selected. A separate bill will be sent for any such coverages.

## PAYMENT OPTIONS:

### Pay On-Line Website Address:

<https://ww2.e-billexpress.com/ebpp/CIRSA/>

### Pay by Electronic Funds Transfer:

Bank Name: Wells Fargo Bank N.A.  
Account Name: CIRSA  
Routing Number: 102000076  
Account Number: 1018076908

### Pay by Check Mailing Address:

CIRSA  
P.O. Box 910543  
Denver, CO 80291-0543

**REQUEST FOR CITY COUNCIL ACTION****TITLE: MOTION TO APPROVE 2018 PAYMENT TO RENEWAL  
WHEAT RIDGE IN THE AMOUNT OF \$300,000**

- ☐ PUBLIC HEARING  
☒ BIDS/MOTIONS  
☐ RESOLUTIONS

- ☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL: ☐ YES ☒ NO



**City Manager**

**ISSUE:**

Pursuant to an intergovernmental agreement between the City of Wheat Ridge and the Wheat Ridge Urban Renewal Authority, dba Renewal Wheat Ridge (RWR), the City contributes \$300,000 annually to RWR for operating expenses. These funds are budgeted in the 2018 General Fund Budget approved by City Council on October 9, 2017. Per the City's Purchasing Guidelines, payments over the amount of \$75,000 require City Council approval.

**PRIOR ACTION:**

The City Council approved funding in the amount of \$300,000 for RWR 2017 operating expenses.

**FINANCIAL IMPACT:**

The City's annual contribution of \$300,000 to RWR is budgeted in the Economic Development program budget (105) in the 2018 General Fund Budget.

**BACKGROUND:**

The City adopted the Wheat Ridge Town Center Urban Renewal Plan on December 14, 1981, which provided for the utilization of property and sales tax increment in the commercial area east of Wadsworth Boulevard, between West 38<sup>th</sup> Avenue and West 44<sup>th</sup> Avenue. The increment was used for the construction of public improvements required for the Town Center redevelopment project. The property tax increment expired in 2006, after 25 years.

- Through an Intergovernmental Agreement (IGA) between the City and RWR signed on June 26, 2006, an extension of the sharing of the sales tax increment was approved. The IGA stipulated that 50% of the sales tax increment, not to exceed \$100,000 in any fiscal year, would be shared with RWR to and including December 31, 2008.
- An amendment to the IGA in October 2007 removed the \$100,000 annual cap and extended the agreement to December 31, 2014.
- In September, 2011 the City Council approved an increase in the sales tax increment share back from 50% to 100%.
- An amendment to the IGA in November 2014 was approved setting the annual funding to RWR at \$300,000 through December 31, 2019.

**RECOMMENDATIONS:**

Staff recommends payment of the annual contribution to RWR.

**RECOMMENDED MOTION:**

“I move to approve 2018 payment to Renewal Wheat Ridge in the amount of \$300,000.”

Or,

“I move deny the payment to RWR for the following reason(s)

\_\_\_\_\_.”

**REPORT PREPARED/REVIEWED BY:**

Patrick Goff, City Manager

**ATTACHMENT:**

1. IGA between City and RWR, dated November 18, 2014



## **Intergovernmental Agreement**

This Intergovernmental Agreement is entered into between the City of Wheat Ridge, Colorado (the "City") and the Wheat Ridge Urban Renewal Authority d/b/a Renewal Wheat Ridge (the "Authority") as of the 18 day of November, 2014, together referred to as the "Parties."

In consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

### **1. Purpose of Agreement**

This Agreement is entered into in order to establish the rights and responsibilities of the City and the Authority with respect to: (1) operational assistance and (2) funding.

### **2. Operational Assistance**

#### **A. Employees**

1. Executive Director. The City Manager has retained or shall retain a Director of Community Development and/or an Economic Development Manager and the Authority has retained said person as the Executive Director of the Authority..
2. Authority Employees. The Authority has and may continue to retain the professional services of other staff, consultants, advisors, experts and legal counsel as necessary and in accordance with the Urban Renewal Law.
3. City Employees. Upon request of the Director of the Authority, and subject to approval of the City Manager or his designee, City employees may be assigned to work for the Authority. Such approval of the Manager shall include the right to limit or to withhold assignment of City employees to work for the Authority if, in judgment of the City Manager, the assignment of such employee(s) to work for the Authority is impairing the employee(s)' ability to complete his/her City duties. While performing services for the Authority, such City employees shall coordinate their services with the Director.

#### **B. Personnel Actions Related to Employees**

1. Notwithstanding Section 2. A.1, the selection, termination and other personnel actions related to any person performing the functions of

the Executive Director of the Authority, who is not a City employee, shall be made by the Board of Commissioners of the Authority. The Board of Commissioners of the Authority agrees to consult with the City Manager prior to the retention of an Executive Director regarding methods and areas of cooperation between the Authority and the City relating to duties of the Executive Director vis-à-vis contemporaneous City duties, if any, and utilization of other City employees.

2. The selection, description of duties and services, termination and other personnel actions related to all other employees, consultants, experts, attorneys and advisors of the Authority shall be made by the Authority's Board of Commissioners.
3. Personnel actions relating to City employees shall in no manner be affected by this Agreement. In the event of any personnel action relating to any City employee while working under the terms and provisions of this Agreement, such action shall be subject to the City's personnel rules and regulations.

