



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council

DATE: January 31, 2007

SUBJECT: Study Session Agenda for February 5, 2007

PREPARED BY: J. Brent McFall, City Manager

Please Note: Study Sessions and Post City Council meetings are open to the public, and individuals are welcome to attend and observe. However, these meetings are not intended to be interactive with the audience, as this time is set aside for City Council to receive information, make inquiries, and provide Staff with policy direction.

Looking ahead to next Monday night's Study Session, the following schedule has been prepared:

A light dinner will be served in the Council Family Room 6:00 P.M.

CITY COUNCIL REPORTS

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

PRESENTATIONS

1. Lobbyist Update - *Verbal*
2. Municipal Court Year End Report

6:30 P.M.

EXECUTIVE SESSION

1. Discuss the Colorado Rapids lease and obtain direction thereon pursuant to WMC 1-11-3(C)(2), (7) and (8), and CRS 24-6-402 (4)(a), (b) and (e).

INFORMATION ONLY ITEMS – Does not require action by City Council

1. Web-based Community Calendar Listings - Attachment

Additional items may come up between now and Monday night. City Council will be apprised of any changes to the Study Session meeting schedule.

Respectfully submitted,

J. Brent McFall
City Manager

MEMORANDUM

TO: Mayor and City Council

FROM: John A. Stipech, Presiding Judge

DATE: January 30, 2007

SUBJECT: Municipal Court 2006 Year-End Report

This report is a summary of the Court’s activities from January 1 through December 31, 2006.

CASELOAD

For the 2006 year, we experienced an increase of 6% or 1,264 more case filings than for the 2005 year as can be seen in the table below. We saw the greatest increase in the No Proof of Insurance summons, which was expected. It should be noted that the Court began receiving No Proof of Insurance summonses into the Court July 1, 2005, so the number of No Proofs reflected in the year to date for 2005 is for only one-half of the year. It should also be noted that in December of 2006, case filings were down substantially and can be attributed to the two significant snow storms.

In the second table below, for the year 2006, we disposed of 19% more cases than for the year 2005. The greatest increase was seen in the disposition of No Proof of Insurance summonses.

A Court must regularly monitor whether it is keeping up with its incoming caseload. A key indicator of performance on this issue is the disposition or clearance ratio: the number of cases that are disposed in a given year divided by the number of filings in the same year for identifiable case types. The recommended ratio suggested by the National Center for State Courts is that Courts should have a clearance ratio of 1.0 or higher. As can be seen in the charts and information below, our ratio is 1:14 for 2006. We aspire to dispose at least as many cases as are filed each year. If the court is disposing of fewer cases than are filed each year, a growing backlog is inevitable.

CASES FILED (INPUTS) COURT	YTD	YTD	Difference
	Dec-06	Dec-05	
Municipal Ord (aka Criminal)	3,302	3,224	2%
Domestic Violence	347	350	-1%
Total Criminal	3,649	3,574	2%
No Proof of Insurance	2,659	1,337*	99%
Traffic Mandatory (aka Criminal)	531	518	3%
Traffic Payable (aka Infraction)	12,476	12,439	0%
Total Traffic without parking	15,666	14,294	10%
Total Criminal & Traffic w/o parking	19,315	17,868	8%
Parking	1,795	1,978	-9%
Court Grand Total	21,110	19,846	6%

* NPOI in 2005 were for six months.

