



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council

DATE: March 2, 2011

SUBJECT: Study Session Agenda for March 7, 2011

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. Municipal Court Annual 2010 Report
2. Adams County Prisoner Medical Expenses
3. 2010 Business Retention Report

6:30 P.M.

EXECUTIVE SESSION

None at this time.

INFORMATION ONLY ITEMS – Does not require action by City Council

1. 2010 Citywide Goals and Objectives – Third Period Update
2. Federal Legislative Issues Guide

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

Respectfully submitted,

J. Brent McFall
City Manager





WESTMINSTER

2010 ANNUAL REPORT



**3030 Turnpike Drive
Westminster, CO 80030**

TO: Mayor and City Council

FROM: John A. Stipech, Presiding Judge
Carol J. Barnhardt, Court Administrator

DATE: March 7, 2011

SUBJECT: Municipal Court 2010 Annual Report

A MESSAGE FROM PRESIDING JUDGE JOHN STIPECH

This report is a compilation of the state of the Municipal Court and activities from January 1 through December 31, 2010.

Throughout the year, cross-training continued and enabled the Administration to move personnel around to cover vacations, illnesses, and City and outside training. We have a highly trained and motivated staff that works well together, with the public, and with other City departments and employees. The Court and staff remain sensitive to the concerns of City Council and the City Manager's Office and welcomes any inquiries or suggestions that either may have.

This year, the City and the Court faced many difficult challenges, such as, the reduction in work force, reduction in current and proposed future budgets, and the implementation of the focused work week. The Court staff met these challenges in a professional, innovative fashion, and offered solutions to the challenges and changes.

One of the biggest projects that the Court and the Police Department had to effectuate was the revision of the fine schedule. Since the revision was to be implemented to the traffic fine schedule, we determined a complete revision of the whole fine schedule and the fees schedule would be advantageous. Along with the fines, administrative fees and other fees and costs were reviewed, and several were increased. We now have a schedule in place that will sustain us for the foreseeable future. Beginning January 1, 2011, the new fine and fees schedules were implemented.

On January 1, 2011, we began receiving filings for the Domestic Violence cases that were temporarily filed in Adams or Jefferson Counties from August 1 through December 31, 2010. The filing moratorium was at the request of the City Prosecutor's Office who was understaffed by two prosecutor positions. The City Prosecutor's Office filled their vacancies with two individuals who will be assets to the judicial system. Both are experienced prosecutors with great attitudes and philosophies. We anticipate approximately 350 to 400 new Domestic Violence case filings for 2011.

The Court is appreciative of the support we receive throughout the year from City Council, Deputy City Manager Matt Lutkus, the staff of the General Services Department, Building Operations, City Manager's Office, City Attorney's Office, the Departments of Police and Fire, Information Technology, Finance, and other City departments and divisions.

The Municipal Court is prepared to provide continued services to our citizens in a fair and impartial manner, and to provide a fair venue and experience to all litigants, witnesses, jurors, and attorneys, and arrive at decisions based only upon the law and the evidence presented at trial. We look forward to the new year and continued partnering with various departments and entities.

CASELOAD



SAFE AND SECURE COMMUNITY

City Council Objectives:

§ Citizens are safe anywhere in the City

Performance Measure Goal: *Process cases in a timely and efficient manner. Effective case flow management helps ensure that every litigant receives procedural due process and equal protection and is safe within our City.*

Effective case flow management makes justice possible not only in individual cases but across judicial systems and courts. Effective case flow helps ensure that every litigant receives procedural due process and equal protection.

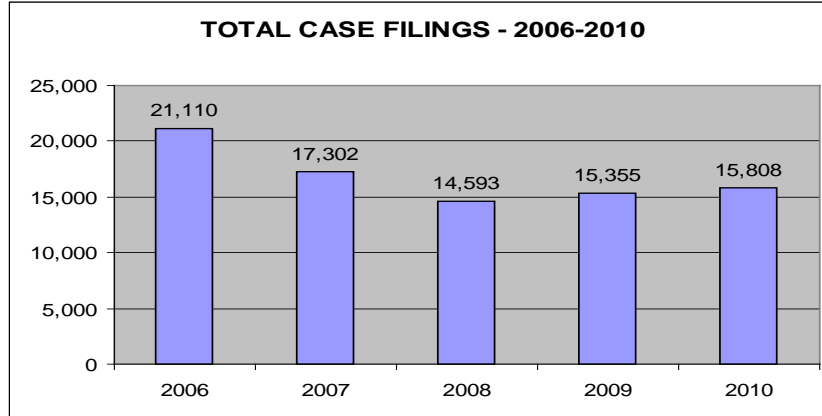
Case flow management is the process by which courts move cases from filing to closure. This includes all pre-trial phases, trials, and events that follow disposition to ensure the integrity of court orders and timely completion of post-disposition case activity. Once cases are filed, the Clerks and Judges monitor the case progress from the time of filing to disposition and from event to event. Summonses are issued by the Westminster Police Officers, and the Court does not have any control over the number of summonses issued. As the City continues to grow, it is anticipated that the caseload will also continue to increase.

In summary, we were able to maintain a steady work flow, and we are processing cases in a timely manner. We closed more than the recommended National Center for State Court's clearance rate, and we do not have a backlog at this time.

CASES FILED: In 2010, we experienced a 3% increase or 453 more case filings than in 2009 as reflected in the table and information below. Significant increased filings are in the No Proof of Insurance violations, and traffic payable violations (speeding, passing violations, improper lane usage violations, turn violations, traffic control violations, etc.). Due to a staffing shortage in the City Prosecutor's Office, from August 1 through December 31, 2010, Domestic Violence cases were filed in the respective County Courts; hence, the decrease in Domestic Violence cases.

CASES FILED	YTD	YTD	Percent	Number
	Dec-10	Dec-09	Diff	Diff
Municipal Ord (aka Criminal)	2,999	3,258	-8%	(259)
Domestic Violence	237	373	-36%	(136)
Total Criminal	3,236	3,631	-11%	(395)
No Proof of Insurance	1,784	1,447	23%	337
Traffic Mandatory (aka Criminal)	307	329	-7%	(22)
Traffic Payable (aka Infraction)	9,648	8,760	10%	888
Total Traffic without parking	11,739	10,536	11%	1203
Total Criminal & Traffic w/o parking	14,975	14,167	6%	808
Parking	833	1,188	-30%	(355)
Court Grand Total	15,808	15,355	3%	453

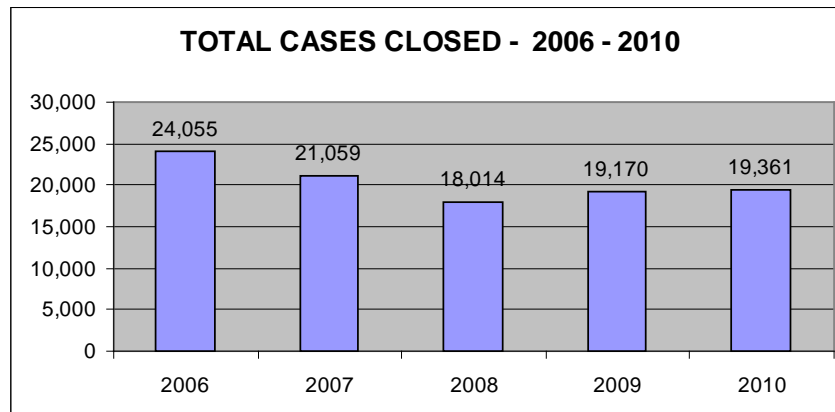
CASE COMPARISONS OF NEW FILINGS FOR LAST FIVE YEARS



CASES CLOSED: It is the recommendation of the National Center for State Courts that courts should aspire to close at least as many cases as were filed in a period by having a clearance rate of 100 percent or higher. In the table below, for the year 2010, the year-to-date information indicates that 1% or 191 more cases were closed than for the same period in 2009. The cases filed measured against the cases closed help us assess how well cases are being processed from beginning to end. This measure takes into account cases closed from 2002 through 2010. If cases are not closed in a timely manner, a backlog of cases awaiting disposition increases. We closed 3,553 more cases than we received in filings. This is in part due to our on-going audits of cases and judicial reviews.

CASES CLOSED	YTD	YTD	Percent	Number
	Dec-10	Dec-09	Diff	Diff
Municipal Ord (aka Criminal)	4,921	5,405	-9%	(484)
Domestic Violence	555	636	-13%	(81)
Total Criminal	5,476	6,041	-9%	(565)
No Proof of Insurance	1,972	1,647	20%	325
Traffic Mandatory (aka Criminal)	344	400	-14%	(56)
Traffic Payable (aka Infraction)	9,977	9,436	6%	541
Total Traffic without parking	12,293	11,483	7%	810
Total Criminal & Traffic w/o parking	17,769	17,524	1%	245
Parking	1,592	1,646	-3%	(54)
Court Grand Total	19,361	19,170	1%	191

CASE COMPARISON OF CASES CLOSED FOR LAST FIVE YEARS



COLLECTION EFFORTS



The Court's reputation, integrity and public trust depend in part on how well Court Orders are observed and enforced in cases of non-compliance. In particular, restitution for crime victims and accountability for enforcement of monetary penalties imposed by the Judges are issues of concern. The Court focuses heavily on the enforcement of its orders and requires that payment in full is due at time of sentence. If defendants are indigent or financially unable, the Court imposes alternative sentenced including work release, home detention and/or community service. The financial obligation of defendants is monitored closely by staff through the records management system.

Once a case is referred to the private collection agency, the defendant automatically incurs an additional 25% fee based on the amount owed. This additional fee covers the cost of collection with no expense to the City. Implementing collection software and having the staff actively monitoring delinquent accounts greatly enhances and improves the case flow management and integrity of the Court and its Orders, and holds the defendants accountable to pay the judgments imposed by the Court. Consequently, the number of outstanding cases closed is substantially increased.

Collection Summary

Parking violations were referred to the collection agency after a notice provided the defendant with additional time to pay the original fine with only a late fee assessed. During 2010, 301 new cases were referred due to non-payment.

Defaulted traffic cases were referred through a manual process by the Collections Clerk. These cases involved defendants that did not appear for Court and were found guilty by default. No warrants were issued for these cases, however, a hold was placed on the defendant's license and the full balance due was referred to the collection agency. There were a total of 402 of these case types sent to collections.

All other cases were referred automatically after defendants failed to respond to a final notice and warning within the time allotted. There were 548 new cases of this type that were referred to the collection agency.

Over the course of the year, over 1,700 cases were resolved after being referred to the collection agency. A portion of these cases were resolved by payment. The remaining cases were resolved by other means such as serving jail time, a judge's order to remove the case from collections, and cases closed past the Court's retention period.

Staff reported that for the year 2010, a total of 1,251 cases were exported to the collection agency. Total payments received from collection efforts were \$129,304. Of that, \$25,861 was the fee paid to the collection agency. The Court collected \$103,443 in payment of fines, costs, restitution and other fees.

Collection History

YEAR	COLLECTED THRU EFFORTS	NUMBER OF CASES RESOLVED THRU COLLECTION EFFORTS
2007	\$ 84,756	1,100
2008	\$ 104,983	1,800
2009	\$ 108,377	1,475
2010	\$ 103,443	1,700

JURY TRIALS, WITNESS AND JURY FEES



To accommodate the increased number of requests for Jury Trials, we schedule Jury Trials every Friday (changed to Thursdays as of September 2010) in Courtroom B and every other Friday, now Thursday, in Courtroom A. This schedule enables the Court to dispose of at least six cases per month. With the increased number of available Jury Trial days, we have been able to process cases in a timely fashion and avoid dismissals as a result of speedy trial timelines.

By ordinance, persons summoned to jury duty are paid a juror fee of three dollars (\$3) per day. Jurors serving on a jury are paid a juror fee of six dollars (\$6) per day. Persons subpoenaed as witnesses are paid a witness fee of five dollars (\$5) per day.

At the conclusion of Jury Trials, jurors are provided with a Jury Exit Questionnaire asking them to voluntarily rate their jury experience in the areas listed below. Jurors may also provide comments. The questionnaires are sent to Deputy City Manager Matt Lutkus and his staff tallies the responses. On a monthly basis the information and any comments are forwarded to the Court Administrator for review and the summary is then forwarded to the Judges and staff for their information.

Below is a table with the cumulative ratings for 2010.

Westminster Municipal Court - Jury Service Exit Questionnaire Summary January 1 through December 31, 2010

RATINGS ON THE FOLLOWING:	Excellent	Good	Adequate	Poor
Initial Notification Process	71	34	4	0
Jury Information Brochure	66	40	3	0
Orientation (video presentation)	47	50	10	0
Treatment by Court Personnel	94	15	0	0
Overall Jury Trial Experience	55	48	4	2

JURY STATUS CONFERENCES AND JURY TRIALS

Every Wednesday Jury Status Conferences are held for all cases scheduled for Jury Trial that week. At this scheduled hearing, the defendant and/or his/her attorney are required to attend. Witnesses do not appear at this hearing. The purpose of this hearing is to rule on pending motions, to accept a plea or amended plea, or to continue a case if necessary. The Jury Status Conference eliminates calling in jury panels unnecessarily, and resolves preliminary matters before the Jury Trial date. The total number of potential jurors appearing during the 2010 year for jury services was 1,169.

GENERAL INFORMATION ABOUT JURORS

YEAR	NUMBER OF JURY TRIALS SCHEDULED WITH JURORS APPEARING	ACTUAL JURY TRIALS HELD
2006	45	37
2007	49	37
2008	45	32
2009	48	42
2010	59	45

WITNESS FEES AND JURY TRIAL EXPENSES

YEAR	BUDGETED EXPENSES	ACTUAL EXPENSES
2006	\$5,568	\$7,045
2007	\$8,068	\$7,121
2008	\$8,068	\$6,600
2009	\$8,068	\$8,261
2010	\$7,568	\$7,785*

* 2010 budget totals not finalized at the time of this report.

GENEROUS JUROR INFORMATION

On July 5, 2002, the Westminster Municipal Court instituted the Generous Juror Program. This program offers jurors the opportunity to donate their jury service fees to a charity. The first part of each month the Court Administrator authorizes the payment of the prior month's donations to the chosen charity.

On a yearly basis, a new charity is selected by City Council. Organizations chosen have been:

- Have-A-Heart Project (July 2002 to September 2003).
- The Link (October 2003 to December 2004).
- Westminster Burn Fund (January to December 2005).
- Light for Life / Yellow Ribbon Foundation (January to December 2006).
- District 50 Education Foundation (January to December 2007).
- Have-A-Heart Project (January to December 2008).
- Westminster Legacy Foundation for use as scholarship funds for Armed Services Memorial Garden bricks for veterans (January to December 2009).
- Have-A-Heart Project (January to December 2010). The total donated from the Generous Juror Program for 2010 was \$3,525.

The charity selected by City Council for 2011 is the Westminster Legacy Foundation.

APPEALED CASES

An appeal is a request usually filed by a Defendant and filed in the Adams County 17th Judicial District Court requesting the Appellate Court to review the ruling of a Westminster Municipal Court Judge. The review is based solely on the record of the hearing or trial held in the Westminster Municipal Court and is not a new trial.

Appeals must follow State Statutes and Colorado Rules of Criminal Procedures Rule 37, and Colorado Municipal Court Rules and Procedures Rule 237.

In 2010, there were 12 cases appealed. All 12 cases withstood the appeal process in favor of the Court. Seven (7) were dismissed (either voluntarily withdrawn or because the appellant failed to follow the rules and procedures), and five (5) were affirmed (meaning the Appellate Court agreed with the ruling of the Municipal Court Judge).

PROBATION SECTION



SAFE AND SECURE COMMUNITY

City Council Objectives:

§ Citizens are safe anywhere in the city

Performance Goal Measure: To effectively supervise criminal offenders by reducing recidivism and increasing successful completion of probation.

Westminster Municipal Court Probation Section provides a myriad of services to individuals, the Court, the City Prosecutor's Office, and defendants from pre-sentence information to supervision of probationers. 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. Juveniles face up to ten days in detention and up to a \$1,000 fine. Adults can receive up to one year in jail and up to a \$1,000 fine. Costs are assessed in addition to fines.

A Pre-Sentence Investigation (PSI) is ordered when a 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. A Court Clerk schedules the date the defendant is to attend the Pre-Sentence interview and the date for the sentencing. During 2010, the Probation Section completed 51 Pre-Sentence Investigations at the request of the Court.

The Judges have the option of sentencing a defendant to Supervised Probation or Unsupervised Probation. Supervised Probation is a more intensive option that requires defendants to report in person to their probation officer a minimum of one time per month for adults or every other week for juveniles. Unsupervised Probation requires defendants to attend a 45 day review and if they are in compliance, they are allowed to report via monthly reporting forms that they return to the Probation Section.

The Probation Section has a volunteer program that allows interested citizens to apply to become Volunteers In Probation (VIP) to learn to supervise cases and gain experience in the probation field while giving back to the community. Training for new Volunteers In Probation is held each spring and fall, as needed, and involves 16 hours of initial training followed by monthly training and staffing.

In addition to imposing fines and costs, the Judges often mandate 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.

Prior to the implementation of the Focused Work Week, to accommodate working parents and school schedules, Juvenile Probation Hearings were held on the second Wednesday evening of each month. Although the evening sessions impacted our staff, the trade-off afforded working parents the ability to attend the hearings without missing work and provides a community service that is appreciated. On "Probation Night Court" nights, a Judge, a Court Clerk, two Probation Officers, and a Probation Clerk were present. The Probation Officers presented Review Hearings and Revocation Petitions in a very streamlined and efficient manner. Ideally, we were able to complete the evening docket in about three hours.

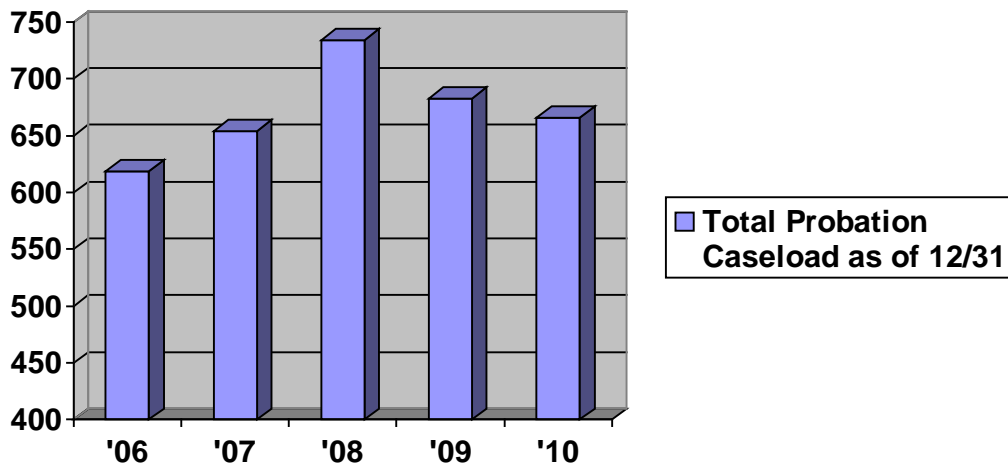
Since the implementation of the Focused Work Week in August, Probation Juvenile Hearings are scheduled at 3:00 p.m. on the second Wednesday of each month. This time allows us to complete the docket prior to our normal close of business and offers the best accommodation possible to keep our juvenile probation clients from having to leave school early.

Caseload statistics are tracked on a monthly basis instead of a year-to-date 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. This number changes daily as new probationers are placed on probation while others successfully or unsuccessfully complete probation.

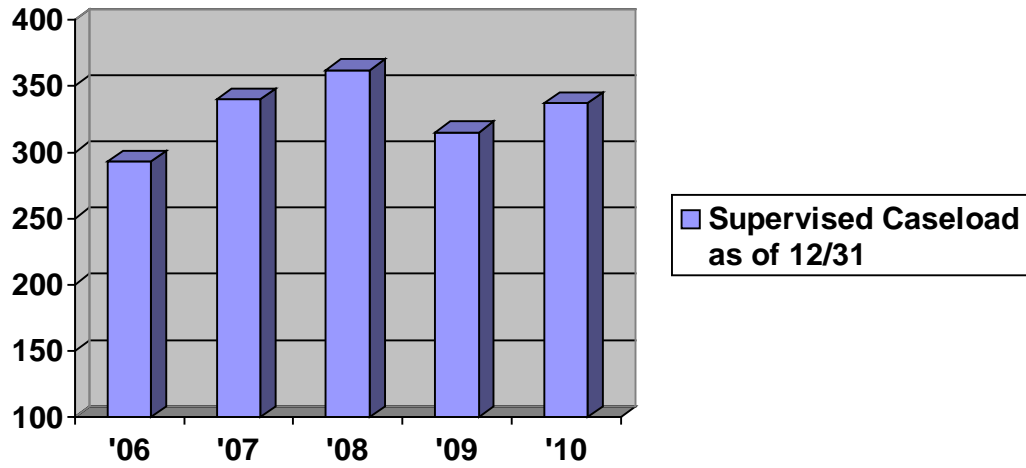
During the month of December 2010, the Probation Section responded to violations of probationers in two days or less, 99% of the time. Their year-end average was 96%, which is above their target of 95%; however, in the fourth quarter their response time dropped due to one Probation Officer being out of the office for nearly two months. In 2010, the Probation Section had a 59% successful completion rate for cases that closed. This is slightly below their target success rate of 60%.

The total Probation caseload, consisting of both Supervised Probation and Unsupervised Probation, as of December 31, 2010, was 666. This is slightly lower than the same time in 2009, the contributing factor for the drop was the filing of domestic violence cases into County Court during the Fourth Quarter 2010. The average month end caseload for 2010 was 706 cases. The Supervised Probation caseload has increased 11% over the past year, and is 15% higher than 2006.

Graphical and statistical information for the Probation Section follows. The first chart is an historical reflection of the total number of Supervised and Unsupervised Probation cases.



The second chart is an historical reflection of the total number cases that are on Supervised Probation.