#### C. Salaries and Procedures

1. The salary of the Executive Director of the Authority shall be established by the Board of Commissioners of the Authority; provided, however, in the event the Executive Director hired by the Authority is also a City employee, the Authority agrees that his/her total salary shall be in accordance with the salary set by the City for the Director's position with the City; and the portion thereof attributable to the Authority shall be allocated and paid as provided in this Agreement.
2. The salaries/fees of all other employees, consultants, experts, attorneys and advisors of the Authority shall be established by the Board of Commissioners of the Authority. Any Authority employee may be included in benefit programs available to City employees and the Authority shall pay for the costs thereof.

#### D. Other Services

1. The City may provide the Authority with such other services as may be required in order to perform its urban renewal functions including, but not limited to, accounting, financial and budget management, planning services and engineering services; provided, however, that nothing herein shall be construed as prohibiting the Authority from contracting with or retaining third parties to provide all or a portion of any services.



2. Annual or any special financial audits shall be performed by the City's independent auditor. All costs of any such audit or financial services shall be billed to and paid by the Authority.

E. Office Space; Furnishings

1. The City may make available appropriate office space and office equipment to the Authority. All furnishings, equipment and supplies for the Authority may be acquired by the Authority or rented from the City. All furnishings and equipment loaned or rented to the Authority by the City shall be billed to and paid by the Authority and remain the property of the City. All furnishings and equipment acquired by the Authority shall become the property of the City upon the dissolution of the Authority.

F. Operations Integration

1. City Codes. The Authority shall comply with applicable City ordinances, codes, rules and regulations related to the development and/or redevelopment of the urban renewal areas, except as provided otherwise in the urban renewal plans and the Colorado Urban Renewal Law.
2. Reports to Council. The City Council shall be informed of the activities, functions, operations, legal processes and financial/budgetary administration and condition of the Authority on a periodic basis and as requested by Council.
3. Meetings. The Board of Commissioners and City Council shall meet at the request of the Council to communicate and coordinate activities, functions and share ideas and actions related to carrying out urban renewal and/or redevelopment projects.
4. Powers of Authority. The parties acknowledge and agree that the Board of Commissioners shall exercise all powers provided in the Urban Renewal Law and as provided in the urban renewal (redevelopment) plans adopted by Council.

G. Insurance

1. The City agrees to include the Authority under its existing property casualty and workers' compensation insurance coverages as a part of the services to be provided by the City to the Authority under the terms and provisions of this Agreement.

The Authority shall pay for any other insurance requirements as required.

1.

### 3. Funding

The City will provide to the Authority \$300,000 on an annual basis for the Authority to perform its urban renewal functions. The funding will be provided to the Authority in one payment in the month of January.

### 4. City and Authority Separate

Nothing in this Agreement shall be interpreted in any manner as constituting the City or its officials, representatives, consultants or employees as the agents or employees of the Authority, or the Authority or its officials, representatives, consultants or employees as the agents or employees of the City. Each entity shall remain separate, subject to the cooperation and coordination of each entity's respective duties and powers with regard to urban renewal (redevelopment) activities. Neither party shall hereby assume the debts, obligations or liabilities of the other. The Authority shall be responsible for carrying out the duties and functions in accordance with the Colorado Urban Renewal Law, the urban renewal plans and other applicable laws and regulations.

### 5. Effect on Prior Agreements

All existing/prior cooperation agreements and/or intergovernmental agreements between the City and the Authority are hereby rescinded. The terms of this Agreement shall control the relationship between and activities of the City and the Authority.

### 6. Termination

This Agreement may be terminated by the mutual consent of the parties at any time after giving at least (60) days written notice of intention to so terminate; provided, however, termination of this Agreement shall not release the Authority from its obligation to pay the funds due the City as provided herein, unless such obligation is specifically terminated by the City. The term of this Agreement shall commence on January 1, 2015 and shall continue in full force and effect for a period of 60 months to and including December 31, 2019.

7. No Debt

Nothing herein shall be construed as constituting any multi-year fiscal obligation within the meaning of Article X, Section 20 of the Colorado Constitution, it being the intention of the parties that all fiscal obligations herein be subject to annual appropriation.

8. Further Assurances

The Parties agree to take such further acts as necessary to implement the provisions of this Agreement.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first set forth above.

WHEAT RIDGE URBAN RENEWAL AUTHORITY

By: \_\_\_\_\_

Chair, KRISTI DAVIS

STATE OF COLORADO )

)

ss.

County of Jefferson

The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of Nov., 2014 by Kristi Davis, as Chair of the Wheat Ridge Urban Renewal Authority.

\_\_\_\_\_  
Notary Public

My Commission expires: 10/28/18



CITY OF WHEAT RIDGE, COLORADO

By: \_\_\_\_\_

Joyce Jay, Mayor



ATTEST:



Janelle Shaver  
Janelle Shaver, City Clerk

APPROVED AS TO FORM:

Gerald E. Dahl  
Gerald E. Dahl, City Attorney

STATE OF COLORADO

)

)

ss.

County of Jefferson

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of December, 2014 by Joyce Jay as Mayor and Janelle Shaver as City Clerk of the City of Wheat Ridge, Colorado.

Witness my hand and official seal.

