



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council
DATE: November 25, 2015
SUBJECT: Study Session Agenda for November 30, 2015
PREPARED BY: Donald M. Tripp, 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)

CITY MANAGER'S REPORT

PRESENTATIONS

- 1. 36 MCC Proposed State Lobbyist & Distribution of DRCOG TIP funds for FasTracks/ Northwest Rail
2. Discussion of the City's Good Neighbor Insurance Claims Policy
3. Emergency Preparedness Orientation - Verbal
6:30 P.M.

EXECUTIVE SESSION

None at this time.

INFORMATION ONLY ITEMS

- 1. 2015 Third Quarter City Council Expenditure Report
2. Proposed Community Development Block Grant Projects for the 2016 Action Plan

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,

Donald M. Tripp
City Manager

NOTE: Persons needing an accommodation must notify the City Manager's Office no later than noon the Thursday prior to the scheduled Study Session to allow adequate time to make arrangements. You can call 303-658-2161 /TTY 711 or State Relay or write to mbarajas@cityofwestminster.us to make a reasonable accommodation request.



Staff Report

City Council Study Session Meeting
November 30, 2015



SUBJECT: US36 MCC Proposed State Lobbyist and Proposed Allocation of DRCOG TIP Funds for FasTracks/Northwest Rail

PREPARED BY: Barbara Opie, Assistant City Manager

Recommended City Council Action

1. Provide direction on City participation in the US 36 Mayors & Commissioners Coalition (US36 MCC) proposal to contract with Axiom Strategies Inc. for State legislative, governmental and political consulting.
2. Provide direction on the US36 MCC proposal to allocate Denver Regional Council of Governments (DRCOG) Transportation Improvement Program (TIP) Funds for FasTracks/Northwest Rail corridor improvements as proposed.

Summary Statement

- The US36 MCC has been working together over the last approximately 15 years to promote multimodal transportation improvements to the US36 corridor. The current composition of this coalition includes Adams County, Boulder County, City and County of Broomfield, Cities of Boulder, Lafayette, Longmont, Louisville, and Westminster and the Towns of Erie and Superior. The US36 MCC recently contracted with 36 Commuting Solutions to provide administrative services to the group.
- US36 MCC has contracted for many years with a federal lobbyist to assist with efforts to promote multimodal initiatives along the corridor, including BRT, funding to extend the HOV/managed lanes to Boulder and commuter rail. Westminster did not participate in funding and federal lobbying efforts in 2015.
- US36 MCC is interested in contracting a lobbyist at the state level for 2016. US36 MCC is considering contracting with Axiom Strategies Inc. A copy of the proposed scope of work is attached to this Staff Report.
- Separately, US36 MCC is also interested in moving forward with proposing an allocation split for DRCOG's TIP funding for the Northwest Rail project. All entities in the affected corridor need to agree with the proposed split and the corridor is reaching consensus on the proposal attached. Staff is seeking City Council's support on the proposal.

Expenditure Required: \$3,600-\$8,500

Source of Funds: General Fund – Central Charges Operating Budget

Policy Issues

- Does City Council concur with participating with the US36 MCC partners in hiring a lobbyist to assist with efforts at the State level associated with promoting multimodal efforts along the US36 corridor as proposed, including funding at some level ranging from \$3,600-\$8,000?
- Does City Council concur with the supporting the proposed allocation of DRCOG TIP whereby the entities along the corridor agree to utilize this federal funding to make improvements to the rail line, including the allocation of approximately an additional \$689,409 to Westminster for the implementation of quiet zone improvements or other improvements supporting the Northwest Rail?

Alternatives

- City Council could choose not to participate in the US36 MCC efforts through a lobbyist at the State level. This is not recommended as this would make participation in the US36 MCC more difficult and provide potential conflicts within the corridor. Ensuring a unified voice at the State level for this corridor has been critical to its success in moving multimodal initiatives forward.
- City Council could choose not to support the current funding allocation split and/or the proposal to utilize DRCOG TIP funds for potential quiet zone improvements throughout the corridor and specifically within Westminster. While the letter states support to implement quiet zones, it also provides opportunities for the entities with proposed funding to utilize it for other improvements that are consistent with the final implementation of the Northwest Rail, providing flexibility to return to DRCOG with alternative uses should quiet zones not be City Council's priority.

Background Information

The US36 MCC has been working together over the last 15 years to promote multimodal transportation improvements to the US36 corridor. The current composition of this coalition includes Adams County, Boulder County, City and County of Broomfield, Cities of Boulder, Lafayette, Longmont, Louisville, and Westminster and the Towns of Erie and Superior. The US36 MCC recently contracted with 36 Commuting Solutions to provide administrative services to the group.

The priority as discussed with City Council over the years is the overall improvement of multimodal transportation throughout the US36 corridor and completion of the Northwest Rail Line (commuter rail service) to Longmont as approved by the voters in 2004 under the FasTracks ballot measure. The Northwest Rail Line is a 41-mile high-capacity, fixed-guideway transit project from Denver Union Station to Longmont, passing through North Denver, Adams County, Westminster, Broomfield, Louisville and Boulder. The first 6.2 mile segment of the Northwest Rail Line from Denver Union Station to the Westminster Station (located at approximately 69th Avenue and Grove Street) is funded as part of the Eagle P3 project and scheduled for completion in mid-2016. The completion of the commuter rail service to Longmont remains the highest priority.

Proposal for State Lobbying Efforts

US36 MCC has contracted for many years with a federal lobbyist to assist with efforts to promote multimodal initiatives along the corridor, including BRT, funding to extend the HOV/managed lanes to Boulder and commuter rail. Westminster participated in the federal lobbyist contract through 2014, paying \$23,340 annually towards the contract with Grayling (formerly The Dutko Group) with six members along the corridor (Boulder County, City/County of Broomfield, City of Boulder, City of Louisville, and Town of Superior). For 2015, the City chose not participate in funding and federal

lobbying efforts. The US36 MCC is looking to renew its federal lobbying contract again for 2016. Based on direction from City Council, Staff has informed US36 MCC that Westminster does not plan to participate in this federal lobbying effort again in 2016.