Month end statistical data and a comparison to 2010 for the Probation Section follow:

	MTD	MTD	
PROBATION	Dec-10	Dec-09	Difference
Total active caseload in probation	666	683	-2%
Total active DV on probation	209	256	-18%
Number of active VIP	11	11	0%
Cases currently supervised by VIPs	9	10	-10%
Supervised probation caseload	337	315	7%
Unsupervised probation caseload	320	358	-11%
Total adult caseload	502	493	2%
Total juvenile caseload	164	190	-14%

ALTERNATIVE SENTENCING OPTIONS

The Court attempts to consider alternative sentencing options if the situation warrants a punishment lesser than incarceration. Alternative Sentencing Options utilized by the Court are:

- Fines and Costs (may be assessed and then suspended)
- Restitution
- Jail
- Jail with work release
- In-Home Detention for non-aggressive and/or first time offenders
- Probation (supervised, unsupervised, Volunteers in Probation where a citizen volunteer monitors the probation and works with probationer
- Evaluations (Alcohol, Substance Abuse, Mental Health)
- Domestic Violence Counseling (mandatory on pleas and /or convictions). Effective September 1, 2010, all defendants sentenced to Domestic Violence Counseling are required to complete an evaluation with a certified domestic violence counselor to determine the level of treatment. From this assessment they will be placed in varying groups based on their individual needs. The minimum length of treatment is four months as long as all competencies have been met.
- Substance Abuse Counseling
- Anger Management Counseling
- Mental Health Counseling
- Monitored Sobriety such as: SCRAM (Secure Continuous Remote Alcohol Monitor), which is a 24 hours transdermal alcohol monitoring system, Antabuse (medication to help control alcohol use), BAs (Breathalyzer that tests blood alcohol), UAs (Urinalysis)
- Alive at 25
- Online Traffic School
- ISAE or NCTI offer 1 day (Theft, Conflict Management, Decision Making, Traffic, Animal Management) or 2 day (Theft and Conflict Management) educational classes
 - ISAE is the Institute for Substance Abuse Education at <http://www.isaeonline.com/>
 - NCTI is the National Correctional Training Institute at <http://www.offenderclasses.com/>
- Diversion Programs for defendants under 21 charged with drug and/or alcohol violations – North Metro Diversion Program for Adams County and C.E.T.P for Jefferson County
 - C.E.T.P is Counseling, Evaluation and Treatment Program
- Essays about the class or the crime
- Apology letters
- Community Service (with the City or a Non-Profit agency)
- School or GED requirements
- Job search or employment requirement
- Specific research papers
- Order to Comply (such as with another probation order, possess no graffiti paraphernalia, maintain a specific grade average at school, obey the rules at home, etc.)
- Protection Orders (Domestic Violence and non-Domestic Violence cases)
- Trespass Orders (usually for a retail establishment)

JAIL TRANSPORTS



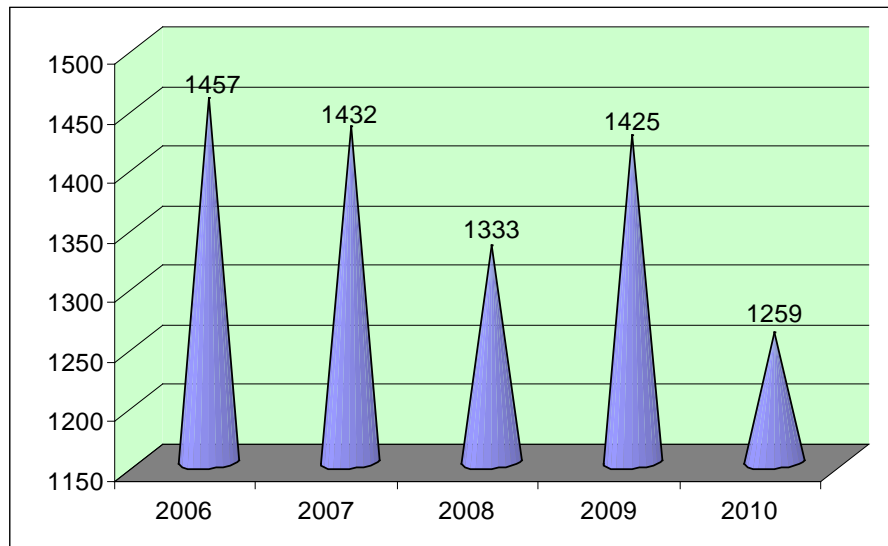
Every business day the three Court Marshals (Westminster Police Officers assigned to Court) transport prisoners arrested on original warrants, bench warrants, or that are in-custody from other jurisdictions that have to appear at our Court. During non-transport periods, the Court Marshals serve subpoenas, and assist the Court in various safety and security functions such as arresting defendants that appear at the Court and providing additional security. These are invaluable services to the Court, the City, and the community.

The total transports for 2010 were 1,259. This statistical information was provided by the Court Marshals. Transports were down this year 166 transports. This is due mainly to the Domestic Violence filing moratorium from August 1 through December 31, 2010. We anticipate transport numbers will increase again in 2011 when we resume the filings of Domestic Violence cases.

The caseload and necessity to transport numerous prisoners impacts every aspect of the Court operation. It also directly impacts the City Prosecutor's Office, the Victim Advocate, the Court Marshals, and the docket including interpreter hearings and public defender cases.

The Court Marshals are highly trained and experienced officers that substantially contribute to the smooth functioning of the judicial system.

JAIL TRANSPORTS - FIVE YEAR COMPARISON



SECURITY



SAFE AND SECURE COMMUNITY

City Council Objectives:

§ Citizens are safe anywhere in the city

Performance Goal Measure: Staff, citizens and customers are safe and secure when at the Court building.

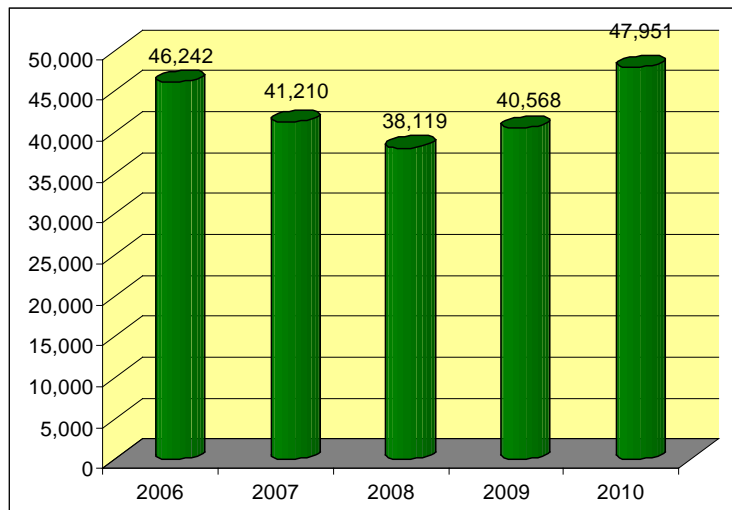
Our customer service includes a security screening process conducted by a private security company. All individuals seeking entry into the Court facility must pass through a metal detector, have all bags and coats checked, and are hand scanned if necessary. The security guards also check for contraband, weapons and other prohibited items or paraphernalia as part of their screenings. This process is similar to airport security and most other court facilities.

The tracking of customers, the number of hand scans, and the number of confiscated or returned to vehicle items began in late June 2002. Customers are given the option to either return “prohibited items” to their vehicles or the security guards will confiscate the items. The security guards track and count the items even if the customer returns them to their vehicle.

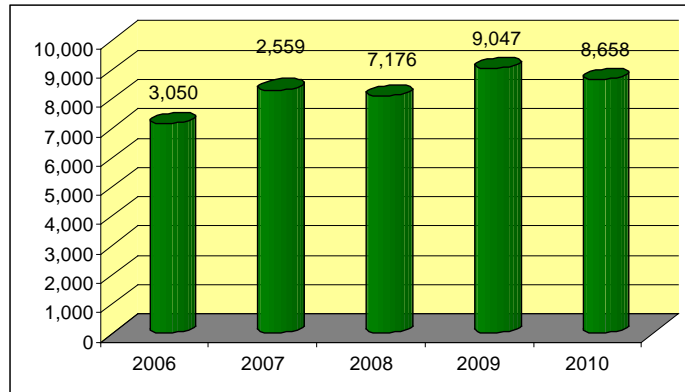
For 2010, hand scans are down because customers are required to remove their belts before passing through the metal detector. Hand scans and confiscated items are down because on jury days, a security guard announces to all jurors what to expect as they pass through the screening. A list of prohibited items is read out loud and the customers return items to their vehicles before coming into the building for scanning. Security guards also stopped confiscating small glass bottles (perfume, makeup, etc.). Many customers are returning customers and are familiar with the screening process and are more aware of what not to bring into the courthouse.

The three charts below give an historical comparison for the past five years

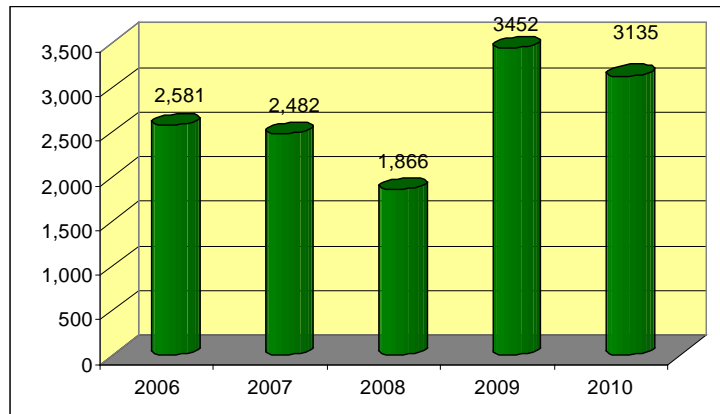
CUSTOMERS – FIVE YEAR COMPARISON



HAND SCANS – FIVE YEAR COMPARISON



CONFISCATED ITEMS – FIVE YEAR COMPARISON



CONFISCATED ITEMS BY CATEGORIES

The following information is a breakdown by category of the different types of items that were confiscated or returned to the customer's vehicle.

Knives	372	Handcuffs	13
Scissors	47	Handcuff keys	52
Screwdrivers	21	Firearms	11 *
Razors	45	Ammunition	218 *
Mace Canisters	35	Cameras	316
Tools or clubs	178	Audio / Video Recorders	24
Chains	166	Other prohibited items (nail files, combs, hair picks, sharpies, alcohol, glass, knitting needles, etc.)	46

NOTE: * Firearms and ammunition belonged to private investigators, off-duty police officers here on personal business or to serve jury duty, one defendant tried to come into the building with seven bullets. The ammunition numbers correlate mainly with the weapons carried by officers who were carrying multiple magazines. Some of the handcuffs and handcuff keys belonged to the officers mentioned above or to bail bondsmen.

CUSTOMER SERVICE

Our top priority is to service the public in the most professional, efficient, and effective manner possible. The Court is different than other City departments or divisions. Usually, individuals appear at City facilities because they are seeking information or a service. Those appearing at Court have either been issued a summons or a subpoena to appear. We realize that few individuals want to appear at Court, and if we can make the experience tolerable, if not enjoyable, we have reached one of our goals.

Our primary concern is to assure that customers have a fair Court experience. Our customers include the judges and staff, City staff and divisions, defendants, witnesses, victims, jurors, victim advocates, police officers, attorneys, parents, children, various service vendors, volunteers, consulting agencies, and citizens. We strive to have everyone feel they were treated with respect and dignity. Staff does an outstanding job in processing our caseload in an expeditious, courteous and efficient manner.

In order to facilitate the large number of Spanish speaking individuals we utilize the services of two or more interpreters who are available during the arraignments, pre-trial conferences, probation conferences, dispositions, and trials. Interpreters are available for Russian, Chinese, Bulgarian, Hmong, Vietnamese, Laotian and various other languages. The Court also utilizes the services of a telephonic interpreter company that can provide interpreters for numerous languages.

Westminster Municipal Court's dedication to customer service was recently surveyed by customers coming into the Court Building. The Court served 47,951 customers in 2010. For the most part, the only contact these people will have with the Court system is with the Municipal Court. Our goal is to provide customer satisfaction while maintaining compliance with our mission statement.

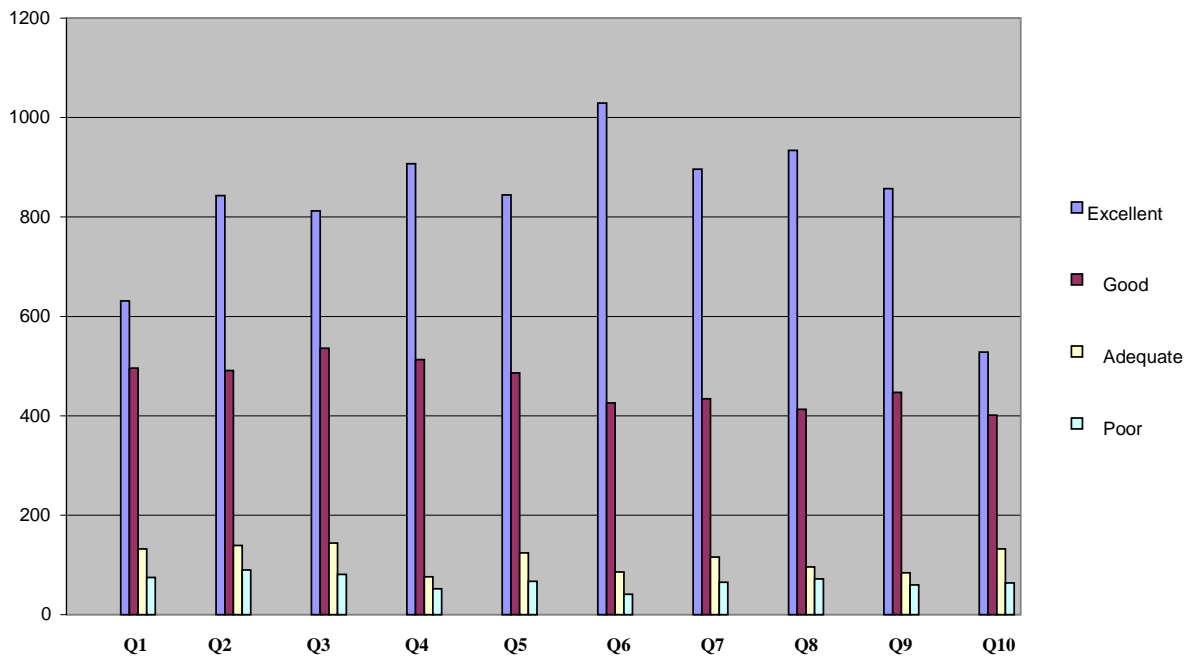
During the months of April and November 2010, our customers were asked to "Judge the Court" through a customer satisfaction survey. A questionnaire was given to all customers entering the building at the security check-point. Customers were asked to complete the survey form and place it in a box when they left the building. Over 400 customers completed the April survey and over 1,100 customers completed the November survey. Data and comments were collected and compiled to help assess our customers' concerns and feedback on staff and services.

The survey asked ten (10) questions focusing on performance measures established by the National Center for State Courts and modified for use in our setting. The survey results provide an opportunity for the Court to assess itself and examine areas for improvements.

CUSTOMER SERVICE QUESTIONNAIRE RECAP

Ratings on the following:	Excellent	Good	Adequate	Poor
Q1 - I was able to access the court by phone.	631	496	132	75
Q2 - Finding the courthouse was easy.	843	491	139	90
Q3 - The court's hours of operations made it easy for me to do my business	812	536	144	81
Q4 - I easily found the courtroom or office I needed.	907	513	76	52
Q5 - I was able to complete my court business in a reasonable amount of time	844	486	124	67
Q6 - I felt safe in the courthouse.	1029	426	86	41
Q7 - Staff paid attention to my needs.	896	434	116	65
Q8 - I was treated with dignity and respect.	934	413	96	72
Q9 - As I leave the court I know what to do next regarding my case.	857	447	84	60
Q10 - The court's web site was useful.	528	401	132	64

The graph below charts the responses listed above.



FOCUSED WORK WEEK

In August of 2010 the City implemented the change in the work schedules for City staff and various operations. The “Focused Work Week” changed the business hours from Monday through Friday, 8 a.m. to 5 p.m. to Monday through Thursday, 7 a.m. to 6 p.m. with some operations then being closed on Friday, Saturday and Sunday.

City Manager Brent McFall informed City employees that “Moving to this four day work week schedule has several potential benefits for the City including improved customer service due to being open for business both before and after the traditional 8:00 AM to 5:00 PM workday allowing our customers to conduct their business with the City at a time convenient to them. The work schedule has also proven effective in other cities in improving employee productivity, recruitment and retention of employees, reducing the City's carbon footprint, and some operational cost savings.”

The City Manager also made known several challenges. “There are also challenges associated with moving to the Focused Work Week. One, of course, is public acceptance of the new operating hours. Another is employee concerns about such things as child care schedules, after school activities of children, night school classes, etc. Interestingly, 58% of the City's work force already works some form of Focused Work Week, whether that be the 24 hour shifts worked by firefighters or the 4/10 schedule worked by Police Officers, Parks crews, Public Works & Utilities crews, and others.”

The new schedule posed numerous challenges for the Court, including but not limited to, creating compressed courtroom schedules, coordinating and implementing new appearance dates and times with all of the Police Department Officers for all hearings and appearances, coordinating with City staff for new hours signage, updating the Court's web pages, updating and re-printing juror pamphlets and various other documents, and modifying numerous Court forms and documents to reflect the new business hours.

Court staff was able to overcome all obstacles and on August 31, 2010, the Court operation began the 4-10 Focused Work Week. Since the implementation of the Focused Work Week and getting through the normal adjustment and learning curve period, comments from staff and citizens have been positive and the current schedule is working effectively for the Court operation.

Ironically, when the Court's Strategic Plan for 2009-2013 was developed in 2008, one of the objectives for 2010-2013 was to “research the possibility of changing work hours and/or work days, review flexible schedule, research compressed work weeks, balance against core values and services” (see Strategic Plan on page 29). This goal was successfully accomplished.

EMPLOYEE RECOGNITIONS

LEADERSHIP PROGRAM

On January 13, Deputy Court Clerk Vanessa Hamilton graduated from the City's first Leadership Development Certification Program. Applicants were put through a process ordinarily reserved for upper management. The program covered several aspects of leadership such as Leadership Effectiveness, Communication, Leadership Strategies, Conflict Resolution, Building Partnerships, Innovation, Transitioning to Supervisor, Policy and Procedure Essentials, Inspiring Leadership, Accountability, Ethics and Integrity. The graduating class of 21 encompassed employees from all departments of the City.



Vanessa Hamilton and City Manager Brent McFall

LENGTH OF SERVICE AWARDS

The City hosts luncheons to recognize employees who have reached 5, 10, 15+ years of service with the City. At the luncheon, each department head recognizes employees in their department with a short recap of what they have accomplished at the City and the individuals' hobbies and interests outside of work. All employees receive a certificate and a pin designating the number of years they have been with the City.

10 Year Recognition



Deputy City Manager Matt Lutkus
Probation Supervisor Brian Poggenklass
City Manager Brent McFall



Deputy City Manager Matt Lutkus
Deputy Court Clerk Regina Stephenson
City Manager Brent McFall

5 Years Recognition



Deputy City Manager Matt Lutkus
Collection Supervisor Susan Wooster
City Manager Brent McFall



Deputy City Manager Matt Lutkus
Deputy Court Clerk Valerie White
City Manager Brent McFall



Deputy City Manager Matt Lutkus
Deputy Court Administrator Nevada Torres
City Manager Brent McFall

TEAMS IN ACTION



In April, two of the Court's Deputy Court Clerks, Michelle Ramos (left) and Loretta Martinez (right), were recognized by the Teams in Action committee for their participation in Club Español. The ability of Court staff to assist our Spanish speaking defendants is a valuable service to us, and we appreciate the dedication and hard work of the two employees who continue to increase their bilingual skills.

WESTMINSTER FIRE DEPARTMENT CITIZEN ACADEMY

On May 27, Court Administrator Carol Barnhardt (middle) and Deputy Court Clerks Vanessa Hamilton (left) and Gail Reynolds (right) successfully completed and graduated from the 13 week Fire Department Citizen Academy. The three employees reported regularly at their staff meetings about their trainings and they all thoroughly enjoyed the challenges and the new learning experiences.



SPIRIT AWARD



On June 15, Probation Clerk Glenda Thompson (middle), Probation Supervisor Brian Poggenklass (left), and Court Administrator Carol Barnhardt (right) attended a luncheon where several City employees were recognized for their demonstration of SPIRIT. Glenda Thompson was nominated by Probation Officer Kim Lif.

JUDICIARY

The Court has one full-time judge, one .8 FTE judge, and three pro-tem judges. Judge Jeffrey Cahn, one of our former prosecutors and current Boulder Municipal Judge, heads up our list of pro-tem judges. Judge Randall Davis, former Broomfield County Judge, and Judge Emil Rinaldi, former Adams County Judge, are our other pro-tem judges. The pro-tem judges are available to cover for vacations, illnesses, conferences, meetings, and other situations as needed.

- The Honorable **John A. Stipech** has served as Presiding Judge since 1996. Prior to his appointment as Presiding Judge, he served as Associate Judge from 1979 to 1996.
- The Honorable **Paul Basso** has served as Associate Judge since February 2003. Prior to his appointment as Associate Judge, Judge Basso served as Pro-Tem Judge from 1996 to 2003.



Presiding Judge John Stipech and Associate Judge Paul Basso

PRO TEM JUDGES

- The Honorable *Jeffrey Cahn* has served as Pro-Tem Judge since April 2003.
- The Honorable *Randall Davis* has served as Pro-Tem Judge since December 2006.
- The Honorable *Emil Rinaldi* has served as Pro-Tem Judge since January 2009.



Associate Judge Jeff Cahn



Associate Judge Randy Davis



Associate Judge Emil Rinaldi

ADMINISTRATIVE AND SUPERVISORY STAFF

The Court Administrator, the supervisors, the support staff and our volunteers are outstanding individuals who continue to go above their assigned duties to promote customer service and exemplify SPIRIT.

The administration of the Court is led by Court Administrator *Carol Barnhardt* who has been with the Court since December 2001. Her supervisory team includes Deputy Court Administrator *Nevada Torres* who has been with the Court since November 2005, Probation Supervisor *Brian Poggenklass* who has been with the Court since January 2000, and Collections Supervisor *Susan Wooster* who has been with the Court since August 2005. These individuals have done an admirable job in keeping the Court operations running smoothly and efficiently especially under trying and difficult times.

The Court Administrator and her supervisory team continue to develop new and innovative procedures that have and will continue to make the Court more effective and responsive to the needs of the Court and the City. The implementation of an employee job enhancement cross-training schedule has enhanced our capability to function effectively as a result of attrition, illness, trainings or vacations. Each staff member remains in a position for a designated period of time and is then rotated to a different position. Cross-training increases the proficiency of staff and gives each staff member a varied work experience.

The Court Administrator and the staff have a good working relationship with the IT staff, BO&M staff, Victim Advocate's Office, the Police Department, Prosecuting Attorneys, Finance staff and other City Divisions and Departments. They have an excellent relationship with the judges and have been invaluable in conducting the day-to-day proceedings and operations. They continue to formulate and implement new procedures and methods to more effectively meet the challenges the Court system presents.



Left to Right Front - Collection Supervisor Susan Wooster, Probation Supervisor Brian Poggenklass

Left to Right Back - Court Administrator Carol Barnhardt, Deputy Court Administrator Nevada Torres

DEPUTY COURT CLERK STAFF

The Court is staffed with well trained and skilled employees who work diligently to process the caseload. Our Deputy Court Clerk staff consists of 11.8 clerks. The Deputy Court Clerks are divided into the following positions: Probation Clerk, Cashiers, Data Entry Clerks, Collections Clerk, Motions Clerk, Phone and Jury Clerk, CBI (Colorado Bureau of Investigations) Clerk, Criminal Clerk, and Courtroom Clerks.

The Deputy Court Clerks are listed in alphabetical order:

- **Debbie Clayton** has been with the Court since April 1998.
- **Chuck DiGiacomo** has been with the Court since August 2002.
- **Art Gomez** has been with the City since April 1999 and with the Court since September 2005.
- **Vanessa Hamilton** has been with the Court since November 2004.
- **Loretta Martinez** has been with the City since June 1993 and with the Court since October 1999.
- **Valerie Medina** has been with the Court since October 2005.
- **Michelle Ramos** has been with the Court since June 2008.
- **Gail Reynolds** has been with the Court since January 2004.
- **Mary Schaefer** has been with the Court since February 1999.
- **Judy Smith** has been with the Court since April 2006.
- **Regina Stephenson** has been with the City since August 2000 and with the Court since September 2004.
- **Bernadette Tedesco** has been with the Court since May 2008.