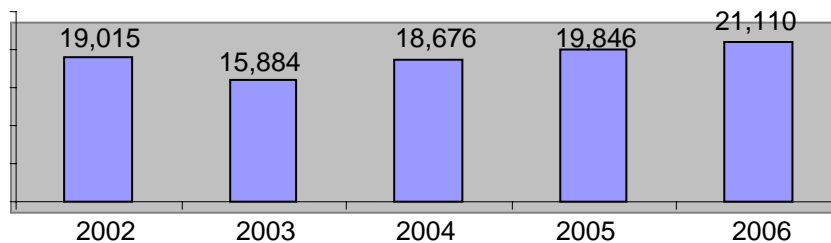
CASES DISPOSED (OUTPUTS) COURT	YTD		Difference
	Dec-06	Dec-05	
Municipal Ord (aka Criminal)	4,787	3,830	25%
Domestic Violence	607	434	40%
Total Criminal	5,394	4,264	27%
No Proof of Insurance	2,976	1,187*	151%
Traffic Mandatory (aka Criminal)	618	523	18%
Traffic Payable (aka Infraction)	13,038	12,256	6%
Total Traffic without parking	16,632	13,966	19%
Total Criminal & Traffic w/o parking	22,026	18,230	21%
Parking	2,029	1,985	2%
Court Grand Total	24,055	20,215	19%

*NPOI in 2005 were for six months.

CASE COMPARISONS OF NEW FILINGS FOR LAST FIVE YEARS

As can be seen in the graph below, our case filings (inputs) have increased a total of 2,095 cases or 11% over the last five years.

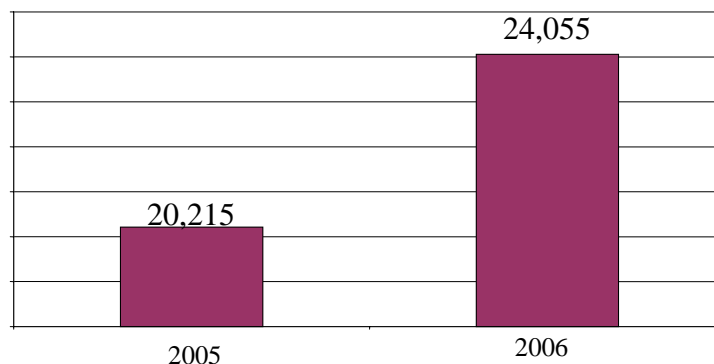
5 Year Comparison Total New Filings (Inputs)



CASES DISPOSED (CLOSED OR OUTPUTS) FOR LAST TWO YEARS

The Court has been tracking the number of cases disposed (closed or outputs) for the last two years. As the graph below indicates, for the year 2006, we disposed of, or closed, 3,840 or almost 19% more cases than the previous year. Cases are disposed (closed) by various means, such as, pleas or findings of guilty and all requirements being met to close the case, dismissals for various reasons, past retention or administrative reviews.

2 Year Comparison Total Cases Disposed (Outputs)



SECURITY

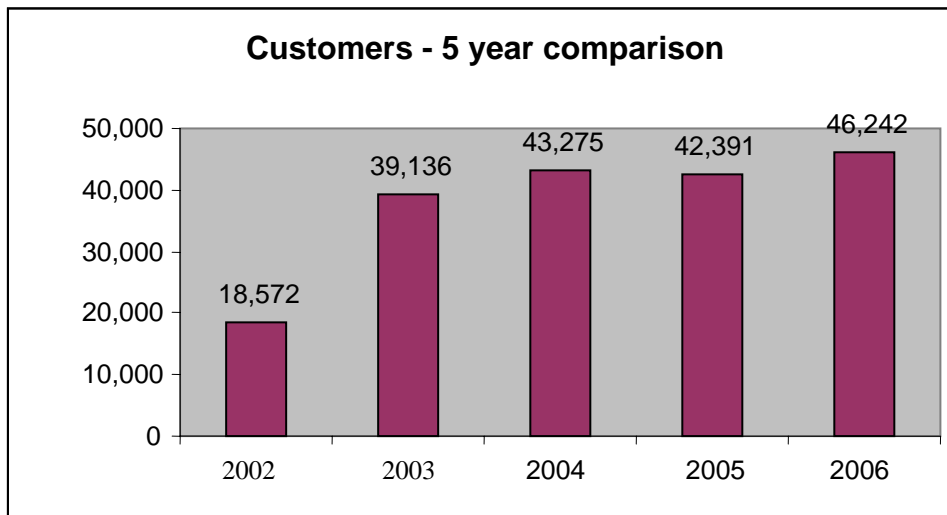
Our customer service includes a security screening process conducted by Wackenhut Security Officers. The tracking of customers, number of hand scans, and the number of confiscated/returned items began in late June 2002. The security officers track the number of citizens coming into the Court facility through the front check point as well as the items they are attempting to bring into the Court facility.