My Commission expires: 3.22.2018

KELLY K STEVENS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID # 20064011241  
MY COMMISSION EXPIRES MARCH 22, 2018

Kelly K Stevens  
Notary Public

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 02-2018 – AN ORDINANCE  
EXTENDING THE TEMPORARY MORATORIUM ON THE  
SUBMISSION, ACCEPTANCE, PROCESSING, AND  
APPROVAL OF APPLICATIONS AND REQUESTS FOR A  
PERMIT, LICENSE, LAND USE APPROVAL OR OTHER  
APPROVAL FOR A FREESTANDING EMERGENCY ROOM  
FACILITY**

☒ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING (1/8/2018)  
☒ ORDINANCES FOR 2<sup>ND</sup> READING (1/22/2018)

QUASI-JUDICIAL:

☐ YES

☒ NO



City Attorney



City Manager

**ISSUE:**

In April of 2017, the Council adopted a one-year moratorium on the submission, acceptance, processing and approval of applications and requests related to freestanding emergency room facilities. This ordinance extends the moratorium period for an additional 120 days, to and including August 27, 2018.

**PRIOR ACTION:**

On April 11, 2016, City Council adopted Ordinance 1595 placing a 365-day temporary moratorium on the submission, acceptance, processing and approval of applications and requests related to freestanding emergency room facilities and extended the moratorium by another 365 days through the adoption of Ordinance No. 1616.

**FINANCIAL IMPACT:**

The potential loss of license, permit, application and similar fees associated with applications for freestanding emergency room (ER) facilities for an additional 120 days is likely nominal.

**BACKGROUND:**

Freestanding ERs continue to increase in number and popularity. In Colorado, the number of freestanding ERs rose from two in 2012 to at least 35 by mid-2016. These facilities provide emergency medical treatment and care similar to a hospital-based ER. Ambulances deliver to these freestanding facilities and many offer more sophisticated on-site services – such as radiology and lab services – than urgent care facilities. These types of facilities continue to be unregulated by the state.

Freestanding ERs likely generate land use impacts that are more akin to hospitals than to other medical facilities, such as clinics, doctor's offices and urgent-care facilities. Unlike these other types of medical facilities, freestanding ERs accommodate ambulance and other emergency-vehicle traffic and they are often open 24/7. They produce light, noise, glare and traffic beyond that of a non-emergent medical care facility. It is therefore appropriate to study and evaluate whether the City's existing zoning regulations adequately address freestanding ER facilities.

In the past, there have been media stories on freestanding ERs and patient confusion between freestanding ERs and urgent care facilities. Because freestanding ERs are not currently licensed or regulated by the state, patients may also be uninformed about the relative costs, benefits, advantages and disadvantages of visiting a freestanding ER versus a hospital-based ER. It is therefore appropriate for Council to study and evaluate whether the City should enter the licensing arena specific to these facilities and adopt some local licensing requirements for them.

This Ordinance continues to maintain the status quo (no freestanding ERs within the City) while the Council studies these policy issues and adopts further legislation if it deems appropriate.

**RECOMMENDATIONS:**

Staff recommends approving the extension of the temporary moratorium.

**RECOMMENDED MOTIONS:**

"I move to approve Council Bill No. 02-2018 - an ordinance extending the temporary moratorium on the submission, acceptance, processing, and approval of applications and requests for a permit, license, land use approval or other approval for a freestanding emergency room facility, on second reading and that it take effect 15 days after final publication."

Or,

"I move to postpone indefinitely Council Bill No. 02-2018 - an ordinance extending the temporary moratorium on the submission, acceptance, processing, and approval of applications and requests for a permit, license, land use approval or other approval for a freestanding emergency room facility for the following reason(s) \_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Carmen Beery, City Attorney's Office

Patrick Goff, City Manager



**ATTACHMENTS:**

1. Council Bill No. 02-2018

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER DAVIS**  
**Council Bill No. 02**  
**Ordinance No. \_\_\_\_\_**  
Series 2018

**TITLE: AN ORDINANCE EXTENDING THE TEMPORARY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF APPLICATIONS AND REQUESTS FOR A PERMIT, LICENSE, LAND USE APPROVAL OR OTHER APPROVAL FOR A FREESTANDING EMERGENCY ROOM FACILITY**

**WHEREAS**, the City of Wheat Ridge ("City") is a home rule municipality operating under a charter adopted pursuant to Article XX of the Colorado Constitution and vested with the authority by that article and the Colorado Revised Statutes to enact laws to govern and regulate the use of land within its territory; and

**WHEREAS**, pursuant to this authority, the Wheat Ridge City Council ("Council") previously adopted local land use regulations, codified as Chapter 26 of the Wheat Ridge Code of Laws ("Code"); and

**WHEREAS**, City staff has interpreted the City's current zoning regulations as permitting freestanding emergency room facilities to locate within the Mixed Use-Commercial and Planned Hospital Development zone districts only; and

**WHEREAS**, the Council finds that freestanding emergency room facilities may cause land use impacts that are different than those caused by other detached health care facilities due to the extended hours that emergency facilities may be open; and

**WHEREAS**, in response to the increase in the number and popularity of freestanding emergency room facilities over the past several years, the Council determined that it was necessary and desirable to examine the City's zoning laws and business licensing regulations governing freestanding emergency room facilities to ensure that such facilities are appropriately located; and

**WHEREAS**, additionally, the Council and City staff held a reasonable belief that the state legislature might adopt statewide legislation governing freestanding emergency room facilities that could potentially affect the desired parameters of local regulations on the topic; and