Left to Right - Front – Gail Reynolds, Michelle Ramos, Mary Schaefer, Bernadette Tedesco

Left to Right - Back – Valerie White, Vanessa Hamilton, Loretta Martinez, Art Gomez, Chuck DiGiacomo, Regina Stephenson, Debbie Clayton. Not pictured – Judy Smith

PROBATION STAFF

The Probation Section operates efficiently under the direction of the Probation Supervisor Brian Poggenklass. Tracy Cutshaw and Kimberly Lif are full time probation officers. The probation clerks rotate positions.

- Probation Supervisor **Brian Poggenklass** has been with the Court since January 2000.
- Probation Officer **Tracy Cutshaw** has been with the Court since July 2001.
- Probation Officer **Kimberly Lif** has been with the Court since February 2006.
- Probation Clerk **Mary Schaefer** has been with the Court since February 1999
- Probation Clerk **Glenda Thompson** was with the Court from September 2004 until her retirement in August 2010.



Left to Right Front – Probation Officer Tracy Cutshaw, Probation Supervisor Brian Poggenklass.
Left to Right Back – Deputy Court Clerk Mary Schaefer, Probation Officer Kim Lif.
Not pictured – Glenda Thompson

COURT VOLUNTEERS

We are very appreciative of all of our volunteers and the hours they donate. All of the volunteers are very dedicated to their tasks. For 2010, these three Court volunteers donated 437.5 hours.

The Court's three volunteers are:

- Doree McCall has been with the Court since 1992 and comes in once a week to help pull dockets.
- Trefor Roberts has been with the Court since November 2006, and comes in two or three times per week to help with our scanning project. Trevor resigned his volunteer position the end of 2010.
- Renee Sheeder joined our volunteer group in August. Her duties are to help with the scanning project. Renee volunteers twice a week.

VOLUNTEERS IN PROBATION (VIP)

For 2010, the Probation Section had 11 Volunteers in Probation who donated a total of 329.8 hours. These volunteers help enforce Court orders and provide limited mentoring to probationers, and monitor compliance with the terms and conditions of probation by meeting with probationers twice per month at the Court. The volunteers also write brief reports, and attend monthly hearings and trainings. We again are very appreciative of the time, effort and energy expended by these individuals.

STRATEGIC PLAN

In the fall of 2008, a Strategic and Vision Plan for the years 2009-2013 was developed. The purpose of establishing the plan was to provide a comprehensive and clear document to effectively communicate the Court's priorities, strategies, directions and plans and intended to guide the Court through the planning and implementation process throughout this timeframe. This plan has been very beneficial to the Court Administrator and her team in keeping focus on the Court's direction and plans.

Some of the projects have been completed this year and some are on-going multi-year projects. Some of the information below is incorporated in our year-end accomplishments at the end of this report.

YEAR	PROJECT	PROPOSED PARTNERS	Approximate % Completed for designated year
2009	Review possibility of increased parking fees and possible revision of parking summonses	Judges, Court Administrator, WPD	2009 - 10% 2010 - 100%
2009	Review current Mission Statement	Judges, Court Administrator, supervisors, staff	2009 - 100%
2009	Research possibility of making reminder calls to defendants	Supervisors, staff, volunteers	2009 - 100%
2009	Research placement of an ATM in Court Building	Court Administrator, Collection Supervisor, FIN, vendor	2009 - 100%
2009-10	Review possible summons revisions	Court Administrator, WPD, CPA	2009 - 95% 2010 - 100%
2009-10	Research implementing E-payment via the internet	Court Administrator, Purchasing Agent, FIN, IT, vendor	2009 - 5% 2010 - 0%
2009-11	Research electronic summons entry	Court Administrator, supervisors, WPD, IT, vendor	2009 - 50% 2010 - 100%
2009-13	Maintain staffing and continue cross-training and rotation	Court Administrator, supervisors, staff	2009 - 99% 2010 - 100%
2009-13	Continue with yearly Disaster Recovery Drills in conjunction with the IT Department	Court Administrator, supervisors, IT	2009 - 0% 2010 - 0%
2009-13	Review possible ordinance revisions for Municipal Court 1-22-1 et al	Court Administrator, CAO, CMO, CC, WPD	2009 - 1% 2010 - 80%
2009-13	Continue the Laserfiche Project scanning and auditing records	Court Administrator, supervisors, staff, IT	2009 - 100% 2010 - 100%
2009-13	Process Court record destruction in compliance with State Record Retention Schedules	Court Administrator, supervisors, staff, IT, vendor	2009 - 20% 2010 - 70%
2009-13	Continue to conduct on-going audits of cases to ensure accuracy and accountability	Court Administrator, supervisors, staff, WPD	2009 - 100% 2010 - 100%
2009-13	Participate in "going green" by eliminating Styrofoam cups and plastic water bottles, possible reduction in mailings, printing duplex, electronic probation forms, etc.	Judges, Court Administrator, supervisors, staff	2009 - 90% 2010 - 100%
2009-13	Research and implement CourTools surveys/audits	Court Administrator, supervisors, Records Management System vendor	2009 - 5% 2010 - 100%
2009-13	Discuss judicial succession planning	Judges, Court Administrator, DH	2009 - 5% 2010 - 0%

2009-13	Develop a management and training plan	Court Administrator, supervisors, HR, vendor	2009 – 10% 2010 – 0%
2009-13	Research and possibly develop an annual staff retreat or team building exercises, schedule field trips to observe other courts, schedule brown bag lunch trainings ex: Generations in the Workplace	Court Administrator, supervisors, staff, vendor for venue, DH, HR	2009 - 10% 2010 – 100%
2009-13	Research and develop a technology master plan	Court Administrator, supervisors, IT, vendor	2009 – 15% 2010 – 5%
2009-13	Develop workforce planning, increased opportunities and challenges for staff	Court Administrator, supervisors, EDT	2009 – 90% 2010 – 0%
2010	Review Court Administrator and Supervisors benchmark titles and positions	Court Administrator, supervisors, DH, HR	2010 - 0%
2010	Review and possibly prepare RFP for security contract	Court Administrator, DH, CAO, FIN, vendors	2009 – 85% 2010 – 100%
2010	Research and possible implementation of Probation monitoring and set-up of In-Home Detention	Judges, Court Administrator, Probation, CAO, vendors	2010 – 0%
2010-13	Research possibility of changing work hours and/or work days, review flexible schedule, research compressed work weeks, balance against core values and services	Court Administrator, Judges, supervisors, staff, DH, security vendor	2010 – 100%
2010-13	Review and analyze need for increased staffing and judges for future years	Court Administrator, supervisors, staff, DH, HR, CMO	2010 – 0%
2010-13	Research additional volunteer opportunities	Supervisors, Volunteer Coordinator, citizens	2010 – 100%
2010-13	Develop and monitor customer service surveys or feedback forms	Court Administrator, supervisors, staff, customers	2010 – 100%
2010-13	Research and possibly develop in-house education or therapeutic groups for juveniles	Judges, Court Administrator, Probation Section, vendor	2010 – 0%
2010-13	Pursue the dream for a new courthouse or full remodel of existing building with an expansion	Judges, Court Administrator, CC, CMO, DH, BO&M, FIN, vendors, community	2010 – 0%
2011	Research electronic warrant upload to CBI / CCIC	Court Administrator, supervisors, IT, State	
2011	Implement Records Management System upgrade	Court Administrator, supervisors, staff, vendor, IT, CAO, Purchasing	2010 – 10%
2011-13	Research possibility of public access to public case info on internet	Court Administrator, supervisors, IT, CAO, vendor	
2012-13	Research possibility of Parental Responsibility Act	Judges, Probation Section, CAO, CMO, CC, CPA	
2013	Research possible use of Video Arraignments with Adams and Jefferson Counties	Judges, Court Administrator, WPD, jails, CAO, FIN, CPA, vendors	

REVENUES AND OPERATING EXPENSES

The revenues and operating expenses for 2006 through 2010 are listed below.

REVENUES

	2006	2007	2008	2009	2010
Projected Revenue	\$1,900,000	\$2,101,250	\$2,143,275	\$2,000,000	\$2,050,000
Actual Revenue	\$2,297,940	\$1,947,776	\$1,784,340	\$1,855,673	\$1,875,617

OPERATING EXPENSES

	2006	2007	2008	2009	2010
Projected Expenses	\$1,305,107	\$1,346,686	\$1,434,346	\$1,517,098	\$1,503,280
Actual Expenses	\$1,252,610	\$1,333,999	\$1,416,652	\$1,445,968	\$1,445,059*

* 2010 totals not finalized at the time of this report.

2010 PROJECTS AND ACCOMPLISHMENTS

- **Annual Report** – Detailed report prepared and presented to City Council March 1.
- **Budget 2011/12** – Required several adjustments and cuts within budget to meet constraints of overall City budget reduction.
- **Cross Training and Rotation** – Continued to train staff. Mini-rotations in February and August.
- **Customer Service Survey** – The Court Administrator and Deputy Administrator drafted a customer service survey form. The Deputy Court Administrator conducted two surveys – one in April and one in November. The results tallied in May and December indicated overall excellent and/or good services.
- **Finance Assistance and “Go Green”** – Court Administrator worked with Finance staff to:
 - Created new accounts for Outstanding Judgments/Warrants and redesigned the Court’s Daily Transmittal to incorporate changes.
 - Court Administrator worked several months with Finance Auditor to reconcile accounts from 2007 to current.
 - Court Administrator created a protected and shared folder for all the scanned monthly transmittals and discontinued printing numerous pages of the monthly transmittal.
 - Decreased paperwork sent on daily transmittals from several pages to 3-4 pages.
 - Scanned all of 2009 monthly transmittals for historical purposes.
 - Revamped credit card slip to comply with credit card laws.
 - Received many thanks from Finance staff on our tracking and detailed accounting practices.
- **Fines and Fees Revisions** – The Judges and Court Administrator worked most of the year on this project. The final Court Orders increasing fines and some fees and the records management system updates were completed in December. The effective date for all of the changes is January 1, 2011.
- **FTE Employees** – One long term employee retired end of August 2010. Court Administrative staff worked with HR to fill the vacant position.
- **Focused Work Week** – Several meetings were coordinated with all of the staff at the Court facility to discuss the impact of the 4-10 hour day focused work week. Several changes to the Court’s calendars and overall changes in operations were put in place and the Court facility began the Focused Work Week on August 31.
- **FullCourt Enterprise Software** – In April, the Court Administrator and two supervisors went to Ft. Collins and spent the day with staff there reviewing the new Enterprise software. In May, the Court Administrator and supervisors remotely reviewed and discussed Enterprise with JSI staff. In May, November and December, the Court Administrator met with IT staff to discuss upgrading to Enterprise in late 2011.
- **Open Collection Account Audits** – During January and February 2010, the Collections Supervisor and Collections Clerk audited 3,100 cases to ensure accuracy of accounts of the Court and the collection agency.
- **Open File Audit** – During late December 2009 thru February 2010, six clerks and two supervisors volunteered to complete a review of all of the open files from 1998 thru 2009, and compare them to information in the records management system. The project was completed in seven weeks with staff reviewing 6,031 files for accuracy and completeness.
- **Open Protection Order Audit** – In July, the Collections Supervisor and CBI (Colorado Bureau of Investigations) Clerk completed an open protection order audit verifying open protection orders in the records management system against those entered in CBI. The project was completed within 30 days with a review of 367 open protection orders.
- **Open Warrant Audit** – In August, the Collections Supervisor, CBI Clerk, and a Westminster Police Records Clerk conducted an open warrant audit of 1,466 open warrants. This audit helps

ensure that warrants entered in CBI match those authorized in the records management system. This project was completed in 5 weeks.

- **Request for Services – Public Defender and Security** – The Court Administrator, Purchasing Agent and City Attorney’s Office drafted, published, interviewed, and presented information to City Council regarding the Public Defender and Security Agreements. Both new agreements were in place with the vendors by March and April, 2010.
- **Roof Replacement** – This project began in September 2009 and was completed in June 2010 with the Court building getting a new roof. So far, no leaks!
- **Staff Retreat** – Court Administrator planned and coordinated the first and hopefully annual staff retreat held at the MAC in April with all clerical and probation officers attending. Supervisors remained at Court to service customers. Good comments were received from all staff, and everyone enjoyed the Team Work Training session.
- **Summons Revisions (Municipal and Parking)** – Court Administrator worked throughout most of the year with WPD staff to revise the Municipal summons and Parking summons. Both new summonses were implemented January 1, 2011.
- **WPD Disposition Report** – Court Administrator coordinated with IT staff to develop and test a WPD Disposition Report that is generated the first of each month of all cases closed 90 days back from date of the run. The information is saved in PDF format in a secured file with restricted access. This report eliminates one page of the original summons.
- **WPD Chiefs and Commander Meetings** – The Judges and Court Administrator coordinated and attended four meetings with the deputy chiefs and some commanders, and attended several meetings with the traffic commander to discuss various procedures and other issues of concern.

2011 OUTLOOK

We will approach and proceed into 2011 with a positive and proactive approach. We will utilize our Strategic and Vision Plan as a guide, and we will accept and face the unforeseen challenges that lie ahead of us.

Some of the projects we will be working on in 2011 are:

- Implement the upgrade to the current Records Management System to a web based system
- Train staff on the new Records Management System
- Partner with the vendor and IT for installation and software adaptations
- Maintain staffing and continue cross-training and rotation
- Continue Laserfiche Project scanning and auditing records
- Continue on-going audits to ensure accuracy and accountability
- Continue to “go green” wherever possible
- Discuss judicial succession planning
- Recruit additional volunteers



WESTMINSTER

Staff Report

City Council Study Session Meeting
March 7, 2011



SUBJECT: Adams County Prisoner Medical Expenses

PREPARED BY: Lee Birk, Chief of Police

Summary Statement:

Review the material included in this Staff Report and discuss with Staff at the March 7 Study Session.

Background Information:

The City of Westminster operates a Municipal Court that adjudicates misdemeanor violations of City ordinances and the adopted Model Traffic code. Many of the local criminal ordinances mirror and parallel existing State law. For example, City ordinances identify the offense of theft, but similar theft offenses are addressed in the State criminal code. As a matter of historical precedence and for reasons of local control, ease, convenience and geographical proximity, most misdemeanor criminal offenses are charged in our local Municipal Court versus the respective County Court.

Victims, witnesses, defendants, police officers and jurors are not required to travel to Brighton or Golden, but rather can attend court locally. The local municipal court process is often able to more speedily resolve criminal cases. Local municipalities could elect not to prosecute misdemeanor cases at the municipal level and could charge all misdemeanor cases into the respective County Courts. An example would be that the City of Westminster has chosen to operate a municipal Fast Track Domestic Violence program for misdemeanor domestic violence cases while most jurisdictions in Adams County prosecute such cases in the County Court system. Felonies; however, are all charged and prosecuted in the respective County/District Court and charging them into local Municipal Courts is not an option.

The Municipal Court sentences select defendants, after having been found guilty, to serve time at the County Jail. Depending upon the location of the municipal offense, the defendant is sentenced to the respective County Jail in either Adams or Jefferson County. Also, select defendants are held in the County Jail prior to court adjudication on bond or without bond, due to the nature of the offense or the fact that the defendant's identity is uncertain, or they are likely to not appear in Court.

On December 10, 2010, the Adams County Commissioners sent a letter (copy attached) to Mayor McNally and the City of Westminster stating that due to these economic times, the Commissioners



have instructed the Adams County Sheriff to begin billing municipalities for inmate medical expenses, in accordance with the existing 1991 Adams County Commissioners Resolution (attached). This resolution states “All municipalities within the geographical boundaries of Adams County shall be exempt from the payment of any per diem charge for the cost of housing, clothing, food, medicines normally on hand at the Detention Facility and services of the official jail physician for prisoners held in the Detention Facility on the authority of the municipality. The municipalities shall be responsible for all medical expenses attributable to such prisoners including fees for physicians services (except for the jail physician), ambulance and emergency care service, hospitalizations, and medications (other than those normally on hand at the Detention Facility) when the medical care or treatment is necessitated by an injury occurring while the prisoner is in custody of the municipality or by a latent, non-diagnosed medical condition or illness which becomes apparent or manifests during confinement.”

The recent letter from the County Commissioners also states that the Commissioners will be revisiting the Resolution to reduce the number of prisoners in the County jail and this will likely include charging municipalities a daily rate for each municipal inmate. According to the 1991 Resolution, the County has been authorized to bill cities for municipal inmate medical expenses for the last 20 years; however, they have elected not to do so. Staff cannot recall receiving a medical bill for an inmate in recent history. However, Staff does recall an incident or two where the Municipal Court was notified that an inmate was in need of surgery or facing some significant medical expense beforehand. In such cases, the Court ordered the inmate released, thus avoiding medical expenses being incurred. Obviously, certain medical conditions, such as a heart attack, cannot be predicted and could result in substantial medical expense amounting to thousands of dollars in extreme cases.

The Adams County Jail is housing approximately 1,300 inmates and of those, approximately 120 are municipal inmates. Aurora and Westminster constitute the two largest municipal inmate numbers. Westminster currently is averaging approximately 25 inmates and of those, approximately 80% are serving a sentence imposed by the Municipal Court and 20% are Pre-Trial detainees. The County estimates that direct and indirect costs of housing inmates are \$88 per day.

An issue that poses complications for inmate medical billing and the possibility of a per diem charge for inmates is that they often have multiple warrants, holds, or have charges from multiple jurisdictions. Prisoners sentenced by our Municipal Court frequently have been sentenced by another Court or are being held for other jurisdictions. It is not abnormal for an individual to be held on a Westminster charge as well as a Department of Corrections (DOC), Immigration and Customs Enforcement, parole or county probation hold or possibly new charges at the County/District Court level. Splitting the bill in such cases could prove problematic.

At this point, it is unknown what daily rate the County Commissioners may be considering adopting for housing municipal inmates. The County estimates the total costs of housing an inmate at \$88 per day. The DOC reimburses County Jails that are holding DOC inmates at \$55 per day. In the metro area, where an inmate per diem is charged, \$45 per day is the lowest rate staff is aware of. If the Adams County Commissioners were to adopt a per diem rate of \$45 per day for municipal inmates, and with an average municipal inmate count of 25, that would amount to a daily expense of \$1,125 or an annual expense of \$410,625.

While acknowledging that Adams County does bear the costs of housing inmates sentenced by the respective Municipal Courts, it should be pointed out that if many of these defendants were charged into the Adams County Courts to begin with, some of these same defendants would be sentenced to the jail by the County Court Judges, versus the Municipal Court Judges. Also, by operating a Municipal Court system, the municipalities absorb the administrative costs and burdens of prosecution and adjudication and reduce the County Court caseload accordingly.

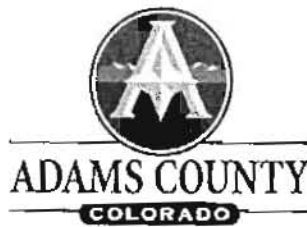
Westminster residents and businesses, which are located in the Adams County portion of Westminster, already pay Adams County property and sales taxes. In 1983, the Westminster City Council passed a Resolution in support of a two year, 1% special Adams County Sales and Use Tax Jail Bond issue and urged Westminster residents to vote "Yes" to build a new jail facility in Adams County.

The County has not started charging the City for prisoner expenses and it is unclear at this point what their intentions are. Staff wanted to bring City Council up to speed on this issue and receive any direction that Council may wish to provide. Staff will be present Monday night to answer questions and discuss this issue further.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment: Letter from Adams County Commissioners dated December 10, 2010
Adams County Commissioners Resolution dated February 4, 1991



Commissioners' Office
450 South 4th Avenue
Brighton, CO 80601
PHONE 303.654.6100
FAX 303.659.0577
www.co.adams.co.us

December 15, 2010

Mayor Nancy McNally
City of Westminster
4800 West 92nd Avenue
Westminster, CO 80030

Re: Housing Municipal Prisoners in the Adams County Detention Facility

Dear Mayor McNally:

The last time Adams County and its municipalities visited the issue of municipal prisoners was in 1991, at which time the enclosed resolution was passed. Now, in constrained economic times, we ask for your understanding as we work to reduce expenditures.

We have been advised by Sheriff Doug Darr that Adams County houses an average of 130-160 municipal inmates per day. The operating cost for each inmate is about \$88 per day in combined direct and indirect expenses.

Although the enclosed resolution requires municipalities to pay costs associated with medical expenses for municipal inmates, Adams County has not billed municipalities for these expenses. Commencing Jan. 1, 2011, the Adams County Board of Commissioners has requested the sheriff calculate and bill municipalities for medical expenses as outlined in the resolution and incurred on or after Jan. 1, 2011. In addition, we have asked Sheriff Darr to close housing units within the detention facility by working with judges, the district attorney and police chiefs to find alternatives to incarceration for those who do not pose a significant threat to our community.

In an effort to assist the sheriff in this endeavor, the Board of County Commissioners will be revisiting the resolution and working to reduce the number of prisoners in the jail. This is likely to include charging municipalities a daily rate for each municipal inmate. We do, of course, anticipate communication with our municipalities prior to changing the resolution.

Thank you for your understanding and cooperation as we continue to adjust to these challenging fiscal times.

Sincerely,

Alice J. Nichol
Chairman

W. R. "Skip" Fischer

Larry W. Pace

c: Sheriff Doug Darr
District Attorney Don Quick
Chief Judge Vincent Phelps

BOARD OF COUNTY COMMISSIONERS

W. R. "Skip" Fischer
DISTRICT 1

Alice J. Nichol
DISTRICT 2

Larry W. Pace
DISTRICT 3

MEETING OF THE BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, COLORADO, FEBRUARY 4, 1991

At a meeting of the Board of County Commissioners, County of Adams, State of Colorado, pursuant to adjournment in the Administration Building, 450 South 4th Avenue, Brighton, Colorado, on Monday, February 4, 1991, at the hour of 10:55 a.m., the following were present:

HAROLD E. KITE (EXCUSED)	COMMISSIONER, CHAIRMAN
JAMES M. NELMS	COMMISSIONER, ACTING CHAIRMAN
ELAINE T. VALENTE	COMMISSIONER
ROBERT J. LOEW	COUNTY ATTORNEY
WILMA THATCHER	DEPUTY CLERK OF THE BOARD

RESOLUTION SETTING FEES AND ALLOCATING EXPENSES ATTRIBUTABLE TO
HOUSING MUNICIPAL PRISONERS IN THE ADAMS COUNTY DETENTION FACILITY

WHEREAS, under the authority of 31-15-401(k), C.R.S., municipalities are authorized "to use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law"; and,

WHEREAS, under the authority of 31-15-401(k), C.R.S., the use of county jails by municipalities "for the confinement or punishment of offenders" is permissible only "with the consent of the Board of County Commissioners"; and,

WHEREAS, the Board of County Commissioners of the County of Adams, has by prior Resolutions duly adopted, consented to the confinement by those municipalities within the geographical boundaries of Adams County to the placement of prisoners in the County Detention Facility with no charge for the cost of housing, clothing, food, medicines normally on hand at the Detention Facility, and services of the official jail physician, but the County has also followed a policy of charging municipalities for the cost of medical care, physician services, ambulance and emergency care services, hospitalization and medications growing out of illnesses or conditions existing prior to confinement; and,

WHEREAS, the Board of County Commissioners has determined that the public interest requires it to clarify its policy of consenting to the housing of municipal prisoners in the County Detention Facility.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, as follows:

1. All municipalities within the geographic boundaries of Adams County shall be exempt from the payment of any per diem charge for the cost of housing, clothing, food medicines normally on hand at the Detention Facility and services of the official jail physician for prisoners held in the Detention Facility on the authority of the municipality. The municipalities shall be responsible for all medical expenses attributable to such prisoners, including fees for physicians' services (except for the jail physician), ambulance and emergency care service, hospitalizations, and medications (other than those normally on hand at the Detention Facility) when the medical care or treatment is necessitated by an injury occurring while the prisoner is in the custody of the municipality or by a latent, non-diagnosed medical condition or illness which becomes apparent or manifests during confinement. The County shall promptly notify the municipality of the need for such care or treatment. However, the prisoner shall indemnify the municipality for any such expense. The County shall bear all medical costs which are attributable to, which arise out of, or which directly result from the handling, processing, management or keeping of the prisoner while the prisoner is committed to the custody of the Detention Facility.

