



WESTMINSTER
COLORADO

TO: The Mayor and Members of the City Council

DATE: September 8, 2021

SUBJECT: City Council Pre/Post Briefing Meeting Agenda for September 13, 2021

PREPARED BY: Donald M. Tripp, City Manager

Please Note: Study Sessions and Pre/Post City Council briefings are open to the public, and individuals are welcome to attend and observe. However, these briefings 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 Monday night's Briefing and Post-City Council meeting briefing, the following schedule has been prepared:

The City Council meeting, including Pre/Post Briefing Meetings, will resume meeting in person starting June 14, 2021. Given the emergency declaration in place due to the COVID-19 public health situation and to promote social distancing, this meeting will continue to be offered virtually as well. Community members are encouraged to listen to the meeting via the traditional webcast (www.youtube.com/user/WestminsterCO/live) or by calling 914-614-3221 and typing in access code: 662-209-151.

A light dinner will be served in the City Manager's Office Conference Room at 6:30 P.M.

POST MEETING BRIEFING

PRESENTATIONS

1. Presentation of the Presiding Municipal Court Judge's Annual Report
2. City Council Discussion of Potential Concerns Regarding the Colorado Redistricting Commission Draft Maps (Verbal)

CITY COUNCIL EXECUTIVE SESSION - None at this time.

INFORMATION ONLY

1. Information Only - Update on Olde Westminster Pub and Tavern

Items may come up between now and Monday night. City Council will be apprised of any changes to the Pre/Post Briefing schedule.

Respectfully submitted,

Donald M. Tripp

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City Manager

Persons needing an accommodation, such as an interpreter for another language, or who have an impairment that requires accommodation, must submit such a request to the City Clerk. Requests must be submitted no later than noon on the Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. Please call 303-658-2161/TTY711 or State Relay or write to cityclerk@cityofwestminster.us to make a reasonable accommodation request



Staff Report

City Council Pre/Post Briefing Meeting
September 13, 2021

Subject: Presentation of the Presiding Municipal Court Judge's Annual Report

Prepared By: Dee Martin, Human Resources Director

Recommended City Council Action:

In preparation for City Council's completion of the 2021 performance appraisal for the Presiding Municipal Court Judge, Jason Lantagne will be presenting to City Council his annual report.

Summary Statement:

Presiding Municipal Court Judge, Jason Lantagne, will be presenting to City Council an overview of his annual report providing highlights of his performance and giving his thoughts to needed areas of emphasis in the upcoming year.

Fiscal Impact:

\$0 in expenditures.

Source of Funds:

Not applicable.

Policy Issue(s):

None identified.

Alternative(s):

None identified.

Background Information:

Per the 2021 employment contracts with the City Manager, City Attorney, and the Presiding Municipal Court Judge, City Council will conduct an annual performance review no later than October 31, 2021.

On April 12, 2021, City Council awarded and directed Staff to enter into a contract with CPS HR Consultants to provide facilitation services to City Council in the development and implementation of the 2021 appraisals of the three Contract Employees reporting directly to City Council: City Manager, City Attorney, and the Presiding Municipal Court Judge. Regina Romeo, Chief Human Resources Officer from CPS HR Consultants, virtually met with City Council on July 19 to provide an overview of municipal executive appraisal best practices. Ms. Romeo returned to City Council on Monday, August 9, to finalize the 2021 appraisal process steps and timeline for the three Contract Employees reporting directly to City Council.

Presiding Municipal Court Judge Jason Lantagne is currently scheduled for his formal performance review with City Council in Executive Session on Monday, September 20, 2021. As part of the review process, Presiding Municipal Court Judge Lantagne provided City Council, via email, a written review of his work as Presiding Municipal Court Judge on Tuesday, September 7, and will give a verbal update to City Council on Monday, September 13, 2021.

The presentation of the annual report by the Presiding Municipal Court Judge supports all four of the City's Strategic Plan Goals - Foster and maintain a beautiful, desirable, safe, and environmentally responsible City; Cultivate a thriving, inclusive, and engaged community through access to opportunity and a resilient and diverse economy; Provide visionary, effective, and collaborative government; and Advance the City's long-term sustainability to provide ongoing excellence in City services and a well-planned community that meets the needs of residents now and in the future - by updating City Council on Municipal Court efforts, operations and services.

Respectfully submitted,

Donald M. Tripp

Donald M. Tripp
City Manager



Staff Report

City Council Pre/Post Briefing Meeting
September 13, 2021



Cultivate a thriving, inclusive, and engaged community through access to opportunity and a resilient and diverse economy.

Subject: Information Only - Update on Olde Westminster Pub and Tavern

Prepared By: Stephanie Troller, Business Development Manager

Summary Statement:

The purpose of this report is to provide City Council with a project update. This report is for information only and requires no action by City Council.