**WHEREAS**, as a result, by and through the adoption of Ordinance No. 1595, the Council previously acted to impose a one-year moratorium through April 27, 2017 on the submission, acceptance, processing, and approval of all applications and requests for a permit, license, land use approval or other approval for any freestanding emergency room facility; and

**WHEREAS**, by and through the adoption of Ordinance No. 1616, the Council extended the one-year moratorium through April 27, 2018 on the submission, acceptance, processing, and approval of all applications and requests for a permit, license, land use approval or other approval for any freestanding emergency room facility; and

**WHEREAS**, the state legislature did not adopt such legislation during the 2017 session but Council and City staff have recently learned that the state legislature is considering legislation during the 2018 session; and

**WHEREAS**, the Council therefore finds that it is prudent and desirable to extend the moratorium for an additional one hundred and twenty (120) days, to permit the careful study and evaluation of various local regulatory options with an expectation that such regulations would operate without an additional state regulatory gloss; and

**WHEREAS**, the extension of the moratorium on the submission, acceptance, processing, and approval of all applications and requests for a City permit, license, land use approval or other approval is reasonable in time and scope and would not work an unnecessary hardship upon or unreasonably prejudice any party.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

Section 1. Findings. The above and foregoing findings are hereby incorporated by this reference as specific findings and determinations of the Council.

Section 2. Temporary Moratorium Extended. The temporary moratorium imposed on the submission, acceptance, processing, and approval of all applications and requests for a City permit, license, land use approval or other approval for any freestanding emergency room facility originally adopted by Ordinance No. 1616 is hereby extended for an additional one hundred twenty (120) days, to and including August 27, 2018. The extension period adopted hereby shall commence and be measured from the date the original moratorium period expires. The City staff is directed to refuse to accept for filing, and not to further process or review any pending applications or requests for such facilities during this moratorium extension period.

Section 3. Definition of freestanding emergency room facility. For purposes of this Ordinance, a “freestanding emergency room facility” is and means a medical facility that is not physically attached to a hospital facility that has the capability of providing medical care and services to patients with emergency medical conditions in a manner similar to emergency rooms located within hospitals. Features of a freestanding emergency room facility may include, but are not limited to, expanded hours of operation, drive-lanes or vehicle bays to accommodate ambulance arrivals and departures, board-certified emergency physicians, board-certified emergency nurses, on-site lab and imaging capabilities and similar equipment, services and treatments not commonly available in urgent-care facilities.

Section 4. Staff to Investigate and Prepare Proposed Regulations. Before the expiration of the moratorium period extended by this Ordinance, City staff shall review and analyze the City's existing regulations governing freestanding emergency room facilities, as directed by the Council, and present any proposed amendments thereto to the Council. The Council declares that it will give due and timely consideration to recommended changes to the Code.

Section 5. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 8th day of January, 2018, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for January 22, 2018 at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of \_\_\_\_\_ to \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

SIGNED by the Mayor on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

Approved As To Form

\_\_\_\_\_  
Gerald E. Dahl, City Attorney

First Publication: January 11, 2018  
Second Publication:  
Wheat Ridge Transcript  
Effective Date:

**REQUEST FOR CITY COUNCIL ACTION**

**TITLE: COUNCIL BILL NO. 03-2018 – AN ORDINANCE AMENDING CHAPTER 7 OF THE WHEAT RIDGE CODE OF LAWS REGARDING ELECTIONS TO ENSURE CONSISTENCY AND COMPATIBILITY WITH THE COLORADO MUNICIPAL ELECTION LAWS**

☒ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☐ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING (01/08/2018)  
☒ ORDINANCES FOR 2<sup>ND</sup> READING (01/22/2018)

QUASI-JUDICIAL: ☐ YES

☒ NO



City Attorney



City Manager

**ISSUE:**

Amending Chapter 7 of the Code, as it relates to Elections, by deleting those sections which are adequately covered and governed by state law.

**PRIOR ACTION:**

None

**FINANCIAL IMPACT:**

None

**BACKGROUND:**

Staff has determined that it would be prudent to delete those portions of Chapter 7 of the Code, regarding elections, which are sufficiently covered by state law (in C.R.S. 31-10-101 et seq., also known as the "Colorado Municipal Election Code," as well as related portions of title 1, C. R. S.) This ensures consistency and compatibility with state law, and also removes the need to amend the City Code every time there is a change in these sections of the state law.

**RECOMMENDATIONS:**

Staff recommends approval of the ordinance.

**RECOMMENDED MOTION:**

“I move to approve Council Bill No. 03-2018, an ordinance amending Chapter 7 of the Wheat Ridge Code of Laws regarding elections to ensure consistency and compatibility with the Colorado Municipal Election Laws, on second reading to take effect immediately upon passage as provided by Section 5.13 of the Charter.”

Or,

“I move to postpone indefinitely Council Bill 03-2018, an ordinance amending Chapter 7 of the Wheat Ridge Code of Laws regarding elections to ensure consistency and compatibility with the Colorado Municipal Election Laws for the following reason(s) \_\_\_\_\_.”