2. The allocation of medical costs set forth in this Resolution shall not be construed as creating any rights in any other parties other than the County or the municipalities.

3. The Sheriff of Adams County is authorized to refuse admission to the Detention Facility of any municipal prisoner when, in his sole discretion and judgment, he determines that the further admission of municipal prisoners will result in unacceptable overcrowding in the Detention Facility.

4. The consent hereby given is - as to each municipality within the geographical boundaries of Adams County - specifically conditioned upon an appropriate expression of agreement by the municipality to pay the medical costs as outlined above, and the County will deem the request for placement of prisoners in the Detention Facility to be such an expression of agreement to pay the medical costs described above.

BE IT FURTHER RESOLVED, that this Resolution shall supersede and replace all prior resolutions on the subject of the housing and keeping of municipal prisoners in the Adams County Jail or Detention Facility.

It was moved by Commissioner Valente, seconded by Commissioner Nelms that the foregoing resolution be approved. Roll call: Valente aye, Nelms aye. Motion carried.



WESTMINSTER

Staff Report

City Council Study Session Meeting
March 7, 2011



SUBJECT: 2010 Business Retention Visit Report

PREPARED BY: Becky Nelson, Economic Development Specialist
Aric Otzelberger, Senior Management Analyst

Recommended City Council Action:

Direct Staff to incorporate recommendations from the 2010 Business Retention Visit Report into the City's Economic Development efforts.

Summary Statement:

44 businesses were visited during the 2010 retention visit process. The businesses interviewed included Westminster's primary employers, major employers and those businesses considering relocation.

The attached report provides summaries of recurring themes, issues and trends that were observed during the business retention visits. In addition, general and business-specific follow-up actions are presented, with a particular focus on businesses that indicated potential relocation, expansion or contraction plans.

The goal of the Business Retention Visit Program relates directly to City Council's Strategic Plan Goal of a "Strong, Balanced Local Economy." Under that Strategic Plan Goal, City Council has a specific objective to "retain and expand current businesses." The Business Retention Program works to help achieve this objective.

Economic Development Staff will be present at Study Session to review the report with City Council.

Expenditure Required: \$ 0

Source of Funds: N/A



Policy Issue:

Should the City continue programs such as the Business Retention visits to retain city businesses?

Alternatives:

- Discontinue visits with existing businesses. This is not recommended by staff; retention visits are the primary line of communication with our businesses; and, the program is the City's main effort to retain businesses within the City.
- Provide alternative suggestions to the recommendations contained in this report.

Background Information:

The City initiated a Business Retention Visit Program in 1990. Historically, Westminster Economic Development Staff has utilized information gathered from business retention visits to retain businesses considering relocation and to work with businesses that have expansion or contraction plans. In addition, Staff has utilized this feedback and information from businesses to further develop economic development services and to assist in recruitment efforts.

During 2010, a majority of businesses reported revenue and employment growth and several businesses expressed a need for additional space to expand. Surviving the recession or a return to profitability were badges of pride for many businesses and they expressed optimism about the future. The labor market is currently advantageous to employers, with most businesses expressing ease in finding skilled and qualified employees for most positions. The tight credit market, limited financing, slow recovery from economic downturn, and the rising cost of health care were noted as economic concerns. In general, the businesses visited think that the City of Westminster has a very positive business environment. They expressed that transportation access, quality of life, a pro-business environment and attitude, availability of workforce, and City amenities are among Westminster's competitive advantages as a place to do business. Most City services received high ratings. Concerns were raised by businesses around regulatory matters such as taxes and permitting. The attached report summarizes additional comments heard during the 2010 retention visits.

Economic Development Staff will be present to review the 2010 Business Retention Visit Report with City Council.

Respectfully submitted,

J. Brent McFall
City Manager

cc: Susan Grafton
Economic Development Manager

Attachment:
2010 Business Retention Visit Report

2010 BUSINESS RETENTION VISIT REPORT



WESTMINSTER

City of Westminster

Economic Development Office

January 2011

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PROGRAM BACKGROUND

The City initiated a Business Retention Visit Program in 1990. This program was created to keep an open dialogue between the city and the business community. The retention visits are only one aspect of the City's overall Business Services efforts which also includes grants & scholarships for city businesses and a monthly newsletter. A city's strong relationships with the business community can lead to economic development success and more effective economic development and planning strategies. Studies have shown that as much as 80% of new jobs in a community are generated by the growth and expansion of existing businesses.

The following report identifies the goals and objectives of the City of Westminster Business Retention Visit Program, describes the 2010 retention visit process, summarizes 2010 trends and issues, and makes recommendations based on these results. A list of the businesses visited, the interview questions posed to businesses and consolidated responses are included in the appendices of this document.

PROGRAM GOALS

The Business Retention Visit Program relates directly to City Council's Strategic Plan Goal of a "Strong, Balanced Local Economy." Under that Strategic Plan Goal, City Council has a specific objective to "retain and expand current businesses." The Business Retention Visit Program works to help achieve this objective. The program also supports the Mission Statement of the Economic Development Office, which is to "create and maintain a vital economy and sustainable community through retaining and expanding business, promoting the city, and preparing for the future."

The objectives of the Business Retention Visit Program include the following:

- Ensure that the needs of local businesses are heard and addressed
- Better understand the City's business environment and the perceptions of doing business in Westminster
- Express appreciation to business for choosing to locate and to stay in Westminster
- Create and maintain mutually beneficial relationships with local businesses
- Educate local businesses about City programs and services
- Educate local business about projects and activities in the City
- Explore new ideas from the local business community

RETENTION VISIT PROCESS

Of the 85 businesses selected for visits in 2010, 44 interviews were completed, 14 interview appointments were postponed to 2011, 24 businesses declined visits or did not respond to Staff's meeting requests and three went out of business, moved out of the city, or moved to home-based operation. See Appendix I for a list of these businesses. The summary and compiled responses that follow are intended to provide a general sense of the issues and concerns of the business leaders that were visited. The information does not reflect a statistically valid survey, but rather provides common themes and information that was gleaned from the businesses selected for the retention visits. As in previous years, the 2010 retention visits focused on primary and major employers that are non-retail businesses. Criteria for selecting businesses to visit in 2010 included the following:

- Businesses that are considered Westminster's primary employers

Primary Employer: a business that provides the main source of economic growth for the community by delivering more than 50% of their revenue from outside the City of Westminster.

- Businesses that are considered Westminster’s major/largest employers
Major Employer: a public or private employer that employs 75 or more full-time employees at a single worksite.
- Those businesses at risk of relocating

City interview teams met with the chief executive officer, business owner or senior representatives from the businesses visited. In most cases, the interview teams were composed of one member of the City’s Management Team (CMT) and one member of the City’s Business Advisory Group (BAG). Members of City Council were also invited to attend retention visits. Interviewers were provided with a list of questions and issues to address over the course of the interview. See Appendix II for the interview questionnaire. The businesses’ responses are the basis for this report.

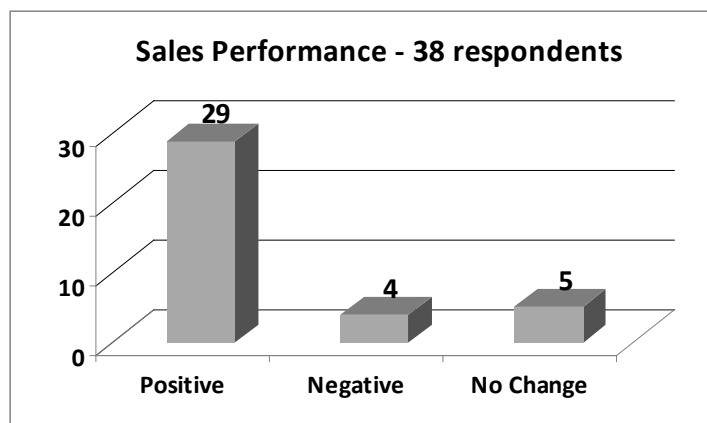
Although the interview process is the primary method of obtaining information from businesses and gaining insight into the business environment, thorough follow-up is critical to successful relationship building with the business community. In the instances where follow-up was appropriate, the CMT representative who conducted the interview coordinated with the Economic Development Office to ensure that the follow-up tasks were properly assigned. Economic Development Staff maintains a master list of follow-up tasks in order to facilitate and ensure thorough follow-up with businesses.

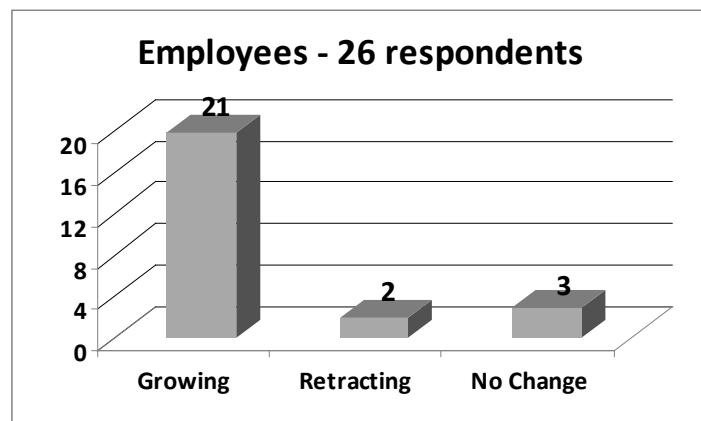
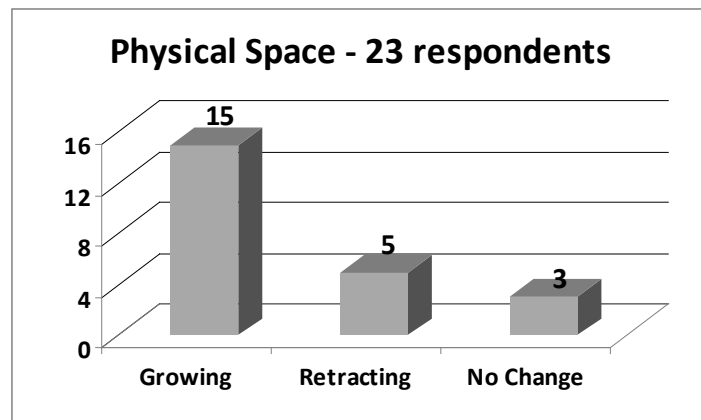
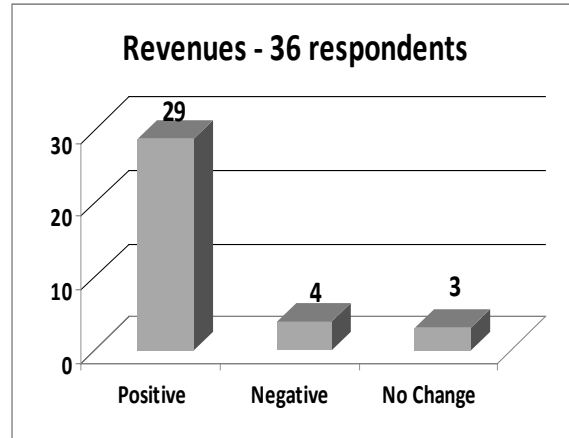
SUMMARY OF 2010 RESULTS

The 2010 business retention visit reports were reviewed for recurring themes and the issues, which were examined and compiled for this report. Please note that the interview process is structured as a method to gather information and is not intended to be a statistically valid sample survey. Below are summaries of themes, issues and responses. See Appendix III for a compiled listing of full responses.

STATE OF BUSINESS

Over the past year, a majority of businesses reported positive sales and revenue growth. Accordingly, many businesses reported plans for physical expansion and new hiring. This information is summarized in the charts below and indicates some general improvements to economic conditions in the area.





Below are other themes and issues regarding the “state of business” in the City of Westminster according to the businesses interviewed during the retention visit process.

- **Greatest Achievement in the Last Three Years:** “Surviving the economic recession” was the most common response given by businesses. Along these lines, several businesses reported a return to profitability as their greatest achievement.
- **Changes in Customer Base:** Out of 32 respondents, most businesses reported stability in customer base and very few reported expansion or contraction. Five companies reported a growing customer base. Based on the information summarized in the charts above, it

appears that much of the reported growth by businesses is occurring due to increased sales to existing customers.

- Future Product or Service Planned: 31% of respondents (10) reported that they were developing future products or services. This figure was much less than last year when half of companies visited reported plans for new products or services. Potentially, this information shows a greater focus on “core businesses” by respondents, which could be related to many businesses making changes to “survive the recession” and return to profitability.
- Global Business Activity: 16 out of 24 respondents (approximately 2/3) reported importing or exporting products or services. More Westminster companies report importing rather than exporting. The most common countries that Westminster companies are doing business with include India, Germany, China, Canada, Mexico, Australia and the United Kingdom.
- Top Issues/Keys to Success: The most common response for success given by businesses was a quality workforce. Comments seemed to indicate that many businesses see high-performing, values-driven employees as a way to distinguish themselves from the competition. Another common response to this question included the lack of credit and capital availability, which continues to be a concern related to the recent recession and current “recovery.” Other common responses included competition from overseas and regulatory concerns.

BUSINESS ENVIRONMENT

Competitive Advantages – City of Westminster: Based on responses from 36 businesses, the following competitive advantages of doing business in Westminster were cited the most often in interviews:

- Transportation Access (I-25, U.S. 36, between Denver and Boulder, proximity to airport)
- Quality of Life
- Pro-Business Environment and Attitude
- Affordability of Office Space
- Ability to Find Talent Locally
- City Amenities (restaurants and trails cited most frequently; recreation centers and retail businesses also cited by several businesses)

Competitive Disadvantages – City of Westminster: Based on responses from 35 businesses, the following competitive disadvantages of doing business in Westminster were cited the most often in interviews:

- Lack of Restaurants (most frequent response)
- Lack of “Start-Up’s” and “Tech” Companies
- Time and Cost of City Permitting and Inspection Process
- Sales and Use Tax

General Economic Considerations/Trends: While the competitive advantages and disadvantages listed above were specific to the City of Westminster, businesses were also asked about general economic considerations and trends. The following represent the most common or notable responses:

- Tight Credit Markets/Limited Financing
- Slow Recovery From Economic Downturn

- Increasing Health Care Costs
- Increased Regulatory Oversight

On the positive side, the renewable energy market continues to show growth and several companies in Westminster appear to be capitalizing on this trend. Also, there appears to be solid growth and optimism among “bio-tech” business.

Companies That Would Benefit/Complement Existing Businesses: The following list contains the most common or notable responses of types of businesses that interviewed businesses would like to see:

- Energy and Renewable Energy
- “Bio-Tech,” Medical Manufacturing and Pharmaceutical
- Information Technology
- Warehousing/Logistics

Labor and Employees: A great majority of businesses did not report any difficulties in recruiting employees with the necessary skills and abilities for important positions. This is a sign of the strong labor market in the metropolitan Denver-Boulder area and in Westminster. This is also a likely result of the current job market where unemployment is still relatively high and the supply of qualified labor is ample. Two companies did report difficulty in hiring software engineers/software development positions and two different companies reported difficulty in hiring the “right people” for sales positions. In addition, two companies expressed concerns about “flight of overqualified employees” as the economy continues to recover.

City Services: Parks, police and fire services received the highest ratings from the interviewed businesses. Public transportation, traffic control and planning/permitting received the lowest ratings. Several businesses noted limited or difficult public transportation access in the City and others expressed concerns over traffic congestion/volume on certain major corridors in the City. Several businesses expressed concerns over the time and cost of the City’s planning and permitting process.

Utility Services: Questions were asked regarding the quality of utility services in the City. Overall, ratings for utility services were high. The only notable area of concern was regarding electric service in the southern portion of the City. Two businesses mentioned concerns with power surges and outages. City Staff will continue to look for opportunities to work with Xcel Energy where possible to address these concerns.

Capital Improvement Suggestions: City Staff asked businesses for input regarding capital improvement projects that they thought would be beneficial to their businesses or the City as a whole. The most common/notable responses included:

- Renovation of the Westminster Mall
- Improvements to U.S. 36
- Completion of Trail Segments
- South Westminster Redevelopment

2010 BUSINESS SPECIFIC RECOMMENDATIONS/FOLLOW-UP

The following recommendations are based on the information gathered via the business retention interviews. In general, Staff recommends that the City maintain close contact with businesses that indicated potential relocation, expansion, or contraction plans. In addition, the City should also maintain contact with businesses acquired by non-local entities or businesses that experienced significant changes in management or business structure. A number of these businesses and their individual circumstances are discussed below. Numbers are used instead of business names to maintain confidentiality.

EXPANSION/CONTRACTION PLANS

- #2298301: Their current lease will expire in 2012. While the business expressed that they are happy in Westminster and do not plan on moving, Staff recommends following up with the company in several months to check in.
- #2474101: The business will need to double their current space in the near future and is unable to get adjacent space at their current location. Staff recommends keeping in touch with this growing company to stay apprised of their facility needs in the future.
- #2969201: Their current lease expires at the end of 2011. While the business stated that they enjoy Westminster, they mentioned that they will be looking at all of their options. They mentioned their interest in any programs the City has to work with them on retention. Staff recommends contacting the business to discuss their needs, current lease/location, other potential options in Westminster and any appropriate relocation/retention assistance.
- #2981401: The business is looking to expand in the next several months and their lease is up in 2011. They expressed their interest in staying in the City. Staff recommends contacting the business to discuss their needs and offer appropriate relocation assistance.
- #1728501: The company currently occupies two-thirds of its 50,000 square foot facility, but only needs about 28,000 square feet for current operations. The business also expressed some uncertainty about the future. Staff has already completed some follow-up tasks with this business, but Staff recommends keeping in touch with this business in the future regarding the state of their business and facility needs.
- #2729101: Their current lease expired in January 2011 and the company considered various locations for relocation. They occupied 80,000 square feet and were looking for 110,000 to 130,000 square feet. City staff continued to work with the company and successfully retained them in Westminster.
- #1160701: The company has more building debt than they can currently support and are looking at leasing options. The company has contracted by about 50% in terms of square footage and has reduced their staffing level. City Staff has worked with the business to assist in resolving their real estate issues. The business has reported that they have found a possible tenant for half of their building and are pursuing a building re-configuration with the Planning Division. Staff recommends following up with the business to get a status update and to see if any further assistance is warranted.
- #2873101: The business is experiencing growth and is anticipating the need for more employees and additional physical space. In addition, a percentage of the business' parent company was recently purchased by a Norwegian company. Staff recommends staying in touch with the company to discuss future needs and to work to retain the business in Westminster.
- #2970101: City Staff met with this business to discuss their real estate needs, but the company determined that it needed a location that was more central to the Denver metropolitan area. In the fall of 2010, the company relocated from Westminster to unincorporated Adams County near I-76 and I-25.

- **#2019801:** As a result of winning new contracts, the company has added an additional 20 employees. Their current space is not large enough to house the additional employees. City Staff has been working with the company to support their expansion and to find additional space in Westminster for the additional employees. The company is working on a loan to purchase additional space in Westminster. The company also discussed the possibility of moving the 20 jobs to their California location. Staff recommends continued contact with the company to assist with finding a solution to keep the additional jobs in Westminster. The only item in question at this time is the location of the 20 jobs. The company is maintaining its existing operations in Westminster.
- **#2371601:** While the company recently signed a three-year lease, they expressed some discontent with their current location and with their perceived lack of access to restaurant and retail amenities. In addition, the company is growing and planning to add additional employees. Staff recommends keeping in contact with this business to discuss future needs. Overall, they like Westminster as a location and could be interested in relocating to a new space in the City in the future.
- **#2902301:** The business reported that they are looking to expand and are interested in any assistance that the City can provide. City Staff contacted the business to provide appropriate information. Staff recommends checking in with this company in the future to get a status update on their expansion plans.

OTHER FOLLOW-UP

- In addition to Staff follow-up related to business expansions or contractions, other issues were raised by City businesses that required City Staff follow-up and assistance. Once again, this shows that business retention visits provide an opportunity to address concerns businesses have in a proactive manner. Examples of “other” follow-up performed by City Staff include: providing information on energy audits, addressing permitting issues, exploring potential capital improvements, providing information on City services, providing information on grant opportunities, addressing public safety concerns, providing information about industry association & local chamber, examining infrastructure concerns and educating businesses on the City’s sales and use tax code.
- Numerous businesses mentioned their disappointment with the “lack of restaurants” mainly in the Westmoor area but also near the Westminster Mall site. Staff should look for opportunities to attract new restaurants.

BUSINESS RESOURCES

- It is recommended that ED staff continue publicizing the programs and services that are available to assist Westminster businesses to encourage business growth in the City (i.e. Capital Project Grant, Scholarship Program and Real Estate Data Base).
- Much like last year, many of the City’s businesses identified the growth of the renewable energy industry as a trend that will impact their business in the future. Economic Development should develop and maintain relationships with existing renewable energy companies to gain additional knowledge about the industry, to create synergy among these businesses in Westminster, to better understand the industry agenda, and to assist the industry in overcoming barriers to growth locally, regionally, and statewide.

BUSINESS RECRUITMENT

- Energy, renewable energy, “bio-tech,” medical manufacturing, pharmaceutical, information technology and warehousing/logistics were identified as industries that the City should actively attract to Westminster. Economic Development Staff will consider these suggestions in overall recruiting efforts.

LABOR FORCE

- A small number of businesses communicated difficulty recruiting employees locally. It is recommended that the ED staff work with those businesses that expressed difficulty to connect them to the local workforce center.

INDUSTRY NETWORKING

- Some businesses interviewed expressed interest in business-to-business networking opportunities with other businesses in the City or among their industry. It is recommended that Economic Development staff continue to make businesses aware of the networking opportunities available through industry associations, the Metro North Chamber of Commerce and the Denver Chamber.

CONCLUSION

Overall, information gathered from Westminster businesses through the 2010 retention visits shows an economy in recovery. A majority of businesses reported revenue and employment growth and several businesses are looking for additional space to expand. “Surviving the recession” was a badge of pride for many businesses and they expressed optimism about the future. The labor market is currently advantageous to employers, with most businesses expressing ease in finding skilled and qualified employees for a variety of positions. Even with overall optimism, economic concerns were expressed, such as a “tight credit market” and the rising cost of health care.

In general, the businesses visited feel that the City of Westminster has a very positive business environment. In addition, businesses cited the City’s location, quality of life and availability of a quality workforce as competitive advantages of doing business in Westminster. Most City services received high ratings. Concerns were raised by businesses around regulatory matters such as taxes and permitting. Many of the concerns and requests made by the businesses visited have already been addressed and others represent concerns that will likely always be present between businesses and local government.