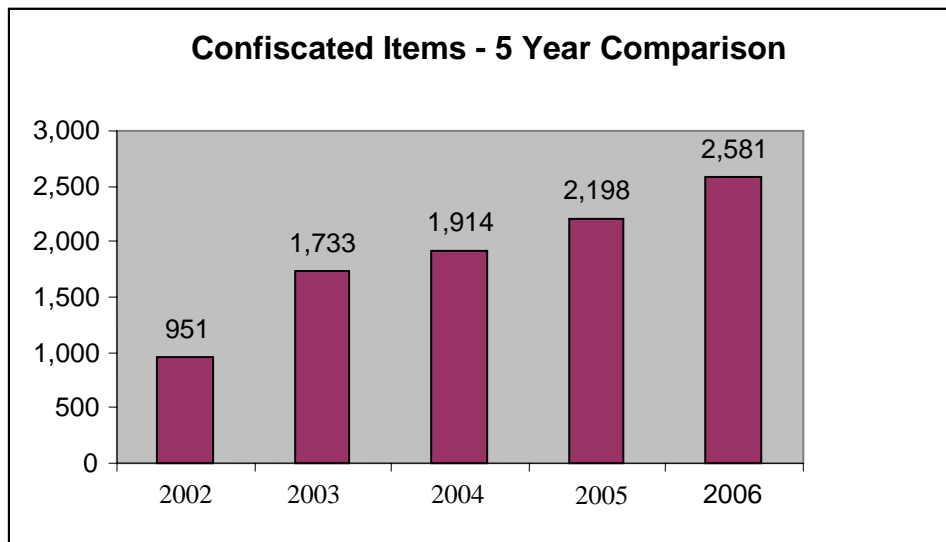
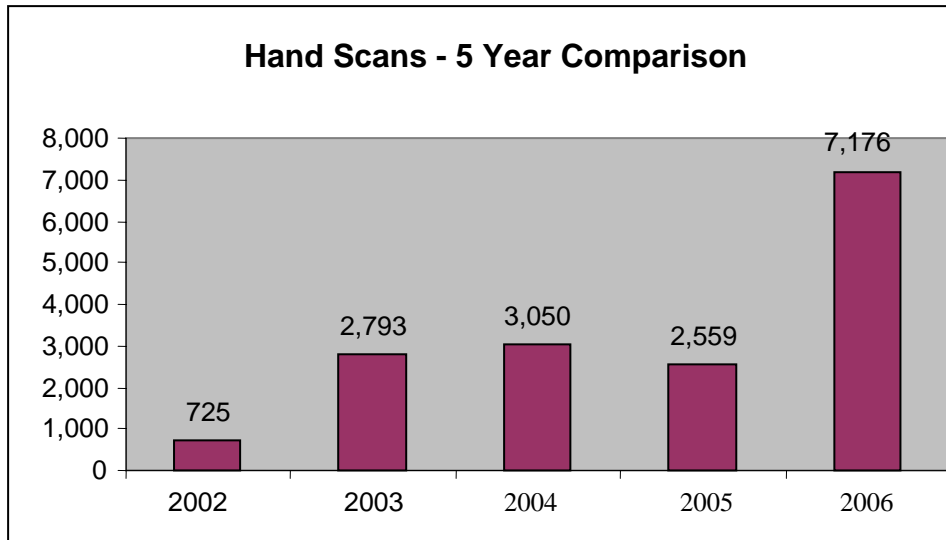
Year end statistics indicate an increase of 9% or 3,851 more customers than for the year 2005. This increase can be attributed to our increased case filings, the increase in trials, the increased number of jurors required, and general increase in number of citizens and/or police officers necessary for trials.