US36 MCC has expanded to include the following partners: Adams County, Boulder County, the City and County of Broomfield, the City of Boulder, the City of Lafayette, the City of Longmont, the City of Louisville, the Town of Superior, and the City of Westminster.

As efforts over the years to move the interests of the corridor forward at the State level have had mixed success, US36 MCC is evaluating the contracting with a lobbyist to assist with efforts at the State level for 2016. Requests for proposals were distributed and two firms submitted proposals. Staff conducted interviews on October 29, conducted reference checks and is recommending contracting with Axiom Strategies Inc. for \$36,000 in 2016. Their contract cost would be split between the governmental entities along the corridor who concur based on a formula that staff is currently refining. Staff estimates that the cost for Westminster would range from \$3,600-\$8,500 depending on how many of the ten governmental entities participate and if the cost is prorated based on population or some other variable. Funds are available within the Central Charges budget to cover this expense.

The Axiom proposal would tap their President, Micki Hackenberger, and Legislative Director, Melissa Osse, as the primary lobbying team for the corridor. Melissa Osse would serve as the lead for US36 MCC. Ms. Osse served as the Legislative Liaison for the Colorado Department of Transportation (CDOT) for 2007-2012 where she was responsible for executing the Executive Branch's annual policy agenda. She led the legislative effort to pass FASTER (SB09-108) and the creation of the Division of Transit and Rail (SB08-094).

Staff developed a proposed scope of work based on the consensus finding from the Northwest Area Mobility Study (NAMS) conducted during 2013-2014. The proposed scope of work for Axiom is based on the NAMS consensus letter from the US36 MCC. A copy of both the proposed scope of work and the final US36 MCC NAMS Consensus Letter from 2014 is attached to this Staff Report.

Staff anticipates that 2016 will be a heavy transportation year for the State. There are many conversations relating to various aspects of transportation evolving at the legislature as well as within CDOT and other groups. If there is another attempt for a potential transportation bond measure, revenues being available for highway and transit should funding sources gain enterprise status, etc., the US36 MCC wants to ensure that the US36 corridor is a part of any funding initiative moving forward. The US36 MCC believes that it is becoming more critical to have representation at the State legislature, with RTD, CDOT, HTPE and other governmental groups involved in transportation efforts to ensure this corridor's priorities are part of any efforts moving forward. Staff recommends participating with the lobbying efforts of the US36 MCC at the state level in 2016 to ensure Westminster's interests are represented.

Proposed Allocation of DRCOG TIP Funds for FasTracks/Northwest Rail

In 2008, DRCOG allocated \$8,003,000 of TIP funds for the Northwest Rail Line. DRCOG stipulates that all entities along this corridor reach consensus on how these funds are to be utilized. The Northwest Corridor Partners includes Adams County, Boulder County, Jefferson County, the City and County of Broomfield, the City and County of Denver, the City of Arvada, the City of Boulder, the City of Lafayette, the City of Longmont, the City of Louisville, the City of Superior, the City of Westminster, the Colorado Department of Transportation, and the Regional Transportation District for the purposes of the DRCOG TIP funding.

Staff Report – 36MCC Proposed State Lobbyist and Proposed Allocation of DRCOG TIP Funds for FasTracks/Northwest Rail

November 30, 2015

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In 2012, the Northwest Corridor Partners agreed to support the request to utilize \$1.2 million towards project betterments associated with the Northwest Electrified Segment (NWES) and Westminster Station (for the addition of an elevator at the Station platform and a pedestrian bridge to the south of the Station).

The remaining \$6,803,000 will be available in DRCOG’s 2016 and 2017 funding cycle. The corridor is anxious to identify appropriate projects for the Northwest Rail Line and earmark these funds moving forward. As such, the US36 MCC have developed a proposed funding split based on an average of the number of quiet zones identified in a RTD study of the corridor and an even split for entities impacted by the rail line. This results in the following proposal (staff is hoping to round these numbers); Westminster and Adams County’s allocations are adjusted to reflect the 2012 allocations:

Adams County	\$111,340.28	(\$500,000 was previously allocated)
Boulder	\$1,055,951.39	
Boulder County	\$1,389,409.72	
Broomfield	\$944,798.61	
Lafayette	\$611,340.28	
Longmont	\$1,055,951.39	
Louisville	\$944,798.61	
Westminster	\$689,409.72	(\$700,000 was previously allocated)
	<u>\$6,803,000.00</u>	<u>(\$1,200,000 was previously allocated)</u>

As was done in 2012, a consensus letter from all of the entities in the affected corridor need to agree with the proposed split. The corridor is reaching consensus on the proposal reflected above. A copy of the draft consensus letter is attached for City Council’s review. Staff believes this is a fair split given all of the complicating factors throughout the corridor and recommends City Council’s support on the proposal.

Staff will be in attendance at Monday’s Study Session to answer questions and obtain City Council’s direction on these two items.

Reviewing these US36 MCC proposals to contract with a state lobbyist and proposed allocation of DRCOG TIP Funds for FasTracks/Northwest Rail supports the City’s 2015 Strategic Plan Goals: Visionary Leadership, Effective Governance and Proactive Regional Collaboration by working with our regional partners and Ease of Mobility to promote multimodal improvements to the US 36 corridor.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachments:

- A1 – Draft Scope of Work for 36MCC State Lobbyist
- A2 – Final US36 MCC NAMS Consensus Letter dated 4/9/2014
- B – Draft letter to DRCOG re TIP funding

US36 MCC State Lobbyist Proposed 2016 Project Goals

Specific Action Steps

1. US 36 BRT System
 - a. Church Ranch Boarding Platforms
 - b. Improvements to Westminster Center Pedestrian Bridge
 - c. Structured Parking in Broomfield
 - d. First and Final Mile Connections
 - e. Operating Plan Improvements
 - f. Bus-on-Shoulder legislation