Because of the retention visits, an increased number of Westminster businesses are aware and are taking advantage of grant programs and other services offered by the City to its businesses. In addition, City Staff has been able to facilitate relocations and expansions within the City. Staff will work on the recommended actions in this report and continue to work to retain and expand our existing businesses.

APPENDIX I: BUSINESSES SELECTED FOR 2010 RETENTION VISITS

Accent Windows	Visited
Access Venture Partners	Postponed to 2011
Alliance Data Systems	Visited
Allos Therapeutics	Visited
Amazing Care Home Health Solutions	Declined Visit
Applied Intelligence Solutions	Declined Visit
Arrow Electronics	Visited
Auto-Owners Insurance Company	Visited
Auto-trol Technology	Postponed to 2011
Avaya	Visited
Ball Corporation	Visited
Bonfils Blood Center	Visited
Booyah Networks, Inc./SpotXchange	Visited
BT Conferencing Video	Declined Visit
Bytebox	Declined Visit
Cerapedics	Visited
Clean Room Devices LLC	Visited in 2009
Colorado Knitting Company LLC	Visited
Colorado Rural Housing Development	Visited
comHAUS Inc.	Visited
Convergys	Declined Visit
Corporate Allocation Services, Inc.	Visited
Costco	Visited
Create Sales and Marketing Solutions	Postponed to 2011
Dalbey Education Institute LLC	Visited
Data Logix	Postponed to 2011
Direct Buy Showroom	Declined Visit
Double Black Imaging Corporation	Declined Visit
EAI, Inc.	Visited
Energx LLC	Visited
Energy Services of Colorado	Visited
EssentialLink.com LLC	Visited
Excalibur Associates	Declined Visit
Fico	Postponed to 2011
General Dynamics	Visited
Geospatial Info Technology USA	Declined Visit
Global Career Management	Business Closed
Globallinks LLC / Australearn	Declined Visit
Goodwill Industries of Denver	Visited
Guardian Computer & Design Services	Declined Visit
Hogan Action Services	Declined Visit
Hunter Leather	Visited
Inventive Technology Inc (Media CAST)	Declined Visit
Kahuna Ventures	Visited
Keyence Corporation	Postponed to 2011
Krayden Inc.	Visited
LaFarge West Inc.	Visited
LGS Innovations	Visited
McGraw Hill Companies - Platts	Postponed to 2011
McKesson	Declined Visit
Melco Industries	Visited
Mesa Dental Ceramics	Declined Visit

Mesa Oil	Postponed to 2011
Mieco Inc.	Postponed to 2011
National Bison Association	Visited
NexHorizon	Declined Visit
Plato BioPharma	Visited
Precision Diagnostic Instruments	Postponed to 2011
Precision Surgical Supply LLC	Declined Visit
Product Development Corporation	Visited
Protomed	Declined Visit
PSA Security Network	Declined Visit
REC Solar	Visited
Reed Group LTD	Visited
Roche Constructors	Declined Visit
Savage QRS	Declined Visit
Scottrade Inc	Visited
Serpentix Corporation	Visited
Softa Corporation	Visited
Solar City	Visited
St. Anthony North Hospital	Visited
Stickley	Visited
Southern Cross Engineering	Declined Visit
Sun Edison LLC / NVT LLC	Business Moved
SunCorp Corporate Credit Union	Postponed to 2011
Synchroness	Visited
Tandberg Data Corporation	Visited
TEKsystems	Visited
TempTRIP LLC	Visited
TerraSpark Geosciences LP	Visited
This Place in Time LLC	Declined Visit
Timberline Energy	Postponed to 2011
Tri-State Generation & Transmission	Postponed to 2011
Verint Systems	Postponed to 2011
WM Brown Construction Group	Declined Visit

Completed Visits	45
Declined Visits	25
Postponed to 2011	13
Went Out of Business/Moved	2

- 2. Current average number of FTE employees:
- 3. The top 3 cities where most employees live:

C. Relocation, Expansion, Contraction Plans

- 1. Plans to expand or contract in the next 24 months?

Yes No

Expansion/contraction plans:

D. Business Environment

- 1. What are the City’s strengths as a place to do business?
- 2. What are the City’s weaknesses as a place to do business?
- 3. Are there any barriers to growth in the City, County, or State?
- 4. What types of companies would benefit and/or compliment your business operation in the City of Westminster?
- 5. Suggested capital improvements in the City of Westminster (i.e. road improvements, bridge work, park improvements):

Please rate the following:

	low					high	
	1	2	3	4	5		
A) Water							DNA
B) Sewage							DNA
C) Natural Gas							DNA
D) Internet Access							DNA
E) Telecom							DNA
F) Cellular Service							DNA
G) Traffic Control							DNA
H) Cable							DNA

E. Contacts with the City

- 1. What services within the City does the business have contact?
Rate the quality of the service provided by the community on a scale of 1 to 5, 5 being high.

	low					high	
	1	2	3	4	5		
A) Police Protection							DNA
B) Fire Protection							DNA
C) Sales & Use Tax							DNA
D) Planning & Permitting Process							DNA
E) Libraries							DNA
F) Public Transportation							DNA

G) Traffic Control						DNA
H) Streets and Roads (local)						DNA
I) Highways (state & federal)						DNA
J) Parks, Recreation & Trails						DNA
K) Other						DNA

If low rating, please provide explanation of concern.

2. Would you be interested in receiving the Westminster Business eNewsletter?

Email Address: _____

APPENDIX III – COMPILED INTERVIEW RESPONSES & DATA SUMMARY

The following pages present the responses compiled from the 2010 business retention visit reports. The total number of responses listed will not necessarily match the number of actual responses listed. Some responses have been summarized or combined where appropriate. In addition, comments such as “no,” “none,” “n/a,” etc. are not included below. In addition, it is important to note that not every business provided a response to every question.

A. STATE OF THE BUSINESS

1. What is the company's main product or service?

Total number of responses: 40

- Their primary product is the drug Folutyn and they sell it to distributors who sell to doctors.
- World-wide distribution of electronic components and service.
- Life, home, auto and business insurance.
- Their operations in Westminster focus primarily on researching and developing new/improved communication systems including telephony research and development for call center operations as well as small businesses.
- Blood and blood bi-products
- Their main service is working with providers who want to advertise on the internet.
- Main product is tissue to be placed into a person's spinal column.
- Housing resources and asset-building opportunities under three main categories: Education, Mortgage Lending and Real Estate.
- The company manufactures performance socks incorporating CoolMax and SmartWool technologies. The company currently produces 1,500 pairs per day and is hoping to increase to 2,200 per day with the purchase of additional manufacturing equipment.
- Communication Services/Agency.
- Provide professional services to governmental agencies.
- Membership warehouse club.
- Education products and services related to cash flow notes for real estate (books, on-line education and on-site training).
- Research and marketing studies related to all aspects of petroleum and natural gas markets.
- Accounting for the parent company, which does waste cleanup/disposal of nuclear sites and provides oversight and engineering services.
- Their main service is computerized temperature control for commercial buildings. This includes mechanical controls along with data collection and analysis. In some cases, they provide maintenance services.
- IT contracted services
- IT security services.
- Retail used clothing and household goods to generate revenue to support their mission of providing job opportunities, job placement, job training, and the like to challenged individuals and others in need.
- The company makes gun holsters, gun slings and knife sleeves (using leather and nylon). They also sell optical scopes. Their products are used for shooting and hunting and are sold in outdoor stores, like Cabela's, Bass Pro, etc.
- The company provides a variety of engineering consulting services to oil and gas suppliers located throughout the United States. Current customers are located from Pennsylvania to California.

- Distribution of adhesives, sealants, coatings, and various types of chemicals and solvents. Industries served include electronics, aerospace, transportation, solar, oil & gas and OEM manufacturers.
- Concrete, stone, aggregate, asphalt, gypsum and drywall products.
- Telecommunications, networking, and wireless products and services. Primarily government-related contracts.
- Manufacture of textile machinery.
- The company does pre-clinical contract research for pharmaceutical companies, bio-tech companies and universities.
- Solar design and installation with financing opportunities.
- They manage employee absences for other companies through two call centers located in Colorado and New York. These call centers are staffed by nurse case managers who assist employers in managing costs associated with employee absences.
- Stock market online brokerage services.
- Conveyers for waste water treatment facilities
- Manufacturing evaporative light scattering detectors (ELSD).
- Solar panel leasing and installation.
- Medical Services.
- Engineering, design and development services.
- Data storage solutions and hardware manufacturing.
- IT staffing and services, offering entry level to executive level assistance (contract, full time, etc).
- Smart cards that are inserted with packaging and monitor real-time temperatures during shipment.
- Software product enables visualization-guided volume interpretation of structure and stratigraphy, as well as integrated directional well-path planning.
- The company provides private label, co-brand and commercial credit card programs.
- The company provides phone and marketing directory production services for other companies.

2. What is the company's greatest achievement in the last three years?

Total number of responses: 37

- Bringing on new clients and keeping reasonably busy in this very difficult economy.
- Gaining FDA approval in clinical trials so that they can begin selling the drug.
- Maintaining and retaining the company's market share as the #1 or #2 distribution company. Sales are back to 2007 levels.
- 21 new products in the past year.
- Financial stability and improved use of limited blood supply.
- They are the largest video advertising provider in the UK and Australia. The company has grown in revenue from \$600,000 in 2008 to a projected \$14 million this year.
- Getting up and running and selling the product.
- Purchasing and moving into current office building one year ago, creating retail space, name change and rebranding, creating ownership program.
- Surviving.
- Surviving the current economic downturn.
- Growth rate of 200%.
- Maintaining focus on the company's primary business and having adequate capitalization through this difficult economic period.

- The company continues to improve its market trend analysis work on behalf of their clients.
- Winning contracts to grow the company from 75 to 300 employees nation-wide.
- Maintaining a happy work environment and culture.
- "Surviving the worst recession in our lifetime." Moving the company back to profitability with half of its previous revenue base.
- They have continued to grow their retail operation to generate more income to support their mission. They have renovated their space into more professional office space and have moved all retail operations out of this location.
- Business expansion during these difficult economic times.
- #1 Recognized as one of NASA's Top 100 distributors. They are recognized on a plaque at Cape Cod. #2 The company has not had to lay off any employees in recent years.
- Recycling and re-use of their product lines.
- Growth. Doubled workforce.
- Opened the company in June 2010, getting funded and received a good deal on long term space.
- Staying profitable through the recession. Keeping a well-trained workforce.
- Largest company in terms of installed megawatts.
- They were acquired by Audix, which is a private equity firm.
- Opening of over 400 new retail brokerage sites in the U.S.
- Surviving recent years. Business has been slow. 2010 activity has increased.
- Rapid expansion in the Western U.S.
- New wound care facility, new cath lab built, new residency program started.
- Growth - Multiple contracts landed or in negotiations. Adding new staff as a result of new contracts.
- Surviving. Had to cut staff in half.
- Outpacing competition through the downturn.
- Nearing profitability this year. Contracts with Kaiser Permanente pharmacies plus now moving into produce shipping.

3. Future product developments planned?

Total number of responses: 34

- They are working on a few other potential drugs, but are still in very early testing with the FDA.
- Better integration of all communication capabilities: voice, video, web, etc. SIP - Session Interface Protocol, which allows any communication through one unit.
- White blood cell product in development. Product will be used for leukemia patients.
- New way to get message out about tour services. Work more closely with municipalities.
- E-Commerce through video webcasting.
- The company focuses on growing its employee base and marketing those assets (employee's) to government agencies.
- The company is looking at some acquisitions in 2011, primarily direct response businesses; the company is also looking at holding more "live" in-person events and training in 2011.
- There is some discussion regarding use of the company's analytical skill in electric and solar markets in the future.
- No new products planned, but want to expand the customer base they serve to include more civilian, in addition to federal government entities.
- As a distributor, the company evolves and reacts to the market (ex: growth of solar/wind industries).

Potential to start distributing lead-free solder products.

- Processing change for asphalt, which will make it a much cleaner industry and more efficient.
- Expand existing business, pursue intellectual property ideas.
- Offering 0% Financing / Leasing options
- Recently released a software program called Interactive Absence Manager. The program assists employers to manage employee absences themselves.
- Construction of new facilities at 144th and reach level 2 trauma status.
- Now manufacturing their own monitoring tags in Hong Kong.

4. Sales / Performance:

Total number of responses: 38

- a. Positive: 29
- b. Negative: 4
- c. No Change: 5

5. Is the company growing or retracting in the last year in terms of:

	Growing	Retracting	No Change
Revenue	29	4	3
Physical Space	15	5	3
Employees	21	2	3

6. Who is your primary competition? Where are they located?

Total Number of Responses: 35

- Arnet - another world-wide competitor, also Open Silican which provides re-design services.
Location: Not given
- Polycomm, Cisco and Microsoft
Location: Not given
- Area hospitals have developed their own blood programs along with DaVita.
Location: Throughout Metro Denver area
- Adams County Housing Authority, Real Estate investors. some non-profits
Location: Not given
- LexisNexis, Legal Span and Adobe.
Location: Specific locations were not given, but neither is located in the City of Westminster or the State of Colorado.
- Small businesses across the U.S. that compete for government work.
Location: Across the U.S.
- There are no local companies competing in this field. Most of the competition they have are located in Texas. No companies were mentioned by name.
Location: Texas
- Tetritech.
Location: Not given
- There are MANY competitors within Colorado and nationally. Very competitive market. What sets the company apart is their customer service and their longevity within the industry.
Location: Not given.
- One IT services firm in Denver and two national firms.

Location: Not given.

- Northrup and Lockheed Martin
Location: California, Colorado and Washington D.C.
- Other non-profits and for profit operations that utilize donated goods.
Location: All over the Denver metro area.
- Their competitors in the U.S. are located in California, Nevada, Arizona, and New Mexico, but their toughest competition is from China.
Location: Listed above.
- Ellsworth. The business has an advantage over their competition because they are "exclusive" distributors for companies like Boeing, Northrop, etc.
Location: Wisconsin
- Locally, Brandon Sand and Gravel, Ready Mix and Asphalt Specialties.
Location: Golden, Denver and Commerce City
- Other telecommunication providers
Location: Not given.
- Some non-direct competition in Denver and Fort Collins. The business is providing higher quality, better service at same price and can turn around the work quicker.
Location: Charles River, Wilmington Delaware.
- Internet based companies that are moving away from printed material.
Location: Not given.
- Solar City (12% of market share)
Location: Based in California. Sales office is in Westminster, Colorado.
- Insurance companies and third party administrators.
Location: Company headquartered in Westmoor and a call center in New York.
- eTrade, Ameritrade, Schwab and UBS. Both Ameritrade and Schwab have a significant Denver presence.
Location: Nationwide.
- No companies manufacture a similar product in Colorado. Nationally: Agilent
Location: Not given.
- REC Solar of Westminster.
Location: Westminster
- North Suburban and Good Samaritan
Location: Not given.
- Quantum and BEA Systems
Location: California and New England
- Lots of national competition - RHI, Modus. Local competition - Gunther Douglas.
Location: Not given.
- Reseller in Lithuania.
Location: Listed above.

7. Is the business exporting/importing, managing operations, or part of an entity outside of the US?

Yes:16

No:8

8. Where are the export/import markets?

- India.

- Worldwide.
- R&D operations are currently in Germany, India and Westminster. Just bought a business operation unit in Canada.
- "Pretty much everywhere BUT the USA right now." Europe, Asia, South America, Australia.
- Exporting to Germany. Importing textiles (purchased from distributor in south US).
- Importing from Montreal, Canada.
- They handle IT security services for government departments that are involved in international activities.
- They do bundle and sell left over material to brokers. These often are shipped overseas.
- Managing operations in Mexico. No imports or exports.
- Managing operations in 78 countries.
- Europe
- Australia, Canada and the United Kingdom.
- Major portion of conveyor is imported from Germany.
- Export markets: China, India, Japan, & Korea.
- Company is headquartered in Germany. Exporting to Europe (from Chinese manufacturer). 100% goes out of China - not Colorado.
- No import/export markets - but they manage international outsourcing for IT firms (ex: outsourcing to India).

9. Are exports sales as a percentage of total sales:

Total number of responses: 23

	Increasing	Decreasing	Stable	No Exports
<i>Exports</i>	3	n/a	9	11

10. Is the percentage of products/components imported by the company:

Total number of responses: 9

	Increasing	Decreasing	Stable	No Exports
<i>Imports</i>	3	n/a	3	3

11. Has there been any recent change in ownership or management in the company?

Total number of responses: 16

- There was a new CEO in 2007 and new President of North American Operations in 2009.
- The last major ownership change was in 2008. It took the company from a publicly traded company to private ownership. This changeover has been seen as very positive for the company. Purchased Nortel and integration has occurred.
- A former CEO has returned to bring the company back to a solid financial base and has been able to do so.
- The COO started with company in September 2009 and the CFO started with company in December 2009.
- CFO retired in 2009.
- President and CEO started in August 2010.
- The company is no longer traded on the stock market and ownership has shifted from L&A of Virginia in 2006 with the company taking a 53% share in 2007.
- REC Group, of Norway, purchased a percentage of Mainstream Energy Corporation which is the businesses parent company.

- Acquired by Audix, a private equity firm in 2007.
- The president took over a couple of years ago.
- A new CEO started recently.
- The company went private in April 2009.
- New CEO is the former director of business development for Sealed Air inc. On board in early 2010.

12. Positive or negative trends occurring that may affect the business locally or beyond Westminster?

Total number of responses: 36

- Economy has been very tough. Federal Credit Card legislation is causing them some angst and complications.
- The company is in "selling" mode now that they have FDA approval.
- One of their core clients is a start up businesses. The number of start up businesses has declined in the past two years (locally) which has adversely affected business.
- None mentioned. The tightening on immigration has made it significantly more difficult to hire and retain non-U.S. citizens.
- Obama administration and national health care will have impact.
- No real trending in the local market affects them. Though many of their competitors are located in major media markets, they have found a niche in the industry and feel that they can be located anywhere.
- Negative: Current economy, vacancies. Positive: Light rail development, business fairs, etc.
- Dependent of funding of government agencies from Congress. Excited about renewable energy prospects in Colorado.
- Tight credit markets comprise the company's biggest hurdle and limit financing for customers. Greater regulations on the credit market is a trend the company is concerned about. The company has stopped doing business in several states due to recent laws that require mortgage broker licenses to do cash flow notes.
- A positive trend could be the shift to ethanol and solar electricity, as these forms of energy become more competitive in the market place.
- There is no work in Colorado for this company. All employees outside this office work in other states.
- Positive trends: energy rebates offered by Xcel, local and state governments.
- National banks are very hard to work with and loaning fewer dollars with higher fees. Health care costs are "eating their profits" - 25% increase this year and increased over 400% since they opened.
- Business is almost wholly dependent on the federal appropriations process.
- They are finding it harder to get donations in this economic environment.
- The business believes that the neighborhood around their business has gone steadily downhill in the last 15 years. The business has graffiti and vandalism concerns. The business also complained about snow plowing operations on Irving Street where snow is "pushed down the hill to 71st Avenue and blocking their access." They also complained about problems with a pressurized sewer line cleaning. The business was upset about perceived misinformation from RTD (and its representatives) and the City about the FasTracks commuter rail project.
- The growth of the renewable energy industry will stimulate business.
- The global economy has had an impact, but they have successfully weathered the storm due to solid financial resources and an ability to outlast competitors.
- Overall deterioration of the general economy has negatively impacted business.
- The new national health care system is both positive and negative. There might be a loss of companies which is bad, but anything that brings biotech to the State is positive.

- Competition from the Internet.
- Senate Bill 09-51, which helps homeowners finance renewable energy upgrades for their homes and businesses, the competition in the renewable energy/solar field will increase in Colorado. This is an opportunity for the company in terms of potential sales.
- The downturn in the economy has been a positive trend for their business as companies seek to reduce costs associated with employee absences.
- Positive local trend is the ability to find talent locally. Negative trend is the overall condition of the stock market.
- The Food and Drug Administration (in some cases).
- Westminster does not offer a location central to the region.
- Federal medical policies are of a concern.
- The strength of the Euro.
- #1: Software tax in Colorado will affect client companies. #2: IT industry has not seen much impact from the downturn. This could be coming. #3: Growth of biotech and energy industries. The IT workforce is evolving.

13. How has your customer base changed in recent years?

Total number of responses: 35

- The customer base is not as local. The company's customers have shifted from storage companies to communication companies and the military.
- Economic downturn has sent more people to "pay for plasma" companies.
- Has not changed much at all; they are just growing in the industry.
- Foreclosure volume has required different services. People who would not have used services in the past are facing economic hardship, foreclosures, predatory loan practices.
- Companies are requesting more promotional socks now (example: Specialized ordering directly for promotional pieces, rather than purchasing through retailer).
- There has been a move towards the educational side. Now that people are unable to travel for training there has been an increase in webcasts/webinars.
- It has been a growing customer base with many opportunities in Colorado in minerals and renewable energy.
- The company has a larger customer base, but those customers are spending less money than in the past.
- Mergers by large oil companies has changed their customer base. Examples are Exxon, Mobil, Shell, Conoco, Phillips. They are performing more crude studies as these mergers take place.
- Bankruptcies of their customers has been tough.
- Expanded from solely federal government to now include a small but growing civilian sector.
- They have a wide variety of shoppers in their retail stores. They have more people in need of their assistance services than in the past.
- In terms of growth, they are expanding into new industries.
- The primary customer base was builders and government projects. Now their focus is large retail outlets such as Lowe's Home Depot, etc. The company does more "general contracting" for whole projects requiring prestress wall systems, drainage and landscaping.
- Had a number of financial companies as clients before troubles in the financial industry started in 2008.
- Expand into Australia, Mexico and Canada.
- Broadening from just residential into a healthy residential/commercial mix.
- Customer base is stable.

- Regulatory landscape has changed, bringing higher profile to their business.

14. Identify the top issues that are most important to the success of the company.

Total number of responses: 35

- Increased utilization of current capacity. They are operating at about 75% percent of capacity. Only issue identified.
- At this point, they are trying to sell the drug to recoup investor cash. They have borrowed \$250 million to get past the FDA trials, and they generated \$9 Million last quarter. They are still incurring roughly \$28 Million in expenses each quarter, but they expect those numbers to become positive quickly now that the drug has passed the trials.
- Differentiating from competition by providing better engineers.
- Having problems with IT service provider.
- Changing FDA regulations, hospitals using more efficient, less blood intensive therapies.
- Continuing to develop this technology to remain competitive in the market.
- Economic recovery, job creation, desire to repair credit, partnerships in community.
- Manufacturing / Pricing / Labor.
- User capability, change in communications and economics.
- Customer relations and Employee base/recruitment.
- #1 Availability of credit #2 Continued Focus on cash flow notes #3 Lack of additional regulations on the credit market.
- Maintaining a high degree of awareness of crude oil developments and changes in ownership of the gas industry.
- Money, quality of work, and qualifications of the workers.
- Future of the energy sector - more companies focused on energy efficiency.
- Improved economy, improved lines of credit from banks, less severe health cost increases.
- Federal appropriations. Being able to work with other Department of Defense certified firms.
- The ability to remain cost competitive with Chinese manufacturers.
- The ability to successfully recruit qualified engineers from the local universities. Also, being centrally located within the United States in a city that is a major airline hub is important in serving customers who are scattered throughout the country.
- Service. Finding the balance between quality product and customer service.
- Continued improvement in the global economy. Maintaining a competitive edge over competitors due to resources and the general financial strength of the company.
- At this time they are interested in reducing their real estate cost and overall costs in general.
- The ability to raise money and revenue generation.
- The economy has impacted their customers and in some cases significantly. Stable tax policy - they get "hammered" by the City of Thornton on Sales and Use tax audits.
- Growth of Renewable Industry - Sales Growth - Workforce - Strong relationships/processes with local municipalities (to increase installation time).
- Securing Qwest as a client in 2004 and being acquired in 2007.
- Positive stock market performance.
- Foreign trade, cost of steel, aging of treatment facilities will result in new need for product.
- Product Development - Keeping up with demand.
- Local regulatory environment.