**REPORT PREPARED BY:**

Gerald Dahl, City Attorney

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Council Bill No. 03-2018

**CITY OF WHEAT RIDGE, COLORADO**  
**INTRODUCED BY COUNCIL MEMBER URBAN**  
**COUNCIL BILL NO. 03**  
**ORDINANCE NO. \_\_\_\_\_**  
**Series 2018**

**AN ORDINANCE AMENDING CHAPTER 7 OF THE WHEAT RIDGE CODE OF LAWS REGARDING ELECTIONS TO ENSURE CONSISTENCY AND COMPATIBILITY WITH THE COLORADO MUNICIPAL ELECTION LAWS**

**WHEREAS**, the City of Wheat Ridge, Colorado (the “City”), is a Colorado home rule municipality, duly organized and existing pursuant to Section 6 of Article XX of the Colorado Constitution; and

**WHEREAS**, the City Council (the “Council”) has authority pursuant to the Home Rule Charter and C.R.S. §31-16-101, et seq. to adopt and enforce all ordinances; and

**WHEREAS**, pursuant to that authority, the City has previously enacted Chapter 7 of the Code of Laws of the Code of Wheat Ridge, Colorado (the “Code”) to govern elections within the City; and

**WHEREAS**, C.R.S. 31-10-101 et seq., also known as the "Colorado Municipal Election Code,” as well as related portions of title 1, C. R. S., govern many aspects of the conduct of elections held within the City; and

**WHEREAS**, the Council now finds it efficient and desirable to streamline its Code regarding elections by repealing certain sections of Chapter 7, which are adequately covered and governed by state election laws, specifically those portions concerning reporting requirements, filing and timeliness requirements, violations and penalties, and automatic recount.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:**

**Section 1.** The following sections of Chapter 7 are hereby repealed:

Section 7-5 - Reporting requirements; candidates;  
Section 7-6 - Reporting requirements; persons;  
Section 7-7 - Filing; where to file; timeliness;  
Section 7-9 - Violations; penalties; and  
Section 7-11 – Automatic recount.

**Section 2.** The remaining sections of Chapter 7 are renumbered accordingly.

**Section 3.** **Severability, Conflicting Ordinances Repealed.** If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise

invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 4.** **Effective Date.** This Ordinance shall take effect upon adoption and signature by the Mayor and City Clerk, as permitted by Section 5.11 of the Charter.

**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 8<sup>th</sup> day of January, 2018, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for January 22, 2018 at 7:00 p.m. in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of \_\_\_\_ to \_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2018.

SIGNED by the Mayor on this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk

Approved as to Form

\_\_\_\_\_  
Gerald E. Dahl, City Attorney

First Publication: January 11, 2018

Second Publication:

Wheat Ridge Transcript

Effective Date:

Published:

Wheat Ridge Transcript and [www.ci.wheatridge.co.us](http://www.ci.wheatridge.co.us)



**REQUEST FOR CITY COUNCIL ACTION****TITLE: MOTION TO AWARD CONTRACT TO DESIGN CONCEPTS, INC. IN A NOT TO EXCEED AMOUNT OF \$175,695 FOR THE PURPOSE OF PREPARING THE DESIGN AND CONSTRUCTION DOCUMENTS FOR PROSPECT PARK RENOVATION PHASE II**

- |  |   |
|--|---|
| <input type="checkbox"/> PUBLIC HEARING          | <input type="checkbox"/> ORDINANCES FOR 1 <sup>ST</sup> READING |
| <input checked="" type="checkbox"/> BIDS/MOTIONS | <input type="checkbox"/> ORDINANCES FOR 2 <sup>ND</sup> READING |
| <input type="checkbox"/> RESOLUTIONS             |   |

QUASI-JUDICIAL: ☐ YES ☒ NO  
Parks and Recreation Director  
City Manager**ISSUE:**

Prospect Park is in need of renovation and updating to meet the needs of individuals as well as large user groups that visit the park daily. The improvements associated with this project are intended to provide an updated park that addresses how people use parks today and effectively improve the function of the park for current uses and park goers.

A master plan prepared by Design Concepts, Inc. for renovation of Prospect Park has been completed and approved. Phase I is under construction. The scope of this contract includes design development, preparation of construction documents, bidding, and bid analysis services for Phase II.

Phase II construction includes the addition of lighted pickle ball courts, improved park entrance drive and improved access to the north side of Prospect Lake with the addition of a fishing dock and small shelter. A new picnic pavilion, resurfaced trail, relocation of the playground and the drive way into the parking lot in the south area of the park are also included.

This contract award includes the services of the following vendors DHM Design, JVA Engineering and Ackerman Engineering.

**PRIOR ACTION:**

A contract was awarded to Design Concepts, Inc. to prepare a master plan for renovation of Prospect Park. The plan was completed after receiving input from the general public, specific user groups, the surrounding neighborhood, Parks and Recreation Commission, and staff regarding current park needs. The plan was recommended by the Parks and Recreation Commission to City Council for approval. City Council approved the plan at the April 3, 2016, Study Session.

A contract was awarded to Design Concepts on August 8, 2016, for design development and construction documents for Phase I. A construction contract was awarded to Colorado Designsapes for construction services on June 12, 2017. Phase I is currently under construction and includes the addition of a football field and renovation of the two existing softball fields.

**FINANCIAL IMPACT:**

This contract award includes design development, construction document preparation and bidding services. This contract award does not include construction observation fees. These fees will be determined after the construction contract is awarded. The estimated construction budget for Phase II of the park renovation is \$1,748,000 plus a 10% contingency of \$17,480 for a total of \$1,765,480.

The not to exceed amount includes optional engineering services not to exceed \$20,000 related to preparation of Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) application for approval from FEMA for any modifications caused by construction in the flood plain. It is the goal of the design team to design and construct the south end of the park without any impact to the floodplain and therefore the project will not require a CLOMR or LOMR.