2. Arterial BRT
 - a. State Highway 119 from Longmont to Boulder is the highest priority arterial BRT corridor.
 - b. State Highway 7 connecting North I-25/North Metro Park-n-Ride/Northglenn, Broomfield, Erie, Lafayette and Boulder
 - c. State Highway 287 connecting Longmont, Lafayette and Broomfield to the US 36 Corridor
 - d. South Boulder Road connecting Lafayette and Louisville to Boulder
 - e. 28th Street/Broadway (connecting US 36 BRT and South Boulder Road BRT to Boulder Junction/14th & Walnut)
 - f. Improved transit connection from Louisville/Lafayette/Superior/Broomfield to US 36 via SH 42/95th Street.
 - g. 120th Avenue between Broomfield Park-n-Ride and Adams County Government Center

3. North I-25 Bidirectional Infrastructure Improvements Connecting to DUS
 - a. BOS Study
 - b. Coordination with RTD and CDOT and MCC federal lobbyist on future funding opportunities for short and long term implementation measures
 - c. FASTER funding

4. Northwest Rail
 - a. Review Progress and Promote/Pursue Creative Implementation Strategies for Earlier Timeline
 - Ensure NAMS priority projects on any “lists” at the State level that might move forward at the Legislature or onto the ballot
 - Attend/have a presence at CDOT, HTP, DRCOG, and RTD in addition to the State Legislature
 - Coordinate with federal lobbyist team, as appropriate

*US 36 Mayors/Commissioners Coalition
(MCC)*

<i>Boulder County</i>	April 9, 2014
<i>City of Boulder</i>	RTD Board of Directors
<i>City & County of Broomfield</i>	Mr. Phil Washington, General Manager, RTD NAMS Policy Advisory Committee Members
<i>City of Louisville</i>	Greetings,
<i>Town of Superior</i>	The US36 Mayors and Commissioners Coalition, expanded to include Longmont, and the 36 Commuting Solutions Board of Directors are pleased to provide you with a copy of the "NAMS Local Stakeholder Consensus Document."
<i>City of Westminster</i>	

The local stakeholders thank RTD and our other regional partners for working with us through the Northwest Area Mobility Study (NAMS) on this challenging consensus process. Collectively, we believe that the priorities reached through this consensus approach are realistic and equitable, while respecting the will of the voters in 2004.

Local stakeholders actively participating in the NAMS have spent significant effort working together to develop a path forward on transit investments in the Northwest Corridor. Following much discussion, debate and deliberation we have come to a consensus predicated on the information received to date through the NAMS process. The consensus is based on the technical analysis and data developed through this process, as well as the consideration of the uncertainty associated with Burlington Northern Santa Fe (BNSF) and other challenges.

Recognizing that conditions change with time, the local stakeholders support periodically exploring creative and alternative implementation strategies for all elements identified in NAMS as circumstances effecting feasibility, costs, ridership, and funding sources, evolve.

We believe that the public expects and deserves visible cost effective mobility improvements in the short term that will form the foundation of our long term transportation system while honoring the vision of rail connecting the corridor communities to each other and the Denver region expressed in the 2004 FasTracks plan approved by the voters.

To that end, we recognize that FasTracks funding should be targeted towards those Northwest corridor improvements identified in the FasTracks system approved by the voters in 2004. FasTracks funding should therefore be used to build and operate the US 36 BRT

system as well as those improvements that are consistent with implementation of Northwest Rail from Westminster to Longmont and other, non-FasTracks funding sources should be targeted toward those improvements that are not consistent with the FasTracks plan.

We also firmly believe that RTD should focus any further FasTracks investments in the Northwest Corridor prior to using FasTracks funds for improvements or equipment replacement in any other corridor.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert Muckle". The signature is fluid and cursive, with the first name "Robert" and last name "Muckle" clearly distinguishable.

Robert Muckle
Mayor of Louisville

NAMS LOCAL STAKEHOLDER CONSENSUS DOCUMENT

US36 Mayors and Commissioner Coalition 36 Commuting Solutions

April 7, 2014

The local stakeholders thank RTD and our other regional partners for working with us through Northwest Area Mobility Study (NAMS) on this challenging consensus process. Collectively, we believe that the priorities reached through this consensus approach are realistic and equitable, while respecting the will of the voters in 2004.

Local stakeholders actively participating in the NAMS have spent significant effort working together to develop a path forward on transit investments in the Northwest Corridor. Following much discussion, debate and deliberation we have come to a consensus predicated on the information received to date through the NAMS that regional transit operating and infrastructure improvements in the Northwest region should include the following elements.

- **Completion of the US 36 Bus Rapid Transit (BRT) System:** Completion of the US 36 BRT system as committed in the 2004 FasTracks, US 36 Environmental Impact Statement and Record of Decision, TIGER and TIFIA funding applications and additional elements approved by the RTD Board on September 17, 2013, including relocation of the Church Ranch boarding platforms, improvements to the Westminster Center pedestrian bridge and structured parking in Broomfield. Local stakeholders also support implementation of the US 36 First and Final Mile study recommendations that provide a tangible benefit to residents, employees and commuters in the corridor. In order to leverage these capital improvements and show a true net FasTracks benefit to the corridor, service enhancements and a robust operating plan that includes increased bus frequencies must be implemented.
- **Arterial BRT/ Enhanced Bus Service Projects:** Arterial BRT/Enhanced Bus Service system capital and operating improvements should be implemented as soon as feasible. No FasTracks funds should be utilized for these arterial BRT investments.
 - State Highway 119 from Longmont to Boulder is the highest priority arterial BRT corridor.
 - The remaining corridors should be implemented based on further refinement of regional priorities, project scopes funding availability and leveraging opportunities.
 - State Highway 7 connecting North I-25/North Metro Park-n-Ride/Northglenn, Broomfield, Erie, Lafayette and Boulder
 - State Highway 287 connecting Longmont, Lafayette and Broomfield to the US 36 Corridor
 - South Boulder Road connecting Lafayette and Louisville to Boulder
 - 28th Street/Broadway (connecting US 36 BRT and South Boulder Road BRT to Boulder Junction/14th & Walnut)
 - Improved transit connection from Louisville/Lafayette/Superior/Broomfield to US 36 via SH 42/95th Street.
 - 120th Avenue between Broomfield Park-n-Ride and Adams County Government Center