Hand scans increased for the year 2006 and can be attributed to the new metal detector doing a much better job of detecting metal objects. The new metal detector was purchased and installed in June 2006.

Confiscated items also increased for the year, again due to the increased number of customers and new metal detector.

The three charts below give a snapshot of the last five years comparing customers, hand scans and confiscated items.





VOLUNTEERS

COURT VOLUNTEERS

The Court has two volunteers who do separate tasks. One volunteer has been with the Court since 1992 and comes in once a week to help pull dockets. For 2006, this volunteer donated 151.25 hours.

In November 2006, our second volunteer began working with us. The primary duty of this volunteer is to help with imaging. This volunteer donated 33.5 hours for the last two months of the year.

The Court and staff are very appreciative of these volunteers and the hours they donate.

VOLUNTEERS IN PROBATION (VIP)

The Probation Services Section has a volunteer program that allows Volunteers In Probation (VIP) to supervise cases and gain experience in the field while giving back to the community. Training for new

Volunteers In Probation is held each spring and fall and involves 16 hours of initial training followed by monthly training and staffing.

For 2006, the Probation Section had 13 Volunteers in Probation who donated a total of 377.5 hours. We again are very appreciative of the time, effort and energy expended by these individuals.

JAIL TRANSPORTS

Every business day the two Court Marshals (WPD Officers assigned to Court) transport prisoners arrested on original warrants, bench warrants, or that are in-custody from other jurisdictions that have to appear at our Court. In 2006, a third part-time Court Marshal was assigned to help with transports.

The number of transports has increased substantially since 2003. The total transports between 2003 and 2005 increased by 354 prisoners. The total transports for 2006 was 1,457. This statistical information was provided by the Court Marshals.

The increase in transports relates in part to our increased caseload, the increase in trials, and increase in arrests for bench warrants and arrest warrants. The increasing caseload and necessity to transport the prisoners impacts every aspect of the Court operations and the staff assigned to the Court. It also directly impacts the City Prosecutor’s Office, the Victim Advocate, the Court Marshals, the Court docket including especially interpreter hearings and Public Defender cases.

We have had experience with video advisals or arraignments. The program was discontinued because of costs and the inability to process defendants in any other jurisdiction except Adams County. Domestic Violence offenders were unable to be processed because of the necessity of having the alleged perpetrator available in Court to address protection order issues and sign setting notices and protection order documents, as well as address representation be it private or Public Defender requests. The Court Marshals still had to transport the Domestic Violence defendants from Adams County and other surrounding jurisdictions (i.e. Denver, Arapahoe, Douglas, Jefferson, Weld and Larimer Counties). Cost benefit analysis indicated that this program was ineffective. Once all the facilities (jails) are on the same technological system, we can explore the feasibility of obtaining video advisals/arraignments capabilities.

	2003	2004	2005	2006
Jail Transports	900	972	1254	1457

JURY TRIALS, WITNESS AND JURY FEES

With the increase in caseload, jury trials and witness and jury fees have increased significantly as indicated below. In addition to the witnesses for jury trials, witnesses are also paid a \$5 fee for appearance at bench trials and for all Domestic Violence hearings.

Jury Trials	2003	2004	2005	2006
Number of Fridays scheduled with jurors appearing	28	26	31	45
Actual Jury Trials Conducted	22	17	25	37

Witness Fees and Jury Trial Expenses	2003	2004	2005	2006
Original Budget	\$5,300	\$5,300	\$5,406	\$5,568
Actual	\$4,769	\$5,454	\$5,884	\$7,045

GENEROUS JUROR INFORMATION

On July 5, 2002, the Westminster Municipal Court instituted the Generous Juror Program. This program is patterned after a Howard County Maryland program where jurors have the opportunity to donate their fees for jury service to a charity.