The tenants at 3915 W. 73rd Avenue, also known as the Olde Westminster Pub and Tavern, have asked to terminate the lease. The reasons are largely related to uncertainties caused by the COVID-19 crisis and the post-pandemic economy. Construction cost increases and workforce shortages are among the expressed concerns. The tenants simply feel there are too many uncertainties created by the pandemic and moving the project forward would surpass their risk tolerance.

Staff will administratively terminate the lease and return to City Council to provide options for next steps for the property in the first or second quarter of 2022.

Background Information:

Property History

This property has an established history in Harris Park and in the City, and is commonly referred to as the Rodeo Market property. Constructed in 1953, the 4,298-square foot building served as the City's first supermarket. The supermarket was owned and operated by the Valente Family from 1954 to 1971. In 1971, the building was sold, renovated, and used as office space until the Westminster Housing Authority (WHA) purchased it for \$485,000 in 2004. The City received a State Historic Fund (SHF) grant in 2009 for \$50,000 for façade improvements. The total investment in the façade improvements equaled \$190,000. Since that time, there have been no other improvements made to the building. While the property is currently not suitable for lease without renovations, there are no immediate concerns regarding the safety of the building.

The concept, at the time of purchase in 2004, was for the City to work with the adjacent Westminster Grange Hall to combine the two buildings into a community center and partner with the South Westminster Arts Guild (SWAG) to revitalize the area through arts and cultural programming. The proposed building project with the Westminster Grange Hall never materialized despite the fact that \$50,000 of Community Development Block Grant (CDBG) funds were spent in 2013 on a study to support the project. Those funds were repaid in 2019 to the United States Department of Housing and Urban Development (HUD). The City did work to develop the arts and cultural programming component of the project and leased the property to SWAG from October 1, 2009 until June 1, 2018. These efforts did not aid in revitalization.

Project History

Staff first presented the restaurant concept for the property to City Council in Executive Session on April 23, 2018. Staff received direction from City Council to proceed with negotiations, investigate a possible pre-existing deed restriction with respect to alcohol consumption, obtain cost estimates for the building renovations, and establish terms of a lease agreement. Staff explored each of these items in support of the City's Strategic Goal Objective X, Action Item Number 23: "Identify tools and partnerships to recruit and open unique local restaurants, starting with at least three in the next 18 months; target at least one in South Westminster in the West 73rd Avenue/Arts District."

Staff presented the results of its explorations in Executive Session on December 17, 2018. The deed restriction - from 1887 - was researched by the City Attorney's Office and City Council was provided a verbal update during Executive Session. Additionally, the tenants applied for and were approved for a liquor license. This was satisfactory evidence that alcohol consumption would be allowed on the property. Staff contracted with Semple Brown Design, a Denver-based architectural firm with experience in historic structures, in order to obtain cost estimates for the renovation of the building with a restaurant as the end use. The estimated cost

for the City's portion of the building renovation was \$884,892. However, with construction cost increases and more specific designs for the project, this number is no longer an accurate estimate. It was presumed that the tenants would invest an additional \$500,000 into the property, sharing the cost of redevelopment.

Staff returned to Executive Session to present the terms of the negotiated terms for the lease with Olde Westminster Pub and Tavern on May 6, 2019. The terms recognized that redevelopment projects in the Harris Park neighborhood presented different challenges than in other parts of the City. First, there were a limited number of City-owned properties in Harris Park, which meant that there were fewer opportunities for creating strategic partnerships and catalytic projects like this one. Second, there were no place-based financing tools in the area. While an Urban Renewal Area (URA) still existed, the associated Tax Increment Financing (TIF) collection period ended prior to this project. Finally, this project represented a unique opportunity to work with a business that was willing to share risk in an untested market. The intent of this project was for it to be a catalyst that would start a cycle of private investment along West 73rd Avenue and in the broader commercial area. The first and second readings for the lease with Olde Westminster Pub and Tavern went to City Council on May 5, 2019 and May 20, 2019, respectively.

Both parties continued with pre-development work and achieved several milestones between April, 2019 until the present request to terminate the lease. These milestones included: state and local historic landmark board approval obtained for proposed changes to the façade and roof of the building; final plat submitted; Official Development Plan (ODP) finalized and submitted; and Building Permit submitted. Redevelopment work continued until the early onset of the pandemic. The project was paused, by mutual agreement, with the plan to re-evaluate the project's feasibility in late 2020 or early 2021. Staff maintained steady contact with the tenants until their request to terminate the lease.

Staff will continue to explore possible uses, cultivating a thriving, inclusive and engaged community through access to opportunity and a resilient and diverse economy, and report back to City Council with options for next steps for the property in the first or second quarter of 2022.

Respectfully submitted,

Donald M. Tripp

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City Manager