A Great Outdoors Colorado Grant has been submitted for this project in the amount of \$360,000. Notice of award is made on April 1, 2018. If the grant is not awarded the scope of work may need to be revised depending on the bids received for construction.

Funds are appropriated in the Open Space Fund 32 for this contract award. By legislation, funds from this special fund may only be used for Park and Recreation purposes. The ½ cent county open space tax is the source of the funds for this account.

**BACKGROUND:**

The 2015 Parks and Recreation Master Plan was adopted by City Council in April of 2015. The plan recommends redevelopment of Prospect Park. This park has not received any updates since the 1990's. This beautiful and unique area serves as both a developed active park as well as a trailhead for the Clear Creek Trail and an entry into the Greenbelt. Phase II of the renovation of this park will include updating and replacing the large picnic pavilion, improving the trailhead area, a new entrance, two small shelters, a fishing dock and pickle ball courts.

The Neighborhood Revitalization Strategy recommends improving the entrance and view corridors into the park to maximize the location and awareness of the existence and different amenities at the park.

**RECOMMENDATIONS:**

Staff recommends award of this contract for Phase II renovation of Prospect Park.

**RECOMMENDED MOTION:**

“I move to award contract to Design Concepts, Inc. in a not to exceed amount of \$175,695 for the purpose of preparing the design and construction documents for Prospect Park Renovation Phase II.

Or,

“I move to deny approval of a contract to Design Concepts, Inc. in a not to exceed amount of \$175,695 for the purpose of preparing the design and construction documents for Prospect Park Renovation Phase II.

**REPORT PREPARED/REVIEWED BY:**

Joyce Manwaring, Parks and Recreation Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Design Concepts Proposal/Fee Schedule
2. Master Plan



## DESIGN CONCEPTS

Community + Landscape Architects

January 11, 2018

Joyce Manwaring  
Director Parks and Recreation  
City of Wheat Ridge  
4005 Kipling St.  
Wheat Ridge, Colorado 80033

### Re: Prospect Park - Phase 2 Improvements

Dear Joyce:

Prospect Park is amidst a wonderful transformation and we are excited to be a part of your team. Your invitation for our work on phase 2 is appreciated and we know it will have a great impact on the park as a whole.

Our design team for this project will include Carol Henry, Project Principal and Erik Spring, Project Manager. Andy Patton will provide project support. Carol, Erik and Andy intend to continue meeting, and hopefully exceed, the City's standards and expectations. Our consultants for this work will be: JVA for civil engineering, JVA for structural engineering, and Ackerman Engineering for electrical and lighting.

Our understanding of the project scope includes two areas of the park site. The north area includes improvements to the entry drive and park signage, re-striping the parking lot, six pickleball courts with lighting and two shelters, a fishing boardwalk with small plaza and shade structure, sidewalks and park connections. The south area includes re-alignment of the drive, relocating the existing playground equipment, a small playground plaza and shelter, new basketball court and horseshoe pits, a new large picnic shelter, trailhead improvements and bridge access to the west portion of the park. Landscape and irrigation will be included for all areas of improvements.

At this time, it is known that the south work area falls within the Clear Creek floodplain, but the extent and impacts to the floodplain to provide proper drainage in the park site are unknown. Therefore, we have included an alternate scope item for a FEMA CLOMR or LOMR process in this proposal.

Fees for geotechnical investigation and recommendations, survey updates, and construction testing services are not included in this proposal.

### BASIC SERVICES

---

#### Task 1: Schematic Design

Based upon team input from the Master Plan, we will prepare Schematic Design (SD) drawings for the City to review.

### ATTACHMENT 1

Page 1 of 3

We will provide the following services:

- Prepare SD site plan for review
- Investigate irrigation requirements
- Prepare SD cost estimate
- Attend review meeting at the City

## Task 2: Design Development

Following approval of schematic design, we will prepare Design Development (DD) drawings for the City to review.

We will provide the following services:

- Prepare DD site plan for review
- Prepare DD irrigation plan
- Prepare DD site and irrigation details
- Prepare DD specifications
- Prepare DD cost estimate
- Attend review meeting at the City

## Task 3: Construction Documents

Based upon approval of the Design Development drawings, we will complete details and prepare construction documents. We have assumed that no significant changes will be made after approval of the Design Development phase. Submittals will be at approximately 75%, 95% and Bid Set completion levels.

Items included:

- Provide design and detail for the scope of work
- Prepare a demolition/existing conditions plan
- Provide an irrigation plan and details based on connection to existing system
- Provide technical specifications based on the City's format
- Attend review meeting with City for 75% and 95% CD set

## Task 4: Bidding Assistance

Our services during the bidding process include the following.

- Assist with preparation of bid documents
- Attend pre-bid meeting
- Answer Contractors' questions
- Prepare addenda as needed
- Evaluate bid results and assist with contractor selection

## ADDITIONAL SERVICES

---

Services not included in Basic Services listed above, but which may become necessary in the course of the project will be billed as Additional Services on an hourly basis as is in accordance with the attached Schedule of Fees. Such items include plan changes after bidding, design changes or additional design during construction, testing, and inspection. You will be notified when Additional Services are required and an estimate will be provided prior to beginning work. Design fees are based upon an approximate construction budget of \$1,750,000.000. If the budget increases or decreases significantly, fees may be adjusted accordingly.