- **I-25 Bi-Directional Managed Lanes:** Construction of two additional managed lanes between US 36 and downtown Denver to facilitate bi-directional service that will benefit the broader region (both North I-25 and US36 connections to Denver). Identified interim measures should be implemented as quickly as possible, including bus on shoulder service and downtown Denver circulation improvements, with long term measures to follow.
- **Railroad crossing quiet zones** should be implemented along the length of the Northwest Corridor, with a priority on crossings that benefit the greatest number of residents in the most cost effective manner.
- **Early Action Rail/Transit Stations:** Station investments and US 36 First and Final Mile infrastructure and programs that serve both BRT and future rail should be implemented. \$17 million has already been identified from EAGLE P3 savings for the Downtown Longmont station that will serve both BRT and future rail. Similar investments should be made at other stations that will serve both future rail and BRT/Enhanced Bus Service such as Boulder Transit Village, Gunbarrel, East Arapahoe, Downtown Louisville, Broomfield at Flatirons Crossing and 116th, and Westminster at 104th/Church Ranch and at 88th Avenue.
- **Northwest Rail:** The local stakeholders recognize the commitment made to voters in the 2004 FasTracks election and the ongoing public expectation that rail will be built in the corridor from FasTracks revenue. Local stakeholders support full completion of the Northwest Commuter Rail Project to Longmont. Considering costs, lack of revenues, ridership projections, uncertainty with Burlington Northern Santa Fe (BNSF) and other challenges, completion of Northwest Rail is a longer term goal. Local stakeholders support periodically exploring creative and alternative rail implementation strategies (including phasing) as circumstances effecting feasibility, such as change in BNSF position, costs, ridership, and funding sources, evolve.

Re-evaluation of Priorities: We believe that the public expects and deserves visible cost effective mobility improvements in the short term that form the foundation of our long term transportation system while honoring the vision of rail connecting the corridor communities to each other and the Denver region expressed in the 2004 FasTracks plan approved by the voters.

To that end:

- We support regular monitoring of the factors influencing the costs, revenue and feasibility of the implementation options identified above, including phasing, and, should they significantly change, the reconsideration of investments priorities.
- We recognize that FasTracks funding should be targeted towards those Northwest corridor improvements identified in the FasTracks system approved by the voters in 2004. FasTracks funding should therefore be used to build and operate the US 36 BRT system as well as those improvements that are consistent with implementation of Northwest Rail from Westminster to Longmont and other, nonFasTracks funding sources should be targeted toward those improvements that are not consistent with the FasTracks plan.
- We also firmly believe that the RTD should focus any further FasTracks investments in the Northwest Corridor prior to using FasTracks funds for improvements, or equipment replacement, in any other corridor.

December 3, 2015

Board of Directors
Denver Regional Council of Governments
1290 Broadway, Suite 700
Denver, CO 80203-5606

Dear Board Members:

Adams County, Boulder County, Jefferson County, the City and County of Broomfield, the City and County of Denver, the City of Arvada, the City of Boulder, the City of Lafayette, the City of Longmont, the City of Louisville, the Town of Superior, the City of Westminster, the Colorado Department of Transportation and the Regional Transportation District (heretofore referred to as the Northwest Corridor Partners) are pleased to inform you that we have reached consensus on the use of the remaining \$6.803 million in Transportation Improvement Program (TIP) funding allocated to FasTracks and the Northwest Rail project per Denver Regional Council of Governments Resolution Number 20, of 2008.

The Northwest Corridor Partners have agreed to utilize these dollars to construct the supplemental safety measures necessary to implement quiet zones, and other improvements that are consistent with final implementation of the Northwest Rail. The allocation below is based on an equitable distribution among the communities.

Adams County	\$111,340.28	(\$500,000 was previously allocated)
Boulder	\$1,055,951.39	
Boulder County	\$1,389,409.72	
Broomfield	\$944,798.61	
Lafayette	\$611,340.28	
Longmont	\$1,055,951.39	
Louisville	\$944,798.61	
Westminster	\$689,409.72	(\$700,000 was previously allocated)
	<hr/>	
	\$6,803,000.00	(\$1,200,000 was previously allocated)

Adams County and Westminster’s allocation has been adjusted to reflect the previously approved requests totaling \$1.2 million.

The communities identified above may seek the programming of funds/timing based on their individual needs. Additionally, communities may work together to combine allocations to best address noise impacts and funding requirements.

Thank you for your consideration of this request and for your support of the FasTracks project.

Sincerely,

Mayor

cc: *(representatives of each Northwest Corridor partner will be listed)*



WESTMINSTER

Staff Report

City Council Study Session Meeting
November 30, 2015



SUBJECT: Discussion of the City's Good Neighbor Insurance Claims Policy

PREPARED BY: Martee Erichson, Risk Manager
Matthew Booco, Business Operations Coordinator

Recommended City Council Action

Discuss the City's Good Neighbor Policy in relation to claims made against the City and, in particular, a claim brought against the City on September 30, 2014, by Mr. Jenne Jerome Jay Pfannenstiel.

Summary Statement

- This report is to discuss with City Council the City's "Good Neighbor Policy" related to the handling of claims submitted to the City from third parties and citizens. In particular, Mr. Pfannenstiel's claim regarding an incident that occurred on September 26, 2014.
- After a thorough investigation into the detailed circumstances of Mr. Pfannenstiel's claim, the claim was denied by City's insurance group, the Colorado Intergovernmental Risk Sharing Agency (CIRSA). It was further determined by CIRSA and Staff that the City's Good Neighbor Policy should not apply to Mr. Pfannenstiel claim.
- Staff concurs with CIRSA's recommendation and recommends Mr. Pfannenstiel's claim remain denied and that no offer be made to Mr. Pfannenstiel under the City's Good Neighbor Policy. An overview of the City's "Good Neighbor Policy" is attached.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Does City Council concur with Staff’s recommendation to not apply the City’s Good Neighbor Policy to bodily injury claims and claims for medical expenses?

Alternative

City Council could recommend that the City’s Good Neighbor Policy should apply to all claims submitted to the City, including claims for bodily injury. Staff does not recommend this course of action given the complex nature of bodily injury claims and the national environment related to health insurance and regulations regarding the Medicare Secondary Payer Act.