- Medical insurance issues and federal policies.
- Adding the staff and finding the space to accommodate the new contracts recently landed. Growth.
- Successful acquisitions in the future.
- Service. Client retention. Continued growth of IT industries. Outreach: Word-of-mouth, recruitment, universities, social media.
- Development of new tags -- expect to ship 20,000 by the end of September.

15. Is there new technology emerging that will substantially change either your company's primary product/service or how it is produced?

Total number of responses: 32

- No- although developments with the Internet are enhancing their business.
- For the design group, determining the next technology mode and focusing on alternative energy and lighting.
- They are trying to streamline technology, interface software programs, etc.
- Yes. Flash and Silverlight applications for interactive users for Web, desktop and mobile applications.
- New technology/software/equipment that assists in offering their service hits the market often. All new technology/software/equipment provides more ease of operation.
- Open Source software such as LINUX is creating challenges for them because businesses are making the switch and the company will not go in this direction.
- A new research facility in France is working with "thermedia insulation" of vertical wall systems, improving the thermo dynamics of construction material. The company is also working on alternative fuel sources for cement construction.
- Internet non-print marketing.
- Advancements of photovoltaic technology - Thin-Film Solar (no silicon) - Solar-thermal/absorption chiller: a closed-loop system that converts solar-heated water into air conditioning
- Continued improvements in solar technologies.
- Growth of IT markets - technological growth from companies like Microsoft, Oracle, & Cisco set the stage for this growth.
- UHF-based tags are coming -- more range, can do batch scanning, faster.

B. LABOR & EMPLOYEES

1. Is the company experiencing recruitment problems with any employee positions or skills?

Total number of responses: 39

- Yes – Software Engineers
- Yes – Manufacturing/Assembly Line Workers
- Yes – Sales Positions
- Yes – Construction Positions
- Yes – Employees with PhD Level Education

2. Current average # of full-time employees (FTE):

Total number of responses: 45

Range: 5 to 1,000 FTE

Average: 113 FTE

3. The top three cities where most employees live:

Total number of responses: 39

Response frequency:

Westminster: 22	Arvada: 12
Broomfield: 12	Denver: 11
Thornton: 8	Boulder: 5
Northglenn: 2	Frederick: 1
Longmont: 1	Parker: 1
Superior: 1	

C. RELOCATION, EXPANSION, & CONTRACTION PLANS

1. Plans to expand, contract or relocate in the next 24 months?

Total number of responses: 22

- Just need to fill current space. Their lease is up in 2012, but they have no intention of moving.
- They will need to double their current space, probably toward the end of the year.
- Currently building in Broomfield.
- Are immediately hiring 30 to 40 employees in unified communications services.
- They are having a lease come due at the end of 2011. This is a major opportunity for them to relocate. they are interested in any programs the City of Westminster may have to work with them on retention.
- Probably to expand, using contractors. Will increase volume as a result. Real estate services will expand (buying and selling properties). Also looking at multi family properties of around 100 units.
- The company currently has 40,000 sf with room to grow. They are happy with the location and the lease rate in their current space.
- Always looking to expand on government contracts and employee base.
- The company might look at some renovations, but no expansion or contraction.
- If they choose to expand, the decision will be market-driven.
- Hope to expand number of employees and space in the next year.
- If current contracts come through they will expand to take the remainder of the 1st floor of their current building.
- They will not expand their business or warehouse operations. They might open new stores, but that could be anywhere in their market area.
- The company occupies 2/3rds of its existing 50,000 s.f. facility, but would need only about 28,000 s.f. if it moved to another facility.
- The company will move from Building #4 to a larger space within Building #8 at Westmoor Business Park within the next couple of weeks.
- They will hire as needed. They have hired four employees since November 2009.
- Their lease is expiring in January 2011 and they are currently looking for another location. The current space is not an option. They currently have 80,000 square feet and are looking for 110,000 - 130,000 square feet. Looking for professional office space (non-manufacturing), ex: Westmoor or Circle Point. They are looking at 2-3 locations in the area (Westminster included) and are currently in negotiations. Staff communicated Westminster's willingness to assist them and to retain them in Westminster. The ultimate decision will be made from their HQ office in Virginia. The relocation will be based on the best

deal in terms of cash flow.

- Contract by 50% in terms of square footage.
- Plan to hire more employees this year. Their existing space has room for more employees.
- Growth in office space and employee size is expected.
- They have approximately 4,500 sq. ft. of office space with room to grow.
- Build-out of second floor in 2011 will add approximately 60,000 square feet of additional space to current operations.
- Will be moving into new markets for sales - Mexico, Canada, Australia.
- Expansion of amount of space and number of locations.
- Currently working on new medical office building (MOB) at 144th Avenue with plans in the future for a full hospital.
- Adding additional 20 employees as result of new contracts. Their current space is not large enough to house the additional 20 employees. We discussed the company leasing or purchasing additional space at their current location. The company was also discussed potentially moving the 20 jobs to their California location. Staff will see how the City could support the expansion in Westminster.

D. BUSINESS ENVIRONMENT

1. What are the City's strengths as a place to do business?

Total number of responses: 36

- Great place for their business. Employees love the area and they have great transportation access to I-25 and 120th.
- They are very happy with the City of Westminster. They enjoy the Shops at Walnut Creek and the restaurant options. They are very happy with the location, as it is half way from Denver to Boulder.
- High quality of life for employees, easy access to I-25 and the airport, the new retail areas (Wal-mart and the Orchard). The business was extremely complimentary of the Orchard as a destination for both business employees and families.
- I-25 corridor development is very nice.
- Not letting medical marijuana dispensaries into the City. Westminster population demographics are great for blood donations. Westminster site is the fastest growing of all sites. 50-60 donors per day.
- Location along US 36.
- The company president said that it really would not matter where they did business and did not specifically "pick" Westminster for any reason, other than it was centrally located for all the staff. He liked access to the trail system and enjoyed Walnut Creek shopping/restaurants.
- City outreach to businesses, concerned about business success, retention visits.
- Good location. Services for business.
- The city seems to "embrace companies" making them feel welcome.
- Central location along the U.S. 36 corridor, price of buildings were right, eating establishments close-by.
- Close to home (no real commute).
- Location to the President/CEO's home.
- The company indicated that the City looks great and seems very safe.
- Good place to live, good location between Boulder and Denver, access to the Rocky Mountain Airport.
- They enjoy their location. They are quite interested in how the area may change as a result of FasTracks commuter rail service coming to the area.

- Existing structure that appropriately addresses the needs of the business. Proximity to employees.
- The CEO stated that his business could be located anywhere within the continental United States. He chooses Westminster - more specifically, Westmoor - because of its proximity to his home in Broomfield and the availability of the golf course.
- Trails / Open Space. Customer Services.
- Access and location. General amenities such as restaurants. The company considers Westminster to represent a truly "Colorado" city.
- Quality of life and opportunities for physical activity.
- Good place to live. Functional building that they own.
- Professionalism and talent of the City's Fire and Police Department (especially during Gilead occupancy collaborative, never had problem with City, never been approached by other cities for a business retention visit when working for other companies and in other cities. The CEO was very impressed that we were doing the business retention visit. They like having the retail stores, restaurants and Westin/Springhill suites nearby.
- Location and excellent office space.
- Proximity to Denver / Boulder regions - Renewable Portfolio Standard (RPS) Legislation - Amendment 47 (Labor dues prohibited) - Senate Bill 09-51 (helps homeowners finance renewable energy upgrades for their homes and businesses) - Availability of Xcel rebates.
- Nice recreation facilities and good variety of places to eat within a short distance. Very complimentary of the WFD and appreciated their thorough inspections.
- Great place to live, wonderful work setting at Westmoor.
- Location for employees, affordable office space, recreation opportunities.
- Continuing to reinvest and grow existing facility. Turn over is very low and no problems recruiting.
- Proximity to U.S. 36 Corridor. Access to Flatirons Mall. Westmoor - amenities. Executives (Germany) impressed by Westmoor business park.
- Access to Boulder & Denver. Access to Westmoor (many clients at Westmoor Technology Park).
- Location on U.S. 36/North Metro. Also like trails/bike paths.

2. What are the City's weaknesses as a place to do business?

Total number of responses: 35

- Lack of technology customers (need more start ups). A business incubator would be great. Mentioned an example from the San Francisco Bay area.
- They would like to see more restaurants.
- Time it takes to process application for inspections - takes 6 to 8 weeks. Have had customers walk away from the process. Need to pay fee to expedite. Would help if City could find more ways to partner with us. WalMart has driven out smaller businesses, created terrible traffic around 120th. But, certainly understand tax revenue benefit.
- Would like to see an Industry Focus Group.
- Lack of bus routes and bus connections - many employees use bus transportation and have to make 2 to 3 connections or walk a significant distance.
- They miss the Westminster Mall and wish there were more restaurants.
- Location to homes of employees.
- Lack of proximate restaurants, especially since they operate 24/7.
- Their access is limited to right in, right out, which is something of a problem for them. They receive water service from the Northgate Water District, and are dissatisfied with their level of service and dependability.

- The company believes that there is significant criminal activity in the area. The company also cited problems with vandalism and graffiti.
- High sales taxes are the City's weakness. The CEO also owns the Exchange Tavern in Bradburn Subdivision. There, he claims that the City's strict sign code is causing his business to suffer.
- Building permitting fees, inspection process for new business.
- Lack of available office space (for expansion).
- Did not identify any, there is concern about the company's relationship with the Sales Tax Division because of its experience with Thornton.
- The company feels that the permitting and inspection process is extremely time-consuming since they are installing residential units. The time spent applying, etc. costs "a great deal of money" when their higher paid staff members conduct the process with the City. The company would like to see City inspectors (electrical, etc) educated in the renewable installation arena (specifically solar installation). The company offered to help conduct trainings with the City.
- Use Tax.
- Have had gang activity at hospital.
- Accessibility to restaurants, etc. Feels that the Turnpike business center in somewhat of a "distressed" area.
- Distance from the Denver Tech Center.

3. Are there barriers to growth in the City, County, or State?

Total number of responses: 32

- There have been power outages in the winter (usually at night), although fewer than in the past. They have had networking issues, but getting better. They are an AT&T customer.
- NIMBY issues - not as much in Westminster as other cities - Not a lot of space for new development; graffiti control, kids hanging out, break-ins. Banks have really constricted their underwriting; difficult for builders to get loans. Credit not available.
- Increased regulations on the credit market.
- Economy, no work for them in Colorado, land is already developed.
- They are their own barrier. They are apprehensive to too much growth. They pay much respect to the culture of the company and quick growth could negatively affect that.
- Banks.
- Permitting process is critical. Need to be able to partition space within 30 to 90 days.
- The economy.

4. What types of companies would benefit and/or compliment your business operation in Westminster?

Total number of responses: 33

- None identified, but did mention that any help the City can provide in networking opportunities in the immediate area would be appreciated.
- Startups, Fabless Semiconductors who want to put all of their intellectual property in a chip; system folks.
- The Trauma Center to be located at 144th and I-25 will benefit from having Bonfils close by.
- Any. Utilize suppliers, from big boxes to small business, including carpet, windows, trades, banks, credit unions.
- Businesses able to network with would be beneficial.

- Any government agency who takes up business in the city.
- Call centers (the company currently uses a service out of California).
- Petroleum and Solar Companies.
- Restaurants.
- A manufacturer of sealants or adhesives that they could act as distributor for.
- Third parting sourcing: equipment/supply chain.
- Additional bio-tech firms.
- More restaurant/lunch options near Westmoor.
- Injection molders, designers of conveyer systems.
- Pharmaceutical companies.
- Warehousing or Logistics firm (ex: Stratom in Boulder).
- Potential clients - potential IT firms.
- Global and mobile shippers who need to control shipment temps would benefit. Complimentary businesses for TempTrip would be other shipping companies.

5. Suggested capital improvements in the City of Westminster (i.e. road improvements, bridge work)?

Total number of responses: 30

- I-25 to U.S. 36 heading South, anytime of the day it is bad.
- 73rd Avenue: expand street-scaping, housing development across the street from our building would create more foot traffic. Tough to navigate around Cafe Mexico. More attention to South Westminster as compared to concentration around Promenade, Orchard.
- Would like to see streets near office/business area cleaned/cleared more often.
- Get the mall redone.
- They would like better access; perhaps off of a redeveloped 70th Avenue. They would like to get on City water service to get away from the problems with Northgate.
- Continued trail development / open space maintenance. Continued support of Westminster's business environment.
- Expand the Walnut Creek Trail further to the west of Wadsworth Boulevard.
- Quail Creek trail dumps at 100th and Wadsworth, then picks back up again. Completing that trail so it is contiguous.
- Improvements to U.S. 36.

6. Please rank the following services:

Total number of responses: 39

	low				high
	1	2	3	4	5
A) Water	2	0	3	3	10
B) Sewage	1	0	2	4	10
C) Natural Gas	0	0	2	3	9
D) Internet Access	1	0	3	8	8

E) Telecom	0	0	2	7	9
F) Cellular Service	2	1	3	6	5
G) Traffic Control	0	1	3	4	12
H) Cable	0	1	1	5	8

Comments:

- The company has “lots of power surges” - elevator, alarms, server.
- They have tried AT&T and Nextel for cellular service. In both cases they don't have access at their current address. Dead zone.
- Northgate Water District water service is a problem. Access is a problem due to the right in, right out access that they have on Federal. They have recently had some problems with power outages.
- They also complained about a situation where a pressurized sewer line cleaning caused sewage to flow out of the water faucets. (issue was addressed)
- The CEO complained about the inadequate amount of "green time" for eastbound traffic traveling through the intersection of 108th Avenue/Wadsworth Parkway. This signal is controlled by CDOT.
- Cell service issues - but specific to the building they are in.
- No Qwest services available at Walnut Creek Business Park.
- Cable service is not available in Westmoor.
- Cell service with AT&T is bad.

E. CONTACTS WITH THE CITY

1. Rate services within the City according to quality, scale of 1 to 5.

Total number of responses: 39

	low				high
	1	2	3	4	5
A) Police Protection	1	0	1	3	10
B) Fire Protection	0	0	1	3	15
C) Sales & Use Tax	0	0	3	4	2
D) Planning & Permitting Process	0	2	5	2	3
E) Libraries	0	0	1	0	2
F) Public Transportation	1	0	3	3	4
G) Traffic Control	0	1	3	1	5
H) Streets and Roads (local)	0	1	2	4	7
I) Highways (state & federal)	1	1	2	4	4
J) Parks, Recreation & Trails	0	0	1	1	12
K) Other	0	1	1	0	2

*Comments on City services:**Total number of responses: 10*

- They did identify a specific concern with trying to get a permit through planning for a fence they want to install. Staff has followed up on this issue.
- Low use of RTD. Complimented City on the lack of traffic issues at Mountain Range High School. Mentioned that the southbound flashing school zone light on Huron Street north of 124th Avenue is not working. Requested that the City construct a sidewalk on the west side of Huron Street between 124th Avenue and 121st Avenue to enable employees to walk to the nearby shopping center.

- Complained about the traffic on I-25.
- Had excellent things to say about the Fire Department, who comes out regularly due the dangerous nature of some of the chemicals they store there.
- Utilities: Xcel outages create downtime for the business.
- Poor police response time and dumping/piling of snow on 71st Avenue.
- The CEO mentioned that he thought that sales taxes were high in Westminster.
- The permitting and inspecting process is extremely time-consuming for the company since they are installing residential units.



WESTMINSTER

Staff Report

Information Only Staff Report
March 7, 2011



SUBJECT: 2010 Citywide Goals and Objectives - Third Period Update

PREPARED BY: Ben Goldstein, Management Analyst

Summary Statement:

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

Attached is the third period status report on major projects/initiatives/programs undertaken to achieve City Council goals for 2010. The items included in the attached document focus on those items that specifically tie to Council's stated goals for 2010.



Background Information:

The attached document reflects the actions Staff is pursuing to achieve City Council's 2010 Citywide goals and objectives. This report focuses on those items that specifically tie to Council's stated goals and objectives previously identified. Should Council desire additional information on a particular item included within this document, Staff will prepare appropriate supplemental information on the specific item requested.

The City Council goals for 2010 are as follows:

- Financially Sustainable City Government Providing Exceptional Services
- Safe and Secure Community
- Strong, Balanced Local Economy
- Vibrant Neighborhoods in One Livable Community
- Beautiful and Environmentally Sensitive City

The Goals & Objectives document includes the following information:

Goal – These are the priorities originally set by City Council at their 2002 Goal Setting Retreat. The goals were re-affirmed and refined for 2010 at City Council's Strategic Plan Review.

Objective – Within each goal, Council has identified several objectives to help achieve that goal. Several "actions" will be undertaken within each objective to help achieve that goal.

Initiated – This column identifies the year in which the action initiates. Many actions were initiated prior to 2010; this reflects the long-term nature of projects/initiatives within the City.

Actions – This column reflects those specific projects, initiatives, and/or programs that Staff is working on to help achieve City Council's goals. New or revised actions are reflected in the attached Citywide goals and objectives report and reflect Council's updates made in June 2010.

Assigned To – Many projects have multi-departmental, multi-member teams to help complete the project, initiative, and/or program. The names listed within this column reflect the primary project managers for the associated task and their respective department in parentheses. The first name listed represents the project lead and primary activity contact.

Projected Cost – This column reflects the budgeted and/or estimated expense associated with completing the associated activity. The amount listed may include costs that will not be borne by the City (such as grant dollars being awarded) and they may also reflect estimated, but unappropriated, costs. In many cases, the projects' expenditures include materials, supplies and salaries for staff time; these fixed or indirect costs are not reflected in the figures.

Percent Complete – This column reflects Staff's estimate of the amount of the activity (i.e., project, initiative, and/or program) that is complete.

Target Completion – This column reflects the target date to complete the associated activity.

Staff updates the percent complete column as a progress report for City Council. If Staff modifies any of the other columns to reflect changes in the activity (such as revised projected costs and/or changes in the target completion dates), a note explaining the modification will appear in the far right column. Any change to a particular action item is identified by shading.

In some cases, Council will note that the originating year may be prior to the year 2010; several of the projects Staff is working on were initiated prior to 2010 and require multiple years to complete. These multi-year projects are carried forward to show continuing projects in addition to new ones.

The status of the activities reflects third period activity through December 31, 2010. This report does not highlight the full workload that Staff is pursuing. Many assignments and departmentally oriented items are tracked separately by the departments.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

2010 Citywide Goals & Objectives

Third Period Update



GOAL 1: FINANCIALLY SUSTAINABLE CITY GOVERNMENT PROVIDING EXCEPTIONAL SERVICES

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
<i>Objective 1: Invest in well-maintained and sustainable City infrastructure and facilities</i>						
2010	Continue strong emphasis on facility infrastructure needs (i.e. roof and glass replacements, exterior building envelope components, etc.)	Tom Ochterski (GS)	\$204,992	90%	4Q 2010	In 2007 GS Staff contracted with Bornengineering to complete a long term facility needs assessment. Bornengineering identified a number of facility roofs in need of replacement along with exterior façade and envelope projects which would extend the useful life of the facility assets. The roofs of three facilities: (Colorado Department of Corrections, Five Star Pups, and the partial roof replacement at the Swim & Fitness Center) were identified as needing replacement in 2010. These roofs were bid together as a lump sum and awarded to D&D Roofing - the low bidder. The projects were completed in the fourth quarter of 2010. Glass replacements continue to be ongoing in all City facilities.
<i>Objective 2: Secure and develop long-term water supply</i>						
2003	Offer a high-efficiency appliance rebate program to gain water savings	Stu Feinglas (PWU)	\$23,500	ongoing	ongoing	The City offers rebates to citizens who purchase and install high-efficiency toilets in their homes. City residents have already applied for all of the funding available in 2010.
<i>Objective 3: Focus on core city services and services levels as a mature city with adequate resources</i>						
2007	Lobby Federal delegation on City's rights to collect and return internet sales tax	Barb Dolan (Fin), Matt Lutkus (GS), Phil Jones (PWD)	--	Ongoing	Ongoing	City Council visited with the City's Federal legislative delegation in March in Washington D.C. and discussed this issue. City Staff have also been meeting with staff members in our Federal legislators local offices to discuss the importance of this issue.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
2008	Research and maintain grant funding	J.J. Elliott (Police)	--	Ongoing	Ongoing	During this reporting period, the department was once again successful in obtaining additional grants, such as the 2011 17th Judicial District Victim & Witness Assistance and Law Enforcement (VALE) Grant and Wal-Mart Community Grant. The total awarded amount for these specific grants is \$45,708. These grant funds will assist in partial funding for a 1.0 FTE Victim Advocate's salary and benefits and additional funding towards the Santa Cop Program. The department was also successful in receiving \$1,625 in scholarship funds for training for three officers to attend the Rocky Mountain Hostage Negotiator's 2010 Conference and one officer to attend the Background Investigation course. The department has applied for the 2011 Department of Homeland Security Regional Grant in the amount of \$5.5 million to replace, enhance and modernize the City's current aging radio system, which may realistically take more than a few years to be granted based on the grantee's criteria and priority list. As previously reported, the department will continue to research and may apply for applicable and/or viable grants throughout the next reporting period.
2011	Proactively pursue alternate funding for the City's Municipal Domestic Violence Fast Track Program.	Lee Birk & J.J. Elliott (Police)	\$24,700	68%	2012	The department will work closely with the Municipal Court and Prosecutors Office to ensure that the Domestic Fast Track program is a continued success. In order for it to be successful, the department has applied for and received notification that our agency received "tentative approval" for a grant from the 17th Judicial District Victim Assistance & Law Enforcement Grant for the amount of \$44,708 for partial salary and benefits for a 1.0 FTE Victim Advocate. The remaining costs of \$24,700 for salary and benefits will be provided by City's General Fund. The department will continue to seek out appropriate grant funding to assist in the salary and benefits for the 1.0 FTE Victim Advocate.
2011	Develop and identify a cost effective solution to radio frequency interference issues in the southeast portions of the City - Gregory Hill Radio Site	Russ Bowers (Police)	\$50,000	25%	2011	The Gregory Hill Radio site will increase the current 800 MHz Enhanced Digital Access Communication System's (radio system) strength and reliability. It will minimize "radio dead zones" that are currently being experienced by both emergency and non-emergency personnel who are unable to receive or transmit radio transmissions in the southern part of the City. These "radio dead zones" can pose lack of communication scenarios that can ultimately be life threatening. The site will also serve as a secondary radio site for the City and its users.
Objective 4: Maintain sufficient reserves: general fund, utilities funds and self insurance funds						
2006	Refinance debt issues as market conditions permit to reduce the City's expenses for debt service	Tammy Hitchens (FIN), Bob Smith (FIN) and Bob Byerhof (FIN)	--	Ongoing	Ongoing	Finance completed three refinancings in 2010 to advance refund all or a portion of the 2001 and 2002 Sales & Use Tax Revenue Bonds, the 2001 COPs (Public Safety Center), the 1998 Golf Course Revenue Bonds, and the 1998 COPs (Ice Centre). The refundings were accomplished without extending the final maturities of the refunded debt. Combined the three refundings will save the City about \$2.6 million in interest expense over the next 12 years.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
2002	Continue strong emphasis on loss prevention (i.e., workers comp, property and liability losses) using the City's Safety Committee	Martee Erichson (GS), Safety Committee	--	Ongoing	Ongoing	
2002	Review all fund reserves annually to assure adequacy to meet fund obligations	Steve Smithers (CMO), Tammy Hitchens (FIN)	--	Ongoing	Ongoing	Fund reserves were reviewed as part of the 2011/2012 biennial budget process. Current reserve levels are in accordance with City policy and adequate to meet the City's financial needs. A new General Fund Stabilization Reserve (GFSR) was created in 2009 through use of 2008 carryover as a means to stabilize ebbs and flows of Sales and Use Tax revenues impacts on General Fund and utilized immediately to balance the 2010 Budget. The GFSR will be replenished, per Council adopted policy, in future years as revenues permit.