## REIMBURSABLE EXPENSES

---

Reimbursable items include delivery, printing, and reproduction to be used outside our office and will be billed as part of the lump sum fee for Basic Services. 10 full size bid sets are included in this proposal. Additional sets will be billed at cost.

## FEE PROPOSAL

---

Task 1 - Schematic Design	\$ 9,875.00
Task 2 - Design Development	\$14,265.00
Task 3 - Construction Documents	\$47,410.00
Task 4 - Bidding Assistance	\$ 6,495.00
Reimbursable Expenses	\$ 1,750.00
<b>Design Concepts Fee</b>	<b>\$79,795.00</b>
<b>JVA-Civil Fee</b>	<b>\$53,000.00</b>
<b>JVA-Structural Fee</b>	<b>\$12,500.00</b>
<b>Ackerman Engineering Fee</b>	<b>\$10,400.00</b>
 <b>Total Design Fees</b>	 <b>\$155,695.00</b>
CLOMR/LOMR Process (if required)	\$15,000-\$20,000

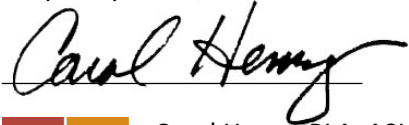
## BILLING

---

Invoicing will be monthly on a percentage-complete basis following the lump sum fee outline above. Payments are due and payable within 30 days from date of invoice.

Again, we look forward to continuing our work with the City on Prospect Park. These improvements will build upon the work in phase 1 to help provide an exceptional park for the community.

Very Truly Yours,



Carol Henry, PLA, ASLA, REFP  
Principal  
[carol@dcla.net](mailto:carol@dcla.net)  
January 11, 2018



Erik Spring, PLA  
Principal  
[erik@dcla.net](mailto:erik@dcla.net)  
January 11, 2018



**DESIGN  
CONCEPTS**

Community + Landscape Architects

## Fee Proposal

### Prospect Park - Phase 2 Improvements

January 11, 2018

PROJECT TASKS	Principal \$155	Sr. PM/ Assoc. \$125	PM \$105	Designer/ Graphics \$95	Clerical \$70	Fee By Task
<b>Task 1: Schematic Design</b>						
Site Investigation		2		2		\$440.00
SD Site Plan (50%)	4	8		10		\$2,570.00
SD Site Plan (100%)	4	8		10		\$2,570.00
SD Review Meeting w/ Owner	4	4		4		\$1,500.00
SD Cost Estimate	1	4		4		\$1,035.00
Consultant Coordination		8		8		\$1,760.00
	<b>13</b>	<b>34</b>	<b>0</b>	<b>38</b>	<b>0</b>	<b>\$9,875.00</b>
<b>Task 2: Design Development</b>						
DD Site/Landscape Plan	3	12		16		\$3,485.00
DD Irrigation Plan	1	4		12		\$1,795.00
DD Details		8		16		\$2,520.00
DD Cost Estimate	1	4		4		\$1,035.00
Prepare Specs		6			6	\$1,170.00
DD Review Meeting w/Owner	4	4		4		\$1,500.00
Consultant Coordination		16		8		\$2,760.00
	<b>9</b>	<b>54</b>	<b>0</b>	<b>60</b>	<b>6</b>	<b>\$14,265.00</b>
<b>Task 3: Construction Documents</b>						
CD Site Plan (75%)	3	16		18		\$4,175.00
CD Landscape Plan (75%)	1	6		8		\$1,665.00
CD Irrigation Plan (75%)	2	4		12		\$1,950.00
CD Enlargements (75%)	1	6		12		\$2,045.00
CD Cost Estimate (75%)	1	4		4		\$1,035.00
CD Details (75%)	1	6		16		\$2,425.00
Prepare Specs (75%)	1	4			4	\$935.00
CD Site Plan (95%)	2	16		24		\$4,590.00
CD Landscape Plan (95%)	1	6		12		\$2,045.00

CD Irrigation Plan (95%)	1	6	10		\$1,855.00
CD Enlargements (95%)	1	4	10		\$1,605.00
CD Cost Estimate (95%)	1	4	2		\$845.00
CD Details (95%)	1	4	6		\$1,225.00
Prepare Specs (95%)		3		3	\$585.00
CD Review Meeting with Owner (4)	16	32	16		\$8,000.00
Final Bid Set	10	30	30	2	\$8,290.00
Consultant Coordination	4	16	16		\$4,140.00
	<b>47</b>	<b>167</b>	<b>0</b>	<b>196</b>	<b>\$47,410.00</b>

<b>Total Hours</b>	<b>72</b>	<b>285</b>	<b>0</b>	<b>318</b>	<b>15</b>
--------------------	-----------	------------	----------	------------	-----------

## Reimbursable Expenses

<b>TOTAL DESIGN CONCEPTS</b>	<b>\$79,795.00</b>
------------------------------	--------------------

<b>GRAND TOTAL FEE</b>	<b>\$155,695.00</b>
------------------------	---------------------





DESIGN  
CONCEPTS

Community + Landscape Architects

## Schedule of Fees

### Landscape Architectural Services

January, 2018

The following schedule of fees is used by DESIGN CONCEPTS for billing purposes. These fees are in effect for all services rendered unless other terms have been negotiated.