Background Information

Every claim filed with the City is reviewed by experienced claims adjusters at CIRSA and processed under the following standard criteria:

- Was the City and/or its employees negligent in their actions?
- Did the action or inaction of the City and/or its employees waive governmental immunity under State law?
- Would the City’s Good Neighbor Policy apply?

The City has applied the Good Neighbor Policy only to property claims where the City has been found non-negligent. The Good Neighbor Policy has never been applied to bodily injury claims submitted to the City. If the City has been found negligent for a bodily injury claim regardless of governmental immunity being waived, the claim has been processed and paid as a normal claim. These types of payments have never been paid out under the City’s Good Neighbor Policy. Please see the attached copy of the August, 24, 2015, Information Only Staff Report regarding the details of the City’s Good Neighbor Policy.

On the evening of September 26, 2014, the Westminster Police Department K9 unit was called upon to assist the Brighton Police Department in a search for an escaped felon. The escapee was last seen in the backyard of Mr. Pfannenstiel’s home at 560 Poppy Drive in Brighton. Upon the arrival of the police, Mr. Pfannenstiel came out of his home on his own and asked the officers what was happening. The Westminster K9 Officer told Mr. Pfannenstiel they were searching for an escapee and asked if the gate to Mr. Pfannenstiel’s backyard was locked and if they could search his back yard. Mr. Pfannenstiel agreed and unlocked the back yard gate. The K9 Officer then asked Mr. Pfannenstiel to step back away from the gate. Mr. Pfannenstiel stepped approximately three feet to the south of the gate. The Officer approached the gate with the K9 in control. Mr. Pfannenstiel then started talking to and approaching the K9 Officer. The Officer told Mr. Pfannenstiel repeatedly to step back and not approach the working K9. Another Westminster Officer near the scene also told Mr. Pfannenstiel to step back and attempted to grab Mr. Pfannenstiel to stop his approach to the K9. The K9 Officer then attempted to move away from Mr. Pfannenstiel with the K9, but by this point, Mr. Pfannenstiel had come between the K9 and the gate and was too close. The K9 bit Mr. Pfannenstiel on his right thigh and was immediately called off by the K9 Officer. At all times, the Officer had the K9 in control and the K9’s behavior was consistent with his training and certification.

CIRSA’s investigation of the incident determined that the City employees’ actions were appropriate and not negligent and that the City had governmental immunity in this incident, therefore, the claim was denied. In addition, with concurrence with the City’s Risk Manager, it was deemed that the City’s Good Neighbor Policy would not apply to this claim.

Staff will be in attendance at Monday’s Study Session to discuss this issue with City Council in more detail and answer City Councils questions.

Risk Management and the City’s Good Neighbor Policy supports Council’s Strategic Plan goal of “Financially Sustainable Government Providing Excellence in City Services” by working to mitigate the cost of claims to the City, while providing a consistently applied measure of goodwill to the community.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachment:

- Review of City’s Good Neighbor Policy Staff Report (dated 8/24/15)



Staff Report

Information Only Staff Report
August 24, 2015



SUBJECT: Review of City's Good Neighbor Policy

PREPARED BY: Martee Erichson, Risk Manager

Summary Statement

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

This report is to brief City Council on the City's "Good Neighbor Policy" related to the handling of claims for property damage submitted to the City from third parties and citizens.

Background Information

In 1997 the City Council passed Resolution No. 22 for "City Payments for Damages Resulting from Sewer Backups." This policy is commonly referred to as the City's "Good Neighbor Policy." The purpose of the resolution is to address concerns regarding citizen property loss that result from a backup in a City sewer line, where it is determined that the City has no legal liability. This policy allows for up to \$2,500 to be paid to a citizen over and above the cost for cleaning and disinfection, when the citizen's home is damaged and they meet the criteria that is outlined in the policy. The actual dollar amount is determined by what the citizen's personal insurance will not cover up to \$2,500. The City discontinued the practice of cleaning and disinfecting citizen's private property when it became apparent this might create a liability to the City. Practice has since been to assist the citizen by stopping the flow of sewage or water into the home and ensuring the City lines are returned to normal. The citizen is then provided a list of local cleaning companies that the citizen may call at their own discretion, to clean and disinfect their home.

Over the years, it became apparent that there are other circumstances where damage may be caused to citizens' or third parties' property through the actions of City employees where there is no legal liability to the City. Given the City's strong customer service ethic, practice has expanded this policy to include other situations where the actions of employees cause damage to an innocent citizen or third party's property.

The "Good Neighbor Policy" has never been applied to personal injury claims. Personal injury claims are much more difficult to evaluate and are heavily influenced by many factors. One of these factors is the procedures initiated by Medicare a few years ago to ensure Medicare is the secondary payer to all other entities that may have responsibility to pay for an individual's medical treatment. Once payment is made, Medicare will not acknowledge governmental immunity laws or limits established by policies such as the City's "Good Neighbor Policy." Therefore, when it is believed that the City has governmental immunity and/or no negligence in a claim for bodily injury, the claim is denied on those grounds and no payment is offered.

Staff Report – Review of City’s Good Neighbor Policy
August 24, 2015
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The City’s “Good Neighbor Policy” helps achieve City Council’s Strategic Plan Goal of “Financially Sustainable Government Providing Excellence in City Services” by working to mitigate the cost of claims to the City while maintaining good rapport with citizens.

Respectfully submitted,

Stephen P. Smithers
Acting City Manager



WESTMINSTER

Staff Report

Information Only Staff Report
November 30, 2015



SUBJECT: 2015 Third Quarter City Council Expenditure Report

PREPARED BY: Ben Goldstein, Senior Management Analyst
Valerie Medina, Administrative Secretary

Summary Statement

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

The attached document is a listing of all 2015 City Council posted expenditures from January 1 through September 30, 2015.

Background Information

The following report is a listing of City Council expenditures by each account for January 1 through September 30, 2015. As of September 30, 2015, 74.5% of 2015 had elapsed and Council spent 60%, or \$160,042.41, of its adopted 2015 budget that totals \$266,525. This included \$6,394.75 of expenditures from the recruitment of the new City Manager in January that were not originally anticipated in City Council's budget.

The budget is a planning tool and represents a best estimate regarding actual expenditures. If you have any questions about items included in this report, please contact Ben Goldstein at 303-658-2007 or at bgoldstein@cityofwestminster.us.