Objective 5: Maintain a value driven organization through talent acquisition, retention, development, and management

2010	Develop an integrated succession management program	Debbie Mitchell, Dee Martin, Lisa Chrisman, Jackie June (GS)	\$0	Ongoing	Ongoing	HR is providing strategic advice to departments as they review their operations through Core Services and budget cutbacks. This is all part of succession management and keeping a long term outlook, along with building a sustainable organization. HR continued to work with departments regarding core services study and sustainability. This ultimately resulted in a recommendation and implementation of a reduction in force. HR worked with executives and management to design and implement a RIF that was strategic and purposeful. Ultimately, the reductions and restructures placed the organization in a more sustainable position. The goal of succession management is to effectively align systems, operations and personnel with a focus on the future health of the organization.
2009	Employee Healthcare Cost Containment Efforts	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin, Nicki Leo (GS)	Integrated into overall healthcare costs - self funded	Ongoing	Ongoing	Proactive efforts in Wellness with a new educational focus on family health, fitness and nutrition. Reporting redesign is underway for 2010 that will help employees focus on sustained behavioral change. This program places an emphasis on the employee's role in taking responsibility for their own wellness. Other health management strategies include an ongoing evaluation of claims costs, increased collaboration with Cigna and Kaiser health insurance companies, and targeted education to reduce claims in high cost areas. HR staff will work with Hays benefits consultant to create a five year strategic plan for healthcare benefit provisions.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 6: Institutionalize the core services process in budgeting and decision making						
2010	Core Services Assessment	Brent McFall, Steve Smithers, Barbara Opie (CMO)	--	Ongoing	Ongoing	Commencing in November 2009, Staff developed and implemented the core services assessment to identify areas of focus for funding and areas that might be reduced or eliminated as a result of service duplication and limited funding availability. City Council and Staff successfully worked together to identify and prioritize City services as part of the 2011/2012 budget process, better positioning the City for long term financial sustainability. Currently, Staff is evaluating plans to integrate the core services assessment into the regular budgeting and decision making processes.
Objective 7: Maintain and enhance employee morale and confidence in City Council and management						
2010	Employee Recognition Efforts	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin (GS)	\$26,600	Ongoing	Ongoing	Recognition efforts include two Teams In Actions awards luncheon recognizing departmental and interdepartmental team efforts; Customer Service Champions Internal and External; Length of Service milestones; and SPIRIT individual recognition for ongoing exceptional effort by front line employees.
2010	Competitive Total Compensation Package	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin (GS)	\$2,500	100%	Completed	Flexible work schedules continue to be a priority for today's employee. The Focused Work week study and pilot program implementation address the needs and desires of employees' work life balance. Workshops on transition issues related to new schedules were conducted in Summer and Fall of 2010. Classes were well attended and received by employees challenged with dealing with the schedule change. Staff participated in CML and MSEC benchmark salary surveys as well as conducted a comprehensive Benefits survey of its own.
2010	Consistent feedback through Performance Appraisal	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin (GS)	\$3,500	Ongoing	Ongoing	The E-Appraisal system is designed to provide employees an opportunity to give feedback in their self-appraisal and get behaviorally based feedback in their appraisal. Employees meet with their supervisor at least annually to discuss their work performance, individual objectives as well as employee developmental goals. Employees in their first year meet every 6 months.
2010	Inclusive Management Practices	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin (GS)	--	Ongoing	Ongoing	Staff are two years into a 5 year effort to train all supervisors in collaborative management practices that reflect SPIRIT. The foundational classes include seminars in teambuilding, communication, conflict management, partnership, strategic planning, coaching and performance management. Employee involvement in key management initiatives through EAC and departmental employee task forces.
2010	Employee Relations Consultation	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin(GS)	--	Ongoing	Ongoing	Ongoing work with departments on employee performance issues, discipline, conflict, EEOC concerns, etc. Work to ensure consistent and fair treatment of all employees in a respectful, honoring manner. Employees are given opportunities to correct behaviors and comply with the Personnel Policies and Rules which outline the standards of the organization.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
2010	Reduction In Force Efforts	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin, HR Analysts, Benefits Staff(GS)		80%	2nd Quarter 2011	Reduction in Force needs led to GS staff developing reduction in force layoff options, layoff packages, personnel policy modifications, consultation on staff reduction strategy and staffing needs, reorganization and reclassification options, processes for identifying employees for layoff, career transition and outsourcing resources, wellness resiliency training for remaining staff, benefit administration, EAP services, security, unemployment support, consultation and meeting prior to and layoff meeting with employees. Resulted in full mitigation of employment related legal claims or challenges. Coaching of employees through the transition impact was substantial. Executive Management Workshop on Moving Forward was developed and a line employee training on Moving through Difficult Times were developed and delivered in the 4th Quarter. Final support for this effort will be completed in 2011 as former employees benefits end.
2010	Organizational Development and Change	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin (GS)	--	Ongoing	Ongoing	Consultation with departments on Core Services to address best effective organizational structure and staffing needs. Developed various strategies for organizational communication objectives to address resource, issues management to support the organizations efforts to meet strategic goals and objectives. (i.e. 2011 pay freezes, focused work week changes, Apply Yourself Marketing campaign, succession management efforts, ongoing learning and development expectations)
2010	Enhanced Employee Marketing and Communication	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin (GS)	\$2,000	Ongoing	Ongoing	Developed materials for internal and external promotion of the City as an employer through print information on recruitment brochures, web design for employment page, on-line interactive benefits catalog, wellness program promotion, training and development materials and digital media (i.e. video on City as employer.)
2010	Analysis of Training curriculum	Matt Lutkus, Debbie Mitchell, Lisa Chrisman, Dee Martin (GS)		50%	4th Quarter 2011	Reviewed course offering based on reduction in force and effectiveness of training classes in meeting key organizational objectives. This includes a review of course purpose/objectives, instructor effectiveness, course content, delivery method and application of learning back into the workplace. Through initial reviews we have eliminated redundancy in some classes, changed some instructors, and modified some course content.

Capital Improvement Projects Relating to Strategic Plan Goal 2: FINANCIALLY SUSTAINABLE CITY GOVERNMENT PROVIDING EXCEPTIONAL SERVICES

104th Avenue and Sheridan Boulevard Intersection, Document Imaging System, JDE Upgrades/Maintenance/Enhancements, Water and Sewer Line Replacements and Rehabilitation,

2010 Citywide Goals & Objectives

Third Period Update



GOAL 2: SAFE AND SECURE COMMUNITY

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
<i>Objective 1: Citizens are safe anywhere in the city</i>						
2009	Motor Safety Enforcement - Driving Under the Influence Enforcement	Tim Carlson (PD), Al Wilson (PD)	--	Ongoing	Ongoing	During this reporting period, the department continued to focus on enforcing Driving Under the Influence violations. Limited overtime reimbursement grant funds were provided from the State of Colorado Department of Transportation - Office of Transportation Safety to assist in this effort through the High Visibility DUI program. As a part of this effort, special DUI enforcements were held over several holidays. They consisted of the following: Labor Day weekend netting 7 DUI arrests, Halloween weekend netting 3 DUI arrest and one felony drug arrest, Thanksgiving Holiday netting 2 DUI, and New Year's Eve netting 1 arrest. On December 11th, 4 Officers participated in an Adams County DUI saturation effort; there were 7 DUI arrests in the City of Westminster alone. Though there was a decline in the number of DUI arrests for the year, which is a 16% decrease compared to 2009, the department will continue to provide special DUI enforcement.
<i>Objective 2: Public Safety Departments: well equipped and authorized staffing levels staffed with quality personnel</i>						
2010	Implement new EMS disposable supply ordering system	Rick Spahn (Fire), Harrison Davis (Fire), Tina Takahashi (Fire)	\$0	100%	3Q 2010	An electronic ordering system has been created to eliminate overstock and expired supplies. Training and implementation took place 2Q 2010. Staff will monitor and evaluate for improvement as needed. Completed.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 3: Timely response to emergency calls						
2003	Purchase new Fire EMS Records Management System	Doug Hall (Fire), Rich Welz (Fire), Rick Spahn (Fire)	\$150,000	50%	3Q 2010	Purchase complete. Funding for this project is in the 2009 and 2010 CIP fund. Council approved Alpine Software on 4/12/10 for new record management system. Coordinating installation with IT; Staff training and roll-out of system implementation in progress. Second phase now in progress and 25% complete, which involves assessing field reporting needs and solicit vendor proposals for purchase of 8 field laptops. System installation ongoing. Initial deployment of incident reporting modules anticipated in 1Q 2011.
2007	Developing a monthly reporting system in order to evaluate response times on a monthly basis; the intent is to eventually compare response times with other agencies	Russ Bowers & J.J. Elliott (Police)	--	Ongoing	Ongoing	In 2010, the overall average Priority 1 Response Time for first unit to arrive in 2010 was 5 minutes and 15 seconds. While this represents a 2 second decrease compared to 2009, this is still a highly desirable response time compared to previously report years. The newly created report for monitoring the Priority 1 Response Time on a monthly basis has proven to highly proficient, allowing for prompt review and analysis of the data. Priority 1 Response Time continues to be one of the highest priorities for the department.
2010	Conduct comprehensive, cooperative training exercises for the Fire Department with other fire districts that provide mutual aid to Westminster.	Dennis Bishop (Fire)	\$0	N/A	Ongoing	Joint training with Westminster Fire Department and adjacent fire districts will ensure timely response, improved communication and adherence to proper practices and policies when responding to emergency calls in Westminster. To date Westminster, Federal Heights and Southwest Adams County Fire Districts have participated in two classroom training sessions and one practical exercise at the vacant Trail Dust Steak House. Three classroom and three practical training have also been conducted between these agencies as of 3Q 2010.
2010	Implement Automatic Vehicle Locator (AVL) through Public Safety Communication Center.	Doug Hall (Fire), Rich Welz (Fire)	\$0	25%	3Q 2010	Revisit the feasibility of implementing AVL for dispatching fire and ems units. If warranted, work with City staff to develop a plan of action to implement in 2011-2012. AVL Project temporarily postponed until completion of pending public safety CAD system and implementation of FD RMS System. Anticipate 3rd or 4th Qtr 2011. Completed - needs assessment.
Objective 4: Citizens taking responsibility for their own safety and well-being						
2009	Meet and exceed the Citywide Dog Licensing Program Goals	Kim Barron & Kelli Jelen (Police)	\$11,700	Ongoing	Ongoing	Currently the City is in compliance by having 20% of the total dog population licensed. However, this percentage could change based on Foothills Animal Shelter (FAS)/Jefferson County's calculations of compliance rate during their fiscal year (2010/2011). A request has been made by our agency to Jefferson County to provide statistical information that is in a format which is easier to determine our current compliance rate throughout their fiscal year. During this reporting period, Animal Management mailed over 850 postcard reminders to citizens who had not renewed their dog licenses from the previous year. A vaccination clinic was held in October at FAS that was available to Westminster citizens. Additional vaccination clinics will be scheduled for the first quarter of 2011 and reminders will be sent out with water billing. Animal Management has been proactive with their contacts with citizens, providing licensing education and brochures/fliers, indicating licensing requirements and locations.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 5: Manage disaster mitigation, preparedness, response and recovery						
2006	Work with adjoining districts and cities to define the expectations, policies, procedures, and potential capital expenses associated with a true automatic aid system	FD Battalion Chiefs (Fire), Jim Cloud (Fire)	\$0	70%	4Q 2010	Southwest Adams County: Mutual Aid Agreement is complete and in place effective July 1, 2009. Federal Heights: The Mutual Aid Agreement is near completion. Meeting with Fire Chiefs from both jurisdictions to be scheduled in 2011. North Metro: Agreement with North Metro needs to be revisited to develop consistent and efficient response. Arvada: An agreement with Arvada will be new and the process has not begun at this time. Working with all agencies to resolve communication issues via radios before moving forward.
Objective 6: Maintain safe buildings and homes						
2010	Business inspection program	Gary Pedigo (FD)	--	Ongoing	Ongoing	Business inspection were conducted by Fire Crews for fire safety and crew familiarity in case of a fire. The Fire Department maintain an 85% completion rate of business. The self inspections rate for low-hazard business was maintained at 100%.
2010	Senior Home Safety Survey Program	Sherrie Leeka (FD)	--	Ongoing	Ongoing	Conduct home safety survey for fire and other safety hazards, ensuring home has operating smoke alarms. In 2010, Home Safety Inspections were conducted on 25 homes and 50 residents.
2010	Maintain above average ratings for building inspector performance based on post project contractor surveys	Dave Horras (CD)	--	Ongoing	Ongoing	
Objective 7: Protect people, homes, and buildings from flooding through a stormwater management program						
2010	Continue proactive floodplain administration and stormwater management programs	John Burke (CD)	--	Ongoing	Ongoing	Continue construction of drainage projects as identified in the 2007 storm drainage master plan and Outfall Systems Plans prepared by the Urban Drainage and Flood Control District.

Capital Improvement Projects Relating to Strategic Plan Goal 1: SAFE AND SECURE COMMUNITY
New Traffic Signals, 800 MHz Radio System Upgrade, Fire Station Major Maintenance/Remodel, Firefighting Simulator/Burn Building, Miscellaneous Stormwater Projects

2010 Citywide Goals & Objectives

Third Period Update



GOAL 3: STRONG, BALANCED LOCAL ECONOMY

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 1: Maintain/expand healthy retail base, increasing sales tax receipts						
2006	Attract retailers to I-25 Corridor: 136th Avenue and 144th Avenue	Susan Grafton (CMO)	--	Ongoing	Ongoing	Continuing efforts. Cheeky Monks restaurant opened at The Orchard.
2008	Work with real estate community to encourage the filling of empty space throughout the City	Susan Grafton (CMO)	--	Ongoing	Ongoing	Continuing efforts.
Objective 2: Attract new targeted businesses, focusing on primary employers and higher paying jobs						
2000	Attend trade shows, site selection conferences and make contacts with key people and businesses to encourage new business development	Susan Grafton (CMO)	--	Ongoing	Ongoing	Staff regularly meets and talks with the commercial real estate community concerning space available and new tenants.
2009	Increase marketing presence in targeted industry groups	Susan Grafton (CMO)		Ongoing	Ongoing	Staff participated in the 2010 Metro EDC Site Selector Conference and is now a member of the Colorado BioScience Association (CBSA) and Colorado Software Association (CSIA).
Objective 3: Develop business-oriented mixed use development in accordance with Comprehensive Land Use Plan						
2002	Pursue economic development prospects for the I-25 corridor and US 36 corridors	Susan Grafton (CMO)	--	Ongoing	Ongoing	Staff continues to meet with potential developers.
Objective 4: Retain and expand current businesses						
1991	Work to eliminate vacancies and encourage new development in City offices and business parks	Susan Grafton (CMO)	--	Ongoing	Ongoing	Office vacancy rate is about 17% and light industrial vacancy rates are about 9%.
2002	Promote the sale and development of key City-owned parcels	Susan Grafton (CMO)	--	Ongoing	Ongoing	There is still active interest in the properties, but no contracts on the 14 acre Promenade parcel or the 5 acre Promenade East parcel. The 6 acre Park Centre parcel is under contract as part of the Barnum deal.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 5: Develop multi-modal transportation system that provides access to shopping, to employment centers						
2005	Work with RTD on FasTracks implementation plans for the City's three commuter rail stations	John Carpenter (CD), Matt Lutkus (GS)	\$10,000	50%	2Q 2011	Staff has been progressively working with consultants and RTD representatives on fine-tuning station locations, developing station and station-area plans and parking strategies for the South Westminster and Westminster Center stations. A plan was prepared for additional development at the Shops at Walnut Creek Commuter rail station. Staff is actively involved in the Northwest Rail planning efforts. A station area plan for the South Westminster Station is being finalized. An IGA with RTD is currently being negotiated for the South Westminster Station.
Objective 6: Develop a reputation as a great place for small and/or local businesses						
1998	Nurture and provide support to existing business to help them grow and prosper in Westminster	Susan Grafton (CMO), Becky Chandler (CMO)	--	Ongoing	Ongoing	During the months May through August, seven (7) businesses applied for training reimbursement. For the Capital Project Grant Program, seven (7) new applications were received and six grants have been issued. 2010 Business Retention Visits are underway and the 2010 Business Appreciation Event was held.
2002	Small business façade improvement program	Tony Chacon (CD)	\$50,000	Ongoing	Ongoing	Two inquiries have been received.
Objective 7: Revitalize Westminster Center Urban reinvestment Area						
2003	Facilitate a major transformation of the Westminster Mall property into a mixed use urban center	Brent McFall (CMO), Susan Grafton (CMO)	TBD	Ongoing	Ongoing	WURP team is in negotiations with Steiner + Associates for a Development Agreement. Macy's building was acquired in January. Communications continue with Mall ownership and all anchor tenants.

Capital Improvement Projects Relating to Strategic Plan Goal 4: STRONG, BALANCED LOCAL ECONOMY
Westminster Retail Initiative, Business Capital Project Grant Program, Small Business Façade Improvement Program

2010 Citywide Goals & Objectives

Third Period Update



GOAL 4: VIBRANT NEIGHBORHOODS AND COMMERCIAL AREAS

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 1: Develop TOD around commuter rail stations						
2005	Evaluate public infrastructure needs in South Westminster TOD Area	Andy Walsh (PW&U)	TBD	ongoing	Ongoing	Discussions with RTD re: utilities still proceeding and awaiting changes to TOD Plan. Staff has confirmed future water main needs in the area, and is working with RTD regarding needed sewer improvements. Infrastructure needs that have already been identified will be addressed as a part of the 2011-2015 capital project plan. Projected Target Completion Date changed to "Ongoing" as needs will continue to be identified as development plans are revised.
2005	Facilitate the development projects within the South Westminster transit oriented development (TOD) area, Westminster Crossing	Tony Chacon (CD)	TBD	Ongoing	Ongoing	Participated in development charette designing Adams County Housing Authority (ACHA) project. Initiated funding discussion, closed on acquisition of 7 acre vacant tract of land by TOD station.
Objective 2: Maintain and improve neighborhood infrastructure and housing						
2005	Work to protect federal Community Development Block Grant funding	Tony Chacon (CD), Matt Lutkus (GS)	--	Ongoing	Ongoing	The City received its CDBG allocation for FY 2010 of \$604,991, which is \$45,621 more than anticipated.
2003	Commence and complete Holly Park redevelopment project	Dave Loseman (CD)	TBD	60%	TBD	The site has been stabilized and is being maintained until the real estate market improves. The only remaining expenditures include maintenance of the vacant property.
2009	Public Graffiti Eradication and Education	Gary Pedigo (PD)	--	Ongoing	Ongoing	In 2010, the volume of graffiti declined. It is evident that the Graffiti Program has proven to have a positive impact in reducing graffiti within the City. Compared to 2009, the total square footage of graffiti removed decreased by 20% and the total cost to remove the graffiti has also decreased by 5%. It continues to take less than a day to remove the graffiti once it is reported by a citizen and/or discovered by City personnel. With the utilization of the two "real-time" surveillance cameras and active surveillance operations, the department is still able to capture Graffiti Vandalism in progress. During this reporting period, one arrest was made utilizing the surveillance cameras. In the future the Graffiti Program will expand the usage of the surveillance cameras throughout the department, which would allow Patrol, Traffic, Investigations and Special Enforcement Team to utilize the cameras more effectively and efficiently. The cameras will also be available in Dispatch so they can be monitored even when Officers are not conducting specific graffiti operations. Currently, the Neighborhood Services Specialist has a great rapport with schools within and surrounding the borders of the City as well as with School Resource Officers and Special Enforcement Team. This allows for better communication and quicker response to graffiti related problems.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 3: Preserve and restore historic assets						
2003	Continue to explore implementation of the plan to remove the existing metal and masonry buildings west of the Bowles House to create an expanded historic area focused on the Bowles House	Tony Chacon (CD)	TBD	90%	1Q 2011	A request for bids has been initiated.
2009	Rehabilitate the east porch of the Bowles House and repair a significant wall crack in the northeast corner of the house.	Patrick Caldwell (CD)	\$96,000	2%	2Q 2011	A contract with an architect to prepare construction documents and construction bidding are anticipated in 2011. Construction to occur in 2011.
Objective 4: Have Home Owners Association's and residents taking responsibility for neighborhood private infrastructure						
2010	Neighborhood Grant Program as part of the Community Enhancement Program	Kathy Piper (PRL)	\$50,000	Ongoing	Ongoing	The 2010 funding cycle included several neighborhoods receiving funding for landscape improvement projects; the following neighborhoods received grants: Legacy Ridge West (\$3,500), Cobblestone HOA (\$2,600), Reflections at Stratford (\$5,280), Westfield Village (\$2,850), and Park Rise at Summit Pointe (\$12,500).
Objective 5: Develop Westminster as a cultural art community						
2010	Complete stabilization of Shoenberg Farm Concrete Silo	Vicky Bunsen (CD)	\$94,410	0%	3Q 2011	A grant in the amount of \$71,033 has been awarded by the State Historical Fund. Construction plans are complete. The project will be bid in early 2011 and completed during the summer.
Objective 6: Have a range of quality homes for all stages of life (type, price) throughout the City						
2010	Provide a range of housing option in the community	Mac Cummins (CD)	--	Ongoing	Ongoing	City staff coordinate with various county, state and federal agencies on programs that help implement a variety of housing programs. Additionally, staff monitors how the City's percentage of low and moderate income housing relates to the north Denver metro region.
Objective 7: Strong community events and active civic engagement						
2010	Maintain quality community events	Peggy Boccard (PRL)	Various	Ongoing	Ongoing	Continue to provide community oriented special events to enhance quality of life and support convenient choices for an active, healthy lifestyle. Examples of events include: 4th of July; Westminster Faire; Community Pride Day; Holiday Tree Lighting and numerous other community enhancing activities.