On a yearly basis, a new organization is selected. Council is asked to recommend the yearly organization. Organizations chosen to date and amounts donated have been:

- Have-A-Heart Project (July 2002 to September 2003). Amount donated by jurors was \$2,055.
- The Link (October 2003 to December 2004). Amount donated by jurors was \$1,794.
- Westminster Burn Fund (January to December 2005). Amount donated by jurors was \$2,331
- Light for Life / Yellow Ribbon Foundation (January to December 2006). Amount donated by jurors was \$3,114.
- For 2007, the District 50 Education Foundation will be the beneficiary of this years donated funds.

PUBLIC DEFENDER REPRESENTATION

Public Defender services are provided to indigent defendants in Municipal Court in cases where jail time may be imposed if the defendant is convicted. The Judge can appoint a Public Defender when justified by the defendant’s financial lack of financial resources. By law, a Public Defender must be appointed to those individuals meeting poverty guidelines that are set by the Chief Judge of the Colorado Supreme Court.

Because the number of Public Defender cases was increasing, in 2005 the Judges began setting requests for Public Defender “qualification hearings” in an attempt to provide the Public Defender to the truly indigent. The number of public defender cases for 2005 did decrease but ever so slightly.

With the increase in case filings, the number of requests for public defender increases as well. The increased caseload put a burden on the contracted Public Defender. In 2006, due to the increased caseload, the increased transports, the increase in defendants qualifying for public defender services, and the increase in trial time, the current allocated hours were not sufficient.

	2004	2005	2006
Public Defender Number of Cases	538	511	612

PROBATION SERVICES SECTION

Westminster Municipal Court Probation Services Section provides a variety of services to individuals, such as pre-sentence information and the supervision of probationers after the Court sentenced them.

A pre-sentence investigation is ordered when the Judge requests more information about a defendant before imposing sentence. A Probation Officer interviews the participants in the incident, checks the defendant's prior criminal record and personal background, compiles the information in a report and provides a sentencing recommendation to the judge at the time of sentencing. A Court Clerk schedules the dates the defendant is to attend the pre-sentence interview and the date for the sentencing.

In addition to imposing fines and costs, the Judge often imposes required attendance at classes, counseling, or evaluations as a condition of probation. Probation Officers provide the probationer with referrals to appropriate agencies and monitor attendance and compliance with the terms and conditions of probation imposed by court order.

Failure to comply with probation terms and conditions may result in the revocation of probation and the imposition of sentence including the possibility of a jail sentence.

During the month of December 2006, the Probation Section responded to violations of probationers in two days or less 83% of the time. Their year-end average was 94%. This number has dropped from last year; however, their supervised caseload increased 33% requiring a significantly greater amount of staffs' time to cover these cases.

In 2006 the Probation Section had a 59% successful completion rate for cases that closed. This is slightly below their projected rate of 60%.

Caseload statistics are tracked on a monthly basis to most accurately reflect the current workload of the Probation Section by documenting the number of active probation cases at the end of each month.

Monthly Statistics for the Probation Section are as follows:

PROBATION	MTD Dec-06	MTD Dec-05	Difference
Total active caseload in probation	619	654	-5%
Total active Domestic Violence on probation	270	287	-6%
Number of active Volunteers in Probation (VIP)	10	8	25%
Cases currently supervised by VIPs	6	7	-14%
Supervised probation caseload	287	215	33%
Unsupervised probation caseload	326	432	-25%
Total adult caseload	501	512	-2%
Total juvenile caseload	118	142	-17%
Pre-Sentence Investigations (PSI) completed (Annually)	83	121	

2006 ADMINISTRATIVE PROJECTS AND ACCOMPLISHMENTS

- **Additional Judicial Time and Revised Court Calendar** – throughout the majority of the year, the Court Administrator worked with the Assistant City Manager, City Attorney, Lead Prosecuting Attorney and other City staff to increase judicial and City Prosecutor time. The Court calendar was reviewed and revised to accommodate the increased caseload, transports, trials and case processing. The new schedule took effect January 1, 2007. The major changes include increasing the Associate Judge from a .5 FTE to a .8 FTE, increasing the Public Defender time from four hours per week to six hours per week, increasing the number of Court Officers by

a .5 FTE for transports, increasing the number of City Prosecuting Attorneys and adding a legal assistant to that office.