The quarterly expenditure report for City Council ties to the Strategic Plan Goals of Visionary Leadership, Effective Governance and Proactive Regional Collaboration and Financially Sustainable Government Providing Excellence in City Services as Staff and Council work together to continually find greater efficiency in City operations.

Respectfully submitted,

Donald M. Tripp
City Manager

Attachment – Quarterly City Council Expenditure Report

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:	
SALARIES - MAYOR/COUNCIL (ACCT: 10001010.60800.0000)				
(\$715.76)	1/11/2015	2014 YE Salary Accrual Reversal	Council	
\$3,340.23	1/11/2015	Salaries	Council	
\$2,945.73	1/25/2015	Salaries	Council	
\$3,498.06	2/8/2015	Salaries	Council	
\$3,498.06	2/22/2015	Salaries	Council	
\$3,498.06	3/8/2015	Salaries	Council	
\$3,498.06	3/22/2015	Salaries	Council	
\$3,498.06	4/5/2015	Salaries	Council	
\$3,498.06	4/19/2015	Salaries	Council	
\$3,498.06	5/3/2015	Salaries	Council	
\$3,498.06	5/17/2015	Salaries	Council	
\$3,498.06	5/31/2015	Salaries	Council	
\$3,498.06	6/14/2015	Salaries	Council	
\$3,498.06	6/28/2015	Salaries	Council	
\$3,498.06	7/12/2015	Salaries	Council	
\$3,498.06	7/26/2015	Salaries	Council	
\$3,498.06	8/9/2015	Salaries	Council	
\$3,498.06	8/23/2015	Salaries	Council	
\$3,498.06	9/6/2015	Salaries	Council	
\$3,498.06	9/20/2015	Salaries	Council	
\$65,037.22	TOTAL		<i>% of account budget expended year-to-date</i>	69.4%
\$93,770.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	35.2%
\$28,732.78	BALANCE			
COUNCIL ALLOWANCE (ACCT: 10001010.61100.0000)				
\$1,081.50	1/1/2015	Council Allowance	Council	
\$1,037.38	1/11/2015	Council Allowance	Council	
\$1,113.00	2/8/2015	Council Allowance	Council	
\$1,113.00	2/22/2015	Council Allowance	Council	
\$1,113.00	3/8/2015	Council Allowance	Council	
\$1,113.00	3/22/2015	Council Allowance	Council	
\$1,113.00	4/5/2015	Council Allowance	Council	
\$1,113.00	4/19/2015	Council Allowance	Council	
\$1,113.00	5/3/2015	Council Allowance	Council	
\$1,113.00	5/17/2015	Council Allowance	Council	
\$1,113.00	5/31/2015	Council Allowance	Council	
\$1,113.00	6/14/2015	Council Allowance	Council	
\$1,113.00	6/28/2015	Council Allowance	Council	
\$1,113.00	7/12/2015	Council Allowance	Council	
\$1,113.00	8/9/2015	Council Allowance	Council	
\$1,113.00	8/23/2015	Council Allowance	Council	
\$1,113.00	9/6/2015	Council Allowance	Council	
\$1,113.00	9/20/2015	Council Allowance	Council	
\$19,926.88	TOTAL		<i>% of account budget expended year-to-date</i>	74.6%
\$26,712.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	10.0%
\$6,785.12	BALANCE			
MILEAGE REIMBURSEMENT (ACCT: 10001010.61200.0000)				
\$144.88	1/21/2015	December 2014 Mileage - H. Atchison	H. Atchison	

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:	
\$142.24	2/4/2015	January Mileage - H. Atchison	H. Atchison	
\$377.16	4/1/2015	February Mileage - H. Atchison	H. Atchison	
\$250.32	5/14/2015	March Mileage - H. Atchison	H. Atchison	
\$192.64	5/14/2015	April Mileage - H. Atchison	H. Atchison	
\$199.92	6/16/2015	May Mileage - H. Atchison	H. Atchison	
\$66.64	7/20/2015	June Mileage - H. Atchison	H. Atchison	
\$292.36	8/31/2015	July Mileage - H. Atchison	H. Atchison	
\$205.00	9/28/2015	August Mileage - H. Atchison	H. Atchison	
\$1,871.16	TOTAL		<i>% of account budget expended year-to-date</i>	62.4%
\$3,000.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	1.1%
\$1,128.84	BALANCE			
MEETING EXPENSES		(ACCT: 10001010.61400.0000)		
\$61.77	1/21/2015	Dinner Mtg. w/H. Atchison, D. Frankel and J. Frankel	H. Atchison	
\$26.02	2/4/2015	Briefing with D. Frankel and H. Atchison	H. Atchison	
\$941.63	2/12/2015	Dinner Mtg. w/Jeffco and Adco Board of Commissioners	The Heritage Grill	
\$172.70	2/18/2015	Legislative Briefing - B. Goldstein, Martinez Humenik, Ulibarri, H. Atchison, E. Bowditch, J. Cassell	B. Goldstein	
\$347.12	2/21/2015	New Councillor Workshop	The Heritage Grill	
\$16.94	3/2/2015	Breakfast Mtg. w/D. Tripp, H. Atchison and Rich Krouse w/Acumen Development	The Grill At Legacy Ridge	
\$22.98	3/4/2015	Breakfast Mtg. w/H. Atchison and Muckle	H. Atchison	
\$123.78	3/11/2015	Legislative Briefing - B. Goldstein, D. Tripp, H. Atchison, E. Bowditch, J. Cassell, Sen. B. Martinez Humenik	B. Goldstein	
\$250.00	3/12/2015	3/19 Jeffco EDC Appreciation Awards (Split cost with Economic Development)	123 Sign Up	
\$143.50	3/12/2015	Legislative Briefing - D. Tripp, H. Atchison, B. Goldstein, Sen. Ulibarri, D. Tomlinson, E. Bowditch, J. Cassell	Katie Mullens	
\$380.00	3/17/2015	Jefferson County - Economic Development Corp 22nd Annual Industry Appreciation Awards - A. Seitz, M. De Cambra, B. Briggs	Cost of Table Split with Economic Development	
\$70.70	3/18/2015	Legislative Briefing - S. Smithers, B. Goldstein, H. Atchison, D. Tomlinson, J. Cassell, T. Kraft-Tharp	Fork & Spoon	
\$141.35	3/18/2015	Council Retreat Planning Dinner - D. Tripp, S. Smithers, B. Opie, J. Novak	Marriott	
\$88.25	3/30/2015	Legislative Briefing - S. Smithers, B. Goldstein, H. Atchison, E. Bowditch, Sen. L. Woods	Sassafras American Eatery	
-\$9.35	3/30/2015	Credit Voucher Marriott - Removing Sales Tax	City of Westminster	
\$104.44	4/2/2015	Dinner Mtg. w/D. Tripp, H. Atchison, A. Garcia and Dan Nickless w/Ryland Homes	Saltgrass-Westminster	
\$778.18	4/16/2015	4/9 Adams 12, Adams 50 and Jeffco School Board Dinner Banquet Charges	The Heritage Grill	
\$50.00	4/17/2015	Membership fee - B. Baker	ICSC	
\$50.00	4/17/2015	Membership fee - E. Pinter	ICSC	
\$570.00	4/17/2015	ICSC Conference Registration	ICSC	
\$17.74	4/17/2015	Briefing w/D. Tripp and B. Briggs	Sandbagger	