#### Landscape Architecture and Design Fees

Principal Landscape Architect.....	\$155.00/hour
Senior Project Manager.....	\$125.00/hour
Project Manager.....	\$105.00/hour
Designer/Graphic Designer.....	\$95.00/hour
Administrative Staff.....	\$70.00/hour
Intern.....	\$55.00/hour

#### Transportation Expenses

Mileage.....	\$0.53 ½/mile
--------------	---------------

#### Reimbursement Costs

Postage/Shipping/Couriers.....	at cost
Prints, Reproductions, Scanning.....	at cost
Direct Expenses.....	at cost

#### Outside Consultants

Any consultants required to perform the work are charged at cost plus a 10% administrative fee.

#### Terms

Payment for services rendered is billed monthly on the fifth day or at the termination of the project. Payment is due within 15 days of billing date. Any portion of a billing not paid within 30 days of the billing date shall be considered delinquent and shall bear a delinquency charge of one and a half percent (1.5%) per month (annual percentage rate 18%) on the unpaid balance. Rates subject to change without notice.





ATTACHMENT 2

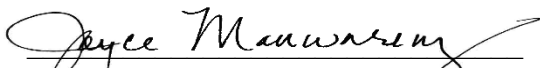


**REQUEST FOR CITY COUNCIL ACTION****TITLE: RESOLUTION NO. 08-2018 – A RESOLUTION ACCEPTING  
A WATER COLOR PAINTING BY ARTIST CHARLOTTE  
TALBERT**

☐ PUBLIC HEARING  
☐ BIDS/MOTIONS  
☒ RESOLUTIONS

☐ ORDINANCES FOR 1<sup>ST</sup> READING  
☐ ORDINANCES FOR 2<sup>ND</sup> READING

QUASI-JUDICIAL:

☐ YES☒ NO  
Parks and Recreation Director  
City Manager**ISSUE:**

A request has been received by the Cultural Commission to accept the donation of a painting by artist Charlotte Talbert to the City of Wheat Ridge. Per the Public Art Management Plan process, City Council approval is required for final acceptance of public art. This request was received from friends of the artist.

**PRIOR ACTION:**

The Cultural Commission Public Art Management Plan outlines a formal process for accepting public art donations. The Cultural Commission convened an art acquisition committee to review the donation request. The painting was reviewed and recommended for acceptance by the art acquisition committee. The Cultural Commission approved the recommendation to accept the painting and have it displayed in the City Council Chambers or at the Active Adult Center. Their recommendation was based on the quality of the art work and the history of the artist and her positive impact on the arts culture in Wheat Ridge.

**FINANCIAL IMPACT:**

The painting and plaque are being donated by friends of Charlotte Talbert. The painting will be reframed at a cost of approximately \$500 or less with general fund monies.

**BACKGROUND:**

The Cultural Commission acts on behalf of the City to enhance the public spaces and provide for a more aesthetic and humane environment in the City by acquiring works of art which shall become the City's public art collection. Their duties include making recommendations on issues concerning culture and the arts to City Council and to promote and develop positive relationships with other persons and entities interested in promotion of culture and the arts.

Charlotte Talbert, was a long time resident of Wheat Ridge. Her father was a home builder, establishing the Talbert subdivision of Wheat Ridge, the area south of 44<sup>th</sup> Avenue to Clear Creek, inclusive of Iris Street and Iris Court. Charlotte lived in the subdivision from the 1950's until her passing in May, 2017. She founded the Wheat Ridge Art League in 1972 and was president of the league in 1978, 1985, 1986 and 1997. Charlotte was on the Carnation Festival Committee for over 20 years, and coordinated the art display during the festival for all of those years. She won many first place, second place and Grand Marshall awards at the juried Carnation Festival Art displays over the years.

**RECOMMENDATIONS:**

At the January 9, 2018 Cultural Commission monthly meeting, the Commission unanimously agreed with the recommendation to accept the donation and to refer to City Council for final approval, per the Public Art Management Plan.

**RECOMMENDED MOTION:**

"I move to approve Resolution No. 08-2018, a resolution accepting a water color painting by artist Charlotte Talbert.

Or,

"I move to postpone indefinitely Resolution No. 08-2018, accepting a water color painting by artist Charlotte Talbert for the following reason(s) \_\_\_\_\_."  
\_\_\_\_\_."

**REPORT PREPARED/REVIEWED BY:**

Julie Brisson, Recreation and Facilities Manager

Joyce Manwaring, Parks and Recreation Director

Patrick Goff, City Manager

**ATTACHMENTS:**

1. Resolution No. 08-2018
2. Photo of water color painting by Charlotte Talbert

**CITY OF WHEAT RIDGE, COLORADO**  
**RESOLUTION NO. 08**  
**Series of 2018**

**TITLE:     A RESOLUTION ACCEPTING A WATER COLOR PAINTING  
              BY ARTIST CHARLOTTE TALBERT**

**WHEREAS**, the City Council desires to enhance public spaces and provide for a more aesthetic and humane environment in the City by acquiring works of art which shall become the City's public art collection; and

**WHEREAS**, Friends of Charlotte Talbert wish to donate to the City a water color painting of flowers; and

**WHEREAS**, Friends of Charlotte Talbert also wish to donate the plaque with artist information; and

**WHEREAS**, the Cultural Commission is recommending acceptance of this painting;

**WHEREAS**, the Public Art Action Plan process requires approval and acceptance of all public art by City Council;

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Wheat Ridge, Colorado, as follows:

The City accepts the donation of the water color painting by Charlotte Talbert.

**DONE AND RESOLVED** this 22nd day of January 2018.

\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

\_\_\_\_\_  
Janelle Shaver, City Clerk



ATTACHMENT 2