- **Building Structural Study** – The Court Administrator and the Facilities Manager worked together with Bornengineering regarding improvements to the Court facility. The study was presented to Council August 21, 2006. Several improvements were completed in 2006 and several more are to be completed in 2007. The 2006 improvements are listed below.
- **Budget 2007-08** – The Court Administrator worked with City staff to prepare the Court budget for the two year cycle.
- **CIP Projects:** The Court Administrator and the Probation Services Coordinator completed three major safety and security projects in 2006: Alarm System Upgrade Project – a new, upgraded alarm system was installed in the building in February 2006. This alarm system is the same system utilized at City Hall. Camera Upgrade Project – Security cameras were upgraded and more cameras added to monitor the interior and exterior of the building. Cameras were added in the jail cells for security and monitoring. This project was completed in August 2006. Metal Detector Upgrade Project– a new metal detector was purchased for the front entrance in June 2006 to replace the old, malfunctioning system.
- **Collections** – Phase 1 of the Court collection program was put into place in 2006. In November 2006, Court staff sent out 1,578 last warning notices on parking violations ranging from 2003 thru 2006. The warning letter was the defendants' last notice to pay before the matter would be turned over to a collection agency. For November and December, through these last warning letters, the Court collected \$8,415 and was able to close 113 cases. Court staff did their first export to the collection agency in January 2007. Phase 2, which will include all of the defaulted traffic matters, is anticipated for the spring of 2007. Phase 3 will include all criminal matters and is anticipated for fall of 2007.
- **Courtroom A upgrades** – The Courtroom was rearranged for better traffic flow. A new bailiff station was installed to replace the old work station in December 2006. The upgrades were necessary to accommodate the increase use of the Courtroom and the increase in judicial and court time.
- **Curfew Violations** – The Court Administrator and City Staff from Parks and Rec, the Police Department and City Prosecutor's Office worked together to review and revise curfew violations.
- **Disaster Recovery Drill** – The Court Administrator, Deputy Court Administrator, Probation Services Coordinator and IT staff conducted two IT Disaster Recover Drills in 2006. The first drill was in February 2006 but the drill was postponed until December due to technical difficulties. The drill in December was a success.
- **East Wing Improvements** – The east wing houses the City Prosecutor's staff and the Victim Advocate. For safety and security reasons, changes were made to move a doorway and to enclose the open stairwell to the old jail area. This was completed in December 2006. A library was made into another office for the new City Prosecutor who is anticipated to start in February 2007 and a conference room will be used by the new legal assistant who is anticipated to start in April 2007. A wellness room was converted into a new conference room.

- **Hiring** – a full time probation officer was hired in January 2006 to replace an individual who left in 2005. A .5 FTE clerk was hired in April 2006 under the Public Safety Tax plan.
- **Imaging** – In October 2006, Court staff began imaging 2006 closed files. In November 2006, a volunteer began working with us to help with imaging.
- **Jail Cell Benches** – Three additional jail cell benches were added to the jail cells in January 2006. The additional benches were necessary due to the increased transports.
- **JSI Training (Justice Systems Incorporated)** – The Deputy Court Administrator and Collection Supervisor attended a week of intensive training in New Mexico with the Court's Records Management System vendor.
- **Jury Module Update** – The Deputy Court Administrator was the lead project manager of upgrading the Court's jury module and uploading new names to the database. This project was completed in October 2006.
- **Open File Audit** – In January 2006, 12 Court staff volunteered to complete a review of all the Court's open files and compare them to information in the Record Management System. The project was completed in 30 days with staff reviewing 6,891 open files for accuracy.
- **Open Protection Order Audit** – In July 2006, the CBI (Colorado Bureau of Investigation) Clerk completed an open protection order audit verifying open protection orders in the Record Management System against those in CBI.
- **Open Warrant Audit** – In late August thru mid-October 2006, the CBI Clerk and a Westminster Police Records Clerk conducted an open warrant audit of 2,236 open warrants. This audit helps ensure that warrants entered in CBI match those authorized in the Court's Record Management System.
- **Painting** – The inside and outside of the Court building was painted at various intervals during 2006.
- **Sound Masking** – “white noise” or sound masking was installed throughout the Court facility to help improve and ensure security within the departments and offices. This was completed in November 2006.
- **Vicious Animal Ordinance** – The Court Administrator and several Police Department Staff and City Attorney staff worked diligently to revise the animal codes that were presented and approved by Council June 1, 2006.
- **Window Replacements** – In August 2006, all of the oblong windows were replaced in the building. This has helped conserve energy and has improved the appearance of the Court Building.
- **Window Covering Replacements** – In November 2006, all of the old metal blind window coverings were replaced with double web window blinds. These new window coverings have helped to improve the heating and cooling in the building, provide better security, and improve the appearance of the Court Building.