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:	
\$30.00	4/22/2015	Adams/Broomfield Bar Association Law Day Breakfast - H. Atchison, M. De Cambra, A. Garcia	HUMAN SERVICES	
\$20.00	4/23/2015	3/24 Lunch & Learn: Becoming a Magnet for Tourism - B. Briggs	Colorado Municipal League	
\$124.85	4/26/2015	Dinner Mtg. w/D. Tripp, H. Atchison, M. De Cambra and S. Berglund w/Trimble	Bonefish Grill	
\$162.54	4/26/2015	Dinner Mtg. w/D. Tripp, H. Atchison, A. Garcia and Dan Nickless w/Ryland Homes	Ted's Montana Grill	
\$1,588.14	4/28/2015	Strategic Planning Retreat Banquet Charges	The Heritage Grill	
\$253.00	4/30/2015	4/1 Metro Mayors Caucus	Civic Results c/o Metro Mayors Caucus	
\$257.40	4/30/2015	Project Investment Lunch Meeting - Vectra Bank	The Grill At Legacy Ridge	
\$25.45	5/3/2015	Briefing w/D. Tripp and B. Briggs	Early Bird Restaurant	
\$113.94	5/6/2015	Dinner Mtg. w/D. Tripp, H. Atchison, B. Briggs and D. Bell	Saltgrass-Westminster	
\$36.19	5/20/2015	Briefing w/D. Tripp and A. Seitz	Yak And Yeti West	
\$17.18	5/20/2015	Briefing w/D. Tripp and B. Briggs	Nancys Cafe	
\$10.00	5/21/2015	5/19 Business After Hours Event - B. Briggs and A. Garcia	Metro North Chamber Of Commerce	
\$15.20	5/31/2015	Briefing w/D. Tripp and B. Briggs	Sandbagger	
\$27.26	6/2/2015	Briefing w/H. Atchison and A. Priddy	A. Priddy	
\$83.00	6/11/2015	6/20 Business & Professional Women of CO Gala - E. Pinter and A. Seitz	Colorado Business Women	
\$28.95	6/12/2015	Briefing w/D. Tripp and A. Garcia	Los Arcos	
\$50.00	6/15/2015	ADCOG Dinner - H. Atchison, M. De Cambra	City of Northglenn	
\$15.00	6/15/2015	Good News Breakfast - H. Atchison	Good News Coalition	
\$47.00	6/16/2015	6/20 Business & Professional Women of CO Gala - A. Garcia	Colorado Business Women	
\$25.00	6/17/2015	Briefing w/D. Tripp and A. Seitz	The Grill At Legacy Ridge	
\$15.00	6/18/2015	Taste of the Chamber - A. Seitz	Westminster Chamber of Commerce	
\$13.34	6/22/2015	6/22 Statewide Parent Coalition Mtg	King Soopers	
\$297.17	6/22/2015	6/22 Statewide Parent Coalition Mtg	Panera	
\$18.75	6/22/2015	Briefing w/D. Tripp and H. Atchison	The Grill At Legacy Ridge	
\$93.97	6/24/2015	Dinner Mtg. w/D. Tripp, H. Atchison, and G. Wray of Digital Globe	Asti D Italia	
\$31.95	6/25/2015	Briefing w/D. Tripp and H. Atchison	The Grill At Legacy Ridge	
\$70.45	7/12/2015	Dinner Briefing w/D. Tripp, H. Atchison and B. Kearney	Saltgrass-Westminster	
\$25.20	7/16/2015	Briefing w/D. Tripp and A. Seitz	The Grill At Legacy Ridge	
\$263.05	7/26/2015	Dinner Briefing w/D. Tripp, H. Atchison and J. Pattison of Ball Corp.	Hideaway Steak House	
\$18.25	8/2/2015	Briefing w/D. Tripp and B. Briggs	Sandbagger	
\$90.00	9/28/2015	District 3 Meeting - A. Seitz, E. Pinter, A. Garcia	Colorado Municipal League	
\$8,214.98	TOTAL		<i>% of account budget expended year-to-date</i>	76.4%
\$10,748.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	4.0%
\$2,533.02	BALANCE			
EMPLOYMENT RECRUITMENT (ACCT: 10001010.61600.0000)				
1,500.00	1/20/2015	Deposit for CM Candidates Reception	Westin Westminster	
107.89	1/27/2015	Lunches for Tour Group & CM Candidates	Panera Bread #203077	
94.90	1/27/2015	Lunches for CC & CM Candidates	Panera Bread #203077	
831.88	1/27/2015	Reception at Westin - Flatirons Room CM candidatees	Westin Westminster	