Capital Improvement Projects Relating to Strategic Plan Goal 3: VIBRANT NEIGHBORHOODS AND COMMERCIAL AREAS
72nd Avenue Streetscape, Holly Park, Lowell Boulevard Corridor Enhancement, Roadway Master Plan Update, South Westminster Revitalization Projects, Quail Creek Channel Improvements, Hyland Village Sewer Upsizing, Cozy Corner Tributary No. 5 Channel Improvements

2010 Citywide Goals & Objectives

Third Period Update



GOAL 5: BEAUTIFUL AND ENVIRONMENTALLY SENSITIVE CITY

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
<i>Objective 1: Have energy efficient, environmentally sensitive city operations</i>						
2005	Continue to provide education opportunities for water conservation landscaping options in residential and business developments	Stu Feinglas (PW&U)	--	Ongoing	Ongoing	Staff is beginning to review the outdoor section of the City website with an eye to updating and providing more information. Planning has begun on education opportunities for 2011. Workshops on Water Efficient Landscaping and Water Conserving Irrigation Principles are being considered. The City also plans to participate in the 2011 Garden in a Box program which provides designs and plants to participants. The Garden in a box program and Water Efficient landscaping trainings were very successful in 2010.
<i>Objective 2: Reduce energy consumption citywide</i>						
2009	Phase II Energy Performance Contracts approved by City Council in May 2010; work commenced immediately; Facility improvements/energy savings upgrades underway for all AIGG and ARRA funded projects	Jerry Cinkosky (BO&M), Brian Grucelski (BO&M), Thomas Ochterski (BO&M)	AIGG \$2,517,094 ; ARRA \$468,700	45%	1Q 2011	This project is the second phase of the energy performance contract conducted and implemented in 2007 and 2008. Siemens Energy will be making retrofits, enhancements, and improvements to various City facilities to reduce the City's energy consumption. Phase II energy retrofits scheduled to be completed by February 2010. Coordination of energy retrofits and improvements underway. Substantial completion of the entire project scheduled for early Spring 2011.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 3: Increase green space (parks, open space, etc.) consistent with goals						
2007	Work with surrounding communities to build support for a regional trail system linking to the Rocky Flats Wildlife Refuge	Heather Cronenberg (CD), Rich Dahl (PRL)	--	80%	TBD	Staff has been working with the surrounding communities to form a coalition to protect open space and construct trails around and into Rocky Flats. All surrounding communities have expressed support for the trail connection idea. Westminster was awarded \$488,000 from Natural Resource Damage Funds associated with Rocky Flats towards the acquisition of a property in the Westminster Hills Open Space area on the east side of the refuge. The trail project is currently on hold due to other priorities between the US Fish and Wildlife Service and the surrounding communities. The communities are currently working on possible land swaps to protect some portion of Section 16 through use of National Resource Damage Funds (NRD). Staff will follow up on the trail connection project after the NRD funds are allocated.
2004	Participate in the wildlife refuge planning process for the Rocky Flats National Wildlife Refuge (RFNWR) with RFSC and Fish and Wildlife Service on mineral rights acquisition and proposals for the use of the NRD funds set aside for the RFNWR; work with the recently organized community "Friends Group" name Friends of the Front Range Wildlife Refuges, with SPC helped organize in 2008 to provide support and assistance to the USFWS	Ron Hellbusch (PW&U)	\$75,000	Ongoing	Ongoing	The SPC is also working with Community Development Open Space staff and RFSC board in evaluating potential open space and land conservation project alternatives that could be funded by the \$4.5M Natural Resource Damage Fund available for the RF site; and with USFWS staff to encourage additional and timely funding for the RF National Wildlife Refuge to implement the Comprehensive Conservation Plan (the master plan for the development of facilities, trails & other visitor features at the Refuge).
2005	Continue to acquire property within the Little Dry Creek flood plain between Federal Boulevard and Lowell Boulevard for the potential development of a park/open space trail corridor in the area	Tony Chacon (CD)	\$1,800,000	100%	4Q 2010	Closed on purchase Barnum Publishing property in Little Dry Creek valley east of Lowell Boulevard. All essential properties have now been acquired. Project completed.

Initiated	Actions	Assigned To	Projected Cost	Percent Complete	Target Completion Date	Notes
Objective 4: Preserve vistas and view corridors						
2003	Apply for grants from Adams County, Jefferson County, GOCO and others	Heather Cronenberg (CD), Rich Dahl (PRL), Becky Eades (PRL), Kathy Piper (PRL), Sarah Washburn (PRL)	--	Ongoing	Ongoing	The City requested and received the following grants in 1Q 2010 from Adams County: \$790,000 for the acquisition of Lot 11 in Park Centre, \$345,900 for the Metzger Farm master plan, and \$70,000 for the Little Dry Creek dog park. The City requested the following grants in 3Q 2010 from Adams County: the Swim and Fitness Center for \$999,117 and Savory Farms for \$282,000. The board denied funding for the Savory Farms grant request and provided \$205,000 towards the Swim and Fitness Center request. In 4Q 2010 the City was denied \$374,154 from GOCO towards a grant request for tennis court & playground renovations at Countryside Park. The City was awarded \$771,000 towards the acquisition of the Sisters of the New Covenant property for open space.
Objective 5: A convenient recycling program for businesses and residents with a high level of participation						
2002	City-wide recycling drop off locations	Jerry Cinkosky (BO&M), Rachel Harlow-Schalk (GS)	\$30,000	15%	Ongoing	As recommended by the Green Team and agreed to by the Environmental Advisory Board (EAB), Environmental Services hired Skumatz Economic Research Associates (SERA) to conduct a citywide evaluation of trash and recycling for businesses and residents. Opportunities to improve the city's recycling program were identified (25), 9 were further evaluated for implementation and 4 were recommended for implementation review. These 4 include: requiring all haulers to offer recycling to multifamily units, requiring all haulers to offer recycling to businesses, setting a diversion rate goal for the city and establishing a pay-as-you-throw trash collection system as a revision to the Solid Waste Collection Code. The EAB will convene a Study Committee in December to evaluate whether to pursue further consideration of the 4 selected opportunities. No changes to the recycling drop-off locations are being evaluated at this time. The City is anticipated to receive a \$5,197 rebate in the 4th quarter from the State of Colorado's Pollution Prevention Program for offering the drop-offs--the drop-offs are anticipated to cost over \$25,000 to provide.

Capital Improvement Projects Relating to Strategic Plan Goal 5: BEAUTIFUL AND ENVIRONMENTALLY SENSITIVE CITY
Standley Lake Regional Park, Community Enhancement Program, Open Space Land Acquisition, Parks Renovation Program, Recreation Facility Improvements



WESTMINSTER

Staff Report

Information Only Staff Report
March 7, 2011



SUBJECT: Federal Legislative Issues Guide

PREPARED BY: Rachel Harlow-Schalk, Environmental and Administrative Services Officer
Matt Lutkus, Deputy City Manager

Summary Statement:

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

In preparation for the National League of Cities' 2011 Congressional City Conference, Staff has prepared the attached guide to highlight the City of Westminster's Federal Legislative Priorities.

Expenditure Required: \$0

Source of Funds: N/A



Background Information:

In preparation for the National League of Cities' 2011 Congressional City Conference, Staff has prepared a guide to highlight the City of Westminster's Federal Legislative Priorities. The following topics are addressed in the 2011 guide:

- Transportation Funding
- Collective Bargaining
- Internet Sales Taxation
- Energy Economy
- Community Development Block Grant (CDBG) Funding

City Council is encouraged to read through the attached issue summaries and the Council contact information and provide any Rachel Harlow-Schalk at rharlow@cityofwestminster.us or 303-658-2189, by Wednesday, March 9, 2011. This is draft text and Staff can make modifications to the language before final distribution if necessary.

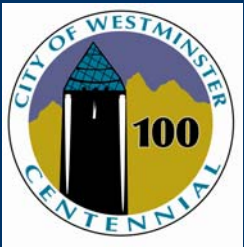
During the drafting of this Guide, Staff requested the review of Congressman Jared Polis' Staff to receive feedback on the ways in which Westminster is communicating with his office and how we can improve or modify the guide. Polis' Staff were supportive of the recommendations and are "on-board" with all of Council's priorities.

In addition to any meetings Council has with Congressman Polis while at the Conference, on May 16, 2011 Congressman Polis has been scheduled to attend the Council Study Session to discuss federal legislative matters.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment



2011 Federal Legislative Issues Guide City of Westminster

2011 FEDERAL PRIORITIES

Transportation Funding

Collective Bargaining

Internet Sales Taxation

Energy Economy

Community Development
Block Grant Funding



WESTMINSTER

City of Westminster
4800 W 92nd Avenue
Westminster, CO 80031
(303) 658-2016

Fax: (303) 706-3921

westycmo@cityofwestminster.us

Web: www.cityofwestminster.us

CITY COUNCIL CONTACTS

STAFF CONTACTS

Mayor Nancy McNally
email: nmcnally@cityofwestminster.us
home: (303) 469-4707

Mayor ProTem Chris Dittman
email: chrisedittman@comcast.net
home: (720) 887-5969

City Manager Brent McFall
email: bmcfall@cityofwestminster.us
phone: (303) 658-2010

Councillor Bob Briggs
email: bbriggs@cityofwestminster.us
home: (303) 429-2156

Councillor Mark L. Kaiser
email: MLKDDK@msn.com
home: (303) 427-8367

Assistant City Manager Steve Smithers
e-mail: ssmithers@cityofwestminster.us
phone: 303-658-2014

Councillor Faith Winter
email: faithwinter@gmail.com
home: 303-594-5594

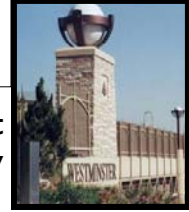
Councillor Scott Major
email: smajor@cityofwestminster.us
cell: 720-323-7787

Deputy City Manager Matt Lutkus
email: mlutkus@cityofwestminster.us
phone: (303) 658-2152

Councillor Mary Lindsey
email: mlindsey@cityofwestminster.us
home: 303-429-7666

DELIVERING EXCEPTIONAL VALUE AND QUALITY OF LIFE

Transportation Funding



The City of Westminster Urges our delegation to support significant funding for FasTracks, U.S. 36 and north Interstate 25 highway improvements in the next Transportation Authorization Act.

U.S. 36 and I-25 Corridor Congestion Relief Funding

The US 36 and North I-25 corridors represent two of the worst traffic congestion challenges facing one of the fastest-growing metropolitan areas in the western states. These major transportation corridors have experienced unprecedented levels of growth over the last 15 years. Significant growth is impeding the movement of people and goods along these corridors as adjacent communities evolve from rural to urbanized areas.

- The City believes strongly that FasTracks needs to be built as the complete system that was approved by the Regional Transportation District (RTD) voters in 2004.
- Significant milestones were achieved last year when the Obama Administration announced a \$300 million Federal loan for Denver Union Station and a Full Funding Agreement for \$1 billion for the East and Gold lines which includes a Northwest commuter rail segment to south Westminster. Year 2010 revenue and expenditure projections show that RTD still needs \$2.45 billion to complete the entire FasTracks System. Unfunded corridors include the Northwest and North Metro Rail lines, two commuter lines that will significantly benefit north area communities. The City urges our delegation to support measures that will assist in allowing Federal funds to be used to supplement voter-approved FasTrack monies.
- Both the US 36 Environmental Impact Study (EIS) and Record of Decision (ROD) were completed in late 2009. This milestone and the significant time and energy that the Colorado Department of Transportation (CDOT) has devoted to making this program “shovel ready,” position this as a viable project for major Federal funding.
- CDOT and the US 36 Mayors/Commissioners Coalition (US 36 MCC) previously submitted grant applications for congestion relief along this corridor. The cities along the corridor are delighted with the TIGER Grant award and the opportunity that CDOT has to apply for Federal-guaranteed loan through TIFIA. With funding from the U.S. Department of Transportation through these grants, Colorado State funding through the Regional Transportation District and toll revenue, significant reductions in congestion could be possible. The City urges our delegation to support these and other grant applications submitted for US 36.
- Interstate 25 in the northern suburbs of Denver carries some of the highest traffic volumes in the Denver-metro area. Yet, the long term plans for the corridor improvements fall short of addressing the present and projected congestion along this stretch of highway. CDOT is currently initiating an accelerated environmental review process that will ultimately provide the clearances needed to begin funding, design and construction of improvements on I-25 from US 36 to E-470. The City requests that our Congressional delegation support funding for improvements along this very important Interstate highway corridor.

Collective Bargaining



The City of Westminster urges our Congressional delegation to respect the long-standing principal of non-interference in matters involving employee-employer relations that exists between federal, state and local governments. The City of Westminster urges Colorado Representatives to vote “no” on actions that will impact these relations and other local control matters.

Non-interference in Employee-Employer Relations

Given that different communities across the country have very different needs, municipalities should be free to mold their policies to their communities’ specific circumstances. The City of Westminster supports the principle of local control in employee-employer relations.

- In April of 2010 S. 3194 was introduced into the Senate and in July 2010 the Public Safety Employer-Employee Cooperation Act was added as an amendment to H.R. 4899, but was removed before the bills final passage later that month. Finally, in December 2010 the Senate failed, in a vote, to invoke cloture on S. 3991, falling five votes shy of bringing the bill to a final vote for passage. These actions would have mandated collective bargaining for all police, fire and emergency medical workers in communities throughout the country. Periodically, attempts are made in Congress to mandate how we must address employment issues with our employees. These mandates are an unwelcome and unnecessary intrusion into local affairs.
- Westminster maintains the highest levels of communication and cooperation between management and frontline personnel, and works to resolve issues with fair, reasonable, and equitable actions. We listen to each employee and do not need a federally mandated single voice to speak on behalf of all public safety employees.
- Federal legislation in this area relies on an erroneous underlying assumption that, in general, local governments shortchange employees on wage and hour issues. Local governments including Westminster, have been providing quality work environments with exceptional compensation packages for many years.
- Westminster has spent many years developing a performance management system that has resulted in improved services to our citizens and clear and fair expectations of our employees. This system of employment is undermined by a collective bargaining system where promotions are based on seniority versus performance.
- The City of Westminster urges our delegation to vote “no” on federal mandates on collective bargaining. Local employment decisions should be made at the local level and the votes of citizens in municipalities should not be superseded or overwritten by Federal legislation. There are other more productive ways to show support for these fine individuals who serve our communities.



Internet Sales Taxation



The City of Westminster urges our Congressional delegation to pass enabling legislation permitting state and local governments to require Internet retailers collect sales taxes, and refrain from enacting and/or supporting the repeal of legislation that “federalizes” state and local sales tax systems.

Stop the unfair advantage internet businesses have over main street

Independent businesses work to bring economic and cultural enrichment to civic life. They support local economies by making purchases from other local businesses, providing employment opportunities to residents, and banking at local banks. Many Internet businesses evade these responsibilities, which are critical to the survival of communities and local economies. In addition, it is discriminatory when one class of business must collect taxes for selling the same products and services to the same people in the same markets as another “protected” class.

- Sales and use tax revenue is the primary source of funding for City of Westminster services and operations. Sales and use tax revenues provide close to 65% of Westminster’s general fund revenues. Like other governments, the City has been under tremendous budgetary pressure for the past eight years, struggling to maintain services despite declining revenues. General sales and use tax collections in 2009 were 11% below 2001 collections. During the same period, the City’s population grew by 8%.
- The increase in electronic commerce continues to erode Westminster’s sales tax revenue base. Even in the current economic climate, online sales continue to be healthier than traditional retail sales. The U.S. Census Bureau reports that total retail sales for 2009 decreased by 7.0% from 2008, while e-commerce sales increased by 2.0% over the same period. E-commerce sales in 2009 accounted for 3.7% of total sales.
- Existing Federal Legislation prohibits local government from imposing sales and use taxes on Internet access charges and satellite television services. This preemption from taxation is no longer necessary to promote the growth of these two ubiquitous industries. In addition, the satellite television exemption creates an inequity in the pay television industry by applying the tax differently when an identical service is delivered through different means. As consumption moves from a product based to more service based, local governments must retain flexibility in their taxing authority to continue to generate critical revenues.
- Westminster continues to work with other Colorado municipalities and the Colorado Municipal League to standardize and streamline sales and use tax practices for businesses. Past efforts include the creation of standardized definitions and uniform administrative practices, and Westminster City Council approval of “hold harmless” protection for vendors utilizing a State of Colorado certified address database. The City has also been a leader in applying technology to sales and use tax collections, developing the first municipal online sales tax filing service in the State of Colorado. This service simplifies and makes tax collection significantly more convenient for businesses.
- The City of Westminster strongly supports appropriate legislation allowing state and local governments to require businesses to collect sales and use taxes on items purchased over the Internet. The City of Westminster opposes legislation that preempts local authority to impose and collect sales and use taxes, including tax on Internet sales, Internet access charges, and other goods and services.



Energy Economy



The City of Westminster is grateful for all of the work put in to passing the American Recovery and Reinvestment Act that included significant funds for energy efficiencies and the creation of a new energy economy. The City believes the Colorado delegation has an exciting opportunity to assist economic development in Colorado by providing additional opportunities for the creation and utilization of new energy resources such as wind power, solar power and biomass energy in the Centennial state.

Energy Resource Development Supports Economic Development

The City of Westminster is grateful for all of the work put into passing the American Recovery and Reinvestment Act that included significant funds for energy efficiencies and the creation of a new energy economy. The City believes that the Colorado delegation has an exciting opportunity to assist economic development in Colorado by providing additional opportunities for the creation and utilization of new energy resources such as wind power, solar power, and biomass energy in the Centennial state.

- Colorado is positioned to lead this new economy because of its great energy resources. Top research institutions are located near each other, creating a critical mass of learning, advancement, and research. The State continually gains new residents who are willing and able to work in this new sector of the economy, and other resources, both natural and man-made, are readily available.
- The City has taken various steps over recent months to increase its efforts in greening City operations and City services, including the establishment of an internal “Green Team.” This group works to provide educational opportunity and information to staff and Council, and to provide suggestions for operational and policy changes that will result in a much more energy efficient local government.
- In addition, the City has effectively utilized funds from the American Recovery and Reinvestment Act to increase energy efficiency in City facilities; increased use of residential rebates for efficiency measures; supported local businesses with efficiency incentives; created long-term plans for alternatives to fossil fuel consuming automobiles; stimulated the use of public transportation and carpooling; and helped to educate the public with an array of outreach, classes, and hand-on training toward better efficiency in the commercial and residential sectors.
- While a new energy economy is more of a journey rather than a destination, it is important to continue and enhance current efforts to change the way Americans and Coloradans receive and use energy. The Colorado delegation can help make our state the centerpiece of the new energy era by building on existing resources such as NREL to help ensure that advancements in the new energy economy start at home, in Colorado. All of these efforts are vital to strengthening the economic health of the citizens of this State.



Community Development Block Grant Funding

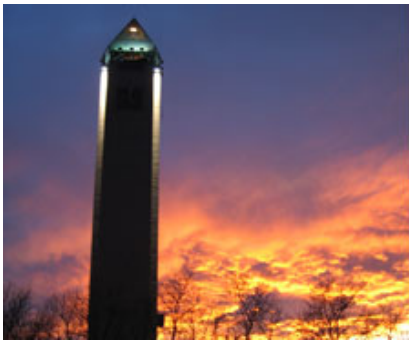


The City of Westminster appreciates recent efforts to maintain funding available to local governments through the Community Development Block Grant program. This section contains a few examples of projects that used CDBG funds and requests the delegation protect current CDBG Funding levels.

Protect the Community Development Block Grant Program

The City of Westminster strongly supports protecting current levels of Community Development Block Grant (CDBG) funding. CDBG has proven to be a very effective program in addressing the economic and social issues of neighborhood revitalization in Westminster. While the City recognizes the challenges of allocating scarce resources, we strongly believe that CDBG is a priority program that eliminates blight, increases affordable housing stock, and generates economic investment.

- CDBG funding has provided the City with a significant source of funding to address increasingly pressing social and infrastructure needs in the oldest neighborhoods, which are home to the highest percentages of low-income residents. The City has used annual CDBG funding to plan, design and build new street and pedestrian infrastructure, parks, community gathering places, and a new library. The City has also utilized CDBG funds to restore historic landmarks. In many projects, CDBG funding is leveraged with other funding contributions from a variety of other local and state sources.
- Streetscape improvements in the southern part of Westminster represent a great example of the utilization of CDBG funds. Those improvements have spurred the development of the first new affordable housing in the area in 35 years. Without the CDBG funds, the developer, Community Builders, Inc. would not have proceeded with the project providing 62 townhouse units and 12,000 square feet of commercial space in the City's historic center. Because of CDBG, the City was able to make the necessary improvements.
- The City's CDBG program provides invaluable funding for its Emergency and Minor Home Repair program that provides grants to low-income households. The funds leverage other sources of funds from a participating non-profit community services group.
- A clear additional benefit created by these CDBG expenditures at the local level is the support these dollars provide for private sector jobs.



City of Westminster Strategic Plan Goals



Financially Sustainable City
Government Providing
Exceptional Services



Safe and Secure
Community



Vibrant Neighborhoods In One
Livable Community



Strong, Balanced Local
Economy



Beautiful and Environmentally
Sensitive City

Thirty-three square miles in size, and the seventh largest City in Colorado by population, the City of Westminster is located in both Jefferson and Adams counties. The City is home to a well-educated workforce, excellent public schools, and four colleges. Dramatic mountain views and generous open space, trails, parks, and golf courses capitalize on Colorado’s outdoor-oriented lifestyle. Westminster fosters a sense of community through its recreation and community centers, libraries, and programs/classes.

Westminster’s progressive council/manager form of government adopted by its citizens in 1958 is consistently recognized for excellence in management and delivery of municipal services to businesses and residents, without the need for additional service districts and taxing authorities. The City provides police, fire, parks, recreation, library, streets, water, and wastewater services.

Westminster enjoys some of the highest bond ratings in the state with consistent A and AA bond ratings from the leading national rating agencies. Originally adopted in October 2008 and amended in October 2009 to reflect the current recession, Westminster’s budget for 2011 totals \$162 million. The City continues to budget conservatively and works to provide exceptional services within limited financial resources. The City’s property tax mill levy remains unchanged for the eighteenth consecutive year at 3.65 mills, one of the lowest in Colorado.

Increasing and preserving green space is a high priority in Westminster. In November 2006, Westminster voters approved an extension of the Parks, Open Space, and Trails 1/4th cent sales tax, allowing the City to issue \$20 million in bonds for the maintenance and expansion of the City’s existing 63 miles of trails, 2,928 acres of open space, and 65 community parks and facilities.

Westminster is well planned with beautiful residential neighborhoods and streetscapes, enhanced landscaping, and interesting architectural details. With three distinct shopping districts, Westminster has one of the largest concentrations of retail development in the region from large department stores to boutique shopping, as well as exciting entertainment venues and restaurants.

With the approval of RTD’s FasTracks program, the City is planning Transit Oriented Developments (TOD) at rail stations that will be located in South Westminster, City Center (adjacent to the Westminster Urban Reinvestment Area site), and at Walnut Creek. The planned rail stations in South Westminster and at the Westminster Urban Reinvestment Area both promise to provide exciting opportunities for major redevelopment at those sites.

A recipient of the International Livable Communities Award and noted as one of *Money Magazine’s* “Top 100 Places to Live,” Westminster is a great place to live, work, and play. The City has been named one of the most digitally savvy, cutting edge communities in the nation, recognized for its extensive use of information technology to deliver quality service to its citizens. In 2007, the City of Westminster’s Parks, Recreation and Libraries Department won for the third time the Grand Award Gold Medal presented by the American Academy for Park and Recreation Administration and the National Recreation and Park Association for excellence in parks and recreation management.