REVENUES AND OPERATING EXPENSES

The increase in the caseload impacts the revenues collected by the Court. The revenues budgeted and collected for 2003 through 2005 are listed below.

Revenues	2003	2004	2005	2006
Projected Revenue	\$1,800,000	\$1,750,000	\$1,800,000	\$1,900,000
Actual Revenue	\$1,481,639	\$1,798,706	\$2,009,116	\$2,297,940

Operating Expenses	2003	2004	2005	2006
Projected Expenses	\$1,122,904	\$1,189,673	\$1,267,848	\$1,305,107
Actual Expenses	\$1,076,941	\$1,103,527	\$1,148,691	\$1,252,610

The increase in cases filed affects the court staff in processing time in the collection of fines, fees, restitution, etc. The court is meeting and exceeding projected revenues and is operating within the appropriated operating budget.

2007 OUTLOOK

We look forward to 2007. The Court Administrator and staff have numerous projects scheduled. Some of those projects include:

- Continuing with security and safety enhancements
- Implementation of Phases 2 and 3 in the Collection module
- Continue employee job enhancement or cross-training to enable timely and efficient case processing and customer service
- Continue preparing procedural manuals for all clerk desks

INCREASED JUDICIAL TIME:

Effective January 1, 2007, Judge Paul Basso became a .8 FTE (increased from a .5 FTE). We restructured our entire Court docket to incorporate this additional time to handle the increased caseload and necessary Court time. One of the changes was adding jury trials on every other Friday in both Courtrooms.

INCREASED PRO-TEM JUDGES:

We continue to utilize the services of Judges Jeff Cahn, Beth Faragher and Tammy Greene as Pro Tem Judges. In January 2007, we added the additional services of Judge Randal Davis.

INCREASED PUBLIC DEFENDER TIME:

Beginning January 1, 2007, Public Defender time was increased from four hours per week to six hours per week every Wednesday starting at 10 a.m. This will help alleviate the heavily over-crowded previous four hour per week allocation, reduces wait time for customers, reduce the number of continuances, and allows adequate trial time in the afternoon.

JUDICIAL PROJECTS:

The Judges will be working on the following projects:

- Institute the Jury Shadowing Program
- Research and analyze the possibility of instituting a “Teen Court” program
- Revision of fine schedules



WESTMINSTER

Staff Report

Information Only Staff Report
February 5, 2007



SUBJECT: Web-based Community Calendar Listings

PREPARED BY: Katie Harberg, Public Information Officer
Joe Reid, Public Information Specialist

Summary Statement:

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

At the direction of the City Manager, Public Information staff researched the issue of web-based event calendars and their use for listing community events such as bake sales, garage sales, fundraisers, etc. Most cities limit their online calendars to city-sponsored events. However, other online options are readily available and free to use for community listings. Staff has identified YourHub.com as the best of these and has placed a link to the YourHub.com Westminster page directing residents to this community calendar. Staff will actively promote this alternative for community listings.

Background Information

Currently the City of Westminster has an online calendar maintained by various city departments that lists city events. City staff receives numerous requests during the year to post local events on the web calendar. Our current policy limits listings to events that have a clearly defined association with the City — either through direct city sponsorship or indirect participation, such as a contribution (money, staff time, facility) or other assistance. The primary reason for this policy involves resource issues associated with extra staff time to review and confirm listings.

A quick survey of other area communities point out that most cities restrict the content on their web calendars to City events. The survey results are as follows:

Fort Collins — city event calendar (there is a link to a community calendar maintained by the local convention/visitors bureau)

Lakewood — city event calendar

Arvada — city event calendar

Golden — city event calendar

Broomfield — city event calendar

Thornton — city and community event calendar (community listings are restricted to nonprofit agencies)

Colorado Springs — city event calendar

Northglenn — city event calendar

The most liberal policy is in Thornton, where the city allows nonprofits to submit events for the calendar. However, none of the cities surveyed allows for-profit or private agencies to post events. Instead, community events are more likely to be listed in other readily available places on the web. There are existing, free alternatives for all groups that wish to post their events on a web calendar, most prominent among them YourHub.com and Craigslist.

YourHub.com is by far the most popular. YourHub was specifically created as a clearinghouse for local community information, and has a community events calendar that offers free listings. Everything from bake sales to benefits to garage sales are free to list.

To help provide increased exposure to the community calendar offered by YourHub.com, and provide an easy answer to those who request space on the city events calendar, PIO staff has placed a link to the YourHub.com Westminster page on the city event calendar page. In addition, staff will use city media, such as the website, Weekly Edition and City Edition, to help promote the use of the YourHub community calendar.

Travis Henry, YourHub.com editor, confirmed to PIO staff that he would welcome such a link to the YourHub.com community calendar (see attached letter) and the city's efforts to promote the calendar as the best location for listing community events.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

101 W. COLFAX AVE., SUITE 1000
DENVER, CO 80202
303-623-2HUB



Joe Reid
City of Westminster
4800 W. 92nd Ave.
Westminster, CO 80031

Jan. 18, 2007

Dear Joe,

I wanted to follow up on the conversations we had about providing a YourHub.com link on the City of Westminster's Web site. I believe this is a beneficial arrangement for both YourHub.com and the City of Westminster. We are the local news and information resource site for the *Rocky Mountain News* and provide calendar listings for citizens, businesses and city governments. We welcome submissions to our calendar. Please let me know of any assistance I can be. Thanks.

Travis Henry
Editor
YourHub.com
A Web site and weekly section of the Rocky Mountain News

**City of Westminster City Council Study Session
February 5, 2007**

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

City Staff in attendance included: City Manager Brent McFall; Assistant City Manager Steve Smithers; City Attorney Marty McCullough; Deputy City Manager Matt Lutkus; Municipal Judge John Stipech; Court Administrator Carol Barnhardt; Director of Parks, Recreation, and Libraries Bill Walenczak; Public Information Officer Katie Harberg; and Management Analyst Aric Otzelberger.

The guests in attendance were Danny Tomlinson and Bob Ferm with Tomlinson and Associates; and Rachel Ceccarelli with the Westminster Window.

Lobbyist Update

The City of Westminster's lobbyist, Tomlinson and Associates, provided a verbal update of legislation that has been introduced in the Colorado General Assembly. Danny Tomlinson and Bob Ferm discussed bills that have the potential to impact the City of Westminster and its residents. This presentation was informational in nature and no action was necessary from City Council.

Municipal Court Year-End Report

Municipal Judge John Stipech and Court Administrator Carol Barnhardt were present to discuss the Municipal Court's 2006 Year-End Report. The report focused on case loads, violations, jury trials, jail transports, and other important operating indicators at the Municipal Court. This report was informational in nature and no action was necessary from City Council.

Mayor McNally adjourned the Study Session at 7:37 PM to enter into Executive Session to discuss the Colorado Rapids lease at City Park Fitness Center.