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:	
88.41	1/27/2015	Lunches for Exec Mgmt Team	Panera Bread #203077	
768.24	1/27/2015	Westin - Nancy Newton	Westin Westminster	
688.52	1/27/2015	Westin - Rick Davis	Westin Westminster	
(172.00)	1/27/2015	Taxes removed from CM Reception at Westin	Westin Westminster	
(140.80)	1/27/2015	Taxes removed from R. Davis and N. Newton room reservation	Westin Westminster	
23.84	2/17/2015	Negotiation with D. Tripp for CM position	H. Atchison	
766.13	1/14/2015	Travel Expenses - Nancy Newton	N. Newton	
387.44	1/14/2015	Travel Expenses - Rick Davis	R. Davis	
1,450.30	2/18/2015	Springsted Incorporated - Invoice #4 - Recruitment	Springsted Incorporated	
\$6,394.75	TOTAL		<i>% of account budget expended year-to-date</i>	<i>N/A</i>
\$0.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	<i>N/A</i>
(\$6,394.75)	BALANCE			
CAREER DEVELOPMENT		(ACCT: 10001010.61800.0000)		
\$2,119.35	3/18/2015	NLC - Reg \$830.00; Lodging \$906.84; Air \$252.20; Transport \$32.40; Misc \$97.91	E. Pinter	
\$2,006.01	3/26/2015	NLC - Reg \$425.00; Lodging \$877.65; Air \$317.20; Transport \$145.60; Misc \$240.56	M. De Cambra	
\$1,888.93	3/31/2015	NLC - Reg \$560.00; Lodging \$603.42; Air \$558.70; Transport \$89.50; Misc \$77.31	A. Garcia	
\$3,013.62	4/9/2015	NLC - Reg \$830.00; Lodging \$1508.55; Air \$292.20; Transport \$94.06; Misc \$288.81	A. Seitz	
\$302.28	3/11/2015	NLC Conf - hotel accomodations - A. Seitz (no show room charge)	Omni Shoreham	
\$50.00	3/25/2015	Membership Fee - H. Atchison	ICSC	
\$6.00	4/30/2015	NLC - Flight Seat Assignment - A. Seitz	Seitz Frontier Fee Add'l	
\$6.00	4/30/2015	NLC - Flight Seat Assignment - E. Pinter	Pinter Frontier Fee Add'l	
\$6.00	4/30/2015	NLC - Flight Seat Assignment - M. De Cambra	De Cambra Frontier Fee Add'l	
\$1,041.44	6/15/2015	ICSC - Reg \$570.00; Lodging \$239.68; Air \$160.00; \$Transport \$54.46; Misc \$17.30	E. Pinter	
\$2,242.69	6/16/2015	ICSC - Reg \$570.00; Lodging \$553.28; Air \$554.99; Transport \$93.00; Misc \$471.42	H. Atchison	
\$181.10	6/22/2015	ICSC Conference meals paid for H. Atchison	Paid on M. Cummins P-Card	
\$113.91	6/25/2015	ICSC Conference meals paid for E. Pinter	Paid on M. Cummins P-Card	
\$580.05	6/29/2015	CML - Reg \$325.00; Lodging \$155.00; Mileage \$100.05	A. Garcia	
-\$230.28	6/22/2015	Reclassification of meals from ICSC Conference	H. Atchison	
\$743.81	7/14/2015	CML - Reg \$325.00; Lodging \$309.56; Mileage \$109.25	B. Baker	
\$821.07	7/20/2015	CML - Reg \$252.00; Lodging \$465.00; Mileage \$104.07	E. Pinter	
\$769.02	7/20/2015	CML - Reg \$215.00; Lodging \$346.22; Mileage \$105.80; Meals \$102.00	M. De Cambra	
\$642.19	7/20/2015	CML Executive Board Conference - Lodging \$261.54; Mileage \$380.65	A. Garcia	
\$510.80	7/28/2015	CML - Reg \$215.00; Lodging \$155.00; Mileage \$105.80; Misc. \$35.00	A. Sietz	
\$1,067.27	7/28/2015	CML - Reg \$265.00; Lodging \$519.33; Mileage \$106.95; Misc. \$175.99	B. Briggs	
\$17,881.26	TOTAL		<i>% of account budget expended year-to-date</i>	<i>37.1%</i>
\$48,205.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	<i>18.1%</i>

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:
\$30,323.74	BALANCE		
TELEPHONE		(ACCT: 10001010.66900.0000)	
\$20.00	1/13/2015	Data for iPad H. Atchison - February	Verizon
\$20.00	1/19/2015	Data for iPad E. Pinter - February	Verizon
\$20.00	1/20/2015	Data for iPad B. Briggs - February	Verizon
\$20.00	1/21/2015	Data for iPad B. Baker - February	Verizon
\$20.00	1/26/2015	Data for iPad A. Garcia - February	Verizon
\$20.00	1/26/2015	Data for iPad A. Seitz - February	Verizon
\$20.00	3/8/2015	Data for iPad H. Atchison - March	Verizon
\$20.00	3/13/2015	Data for iPad E. Pinter - March	Verizon
\$20.00	3/18/2015	Data for iPad B. Briggs - March	Verizon
\$20.00	3/18/2015	Data for iPad B. Baker - March	Verizon
\$20.00	3/19/2015	Data for iPad A. Garcia - March	Verizon
\$20.00	3/20/2015	Data for iPad A. Seitz - March	Verizon
\$20.00	3/22/2015	Data for iPad M. De Cambra - March	Verizon
\$20.00	3/26/2015	Data for iPad H. Atchison - April	Verizon
\$20.00	3/26/2015	Data for iPad E. Pinter - April	Verizon
\$20.00	3/30/2015	Data for iPad B. Briggs - April	Verizon
\$20.00	3/30/2015	Data for iPad B. Baker - April	Verizon
\$20.00	3/30/2015	Data for iPad A. Garcia - April	Verizon
\$20.00	3/30/2015	Data for iPad A. Seitz - April	Verizon
\$20.00	4/6/2015	Data for iPad M. De Cambra - April	Verizon
\$20.00	4/13/2015	Data for iPad H. Atchison - May	Verizon
\$20.00	4/19/2015	Data for iPad E. Pinter - May	Verizon
\$20.00	4/20/2015	Data for iPad B. Briggs - May	Verizon
\$20.00	4/21/2015	Data for iPad B. Baker - May	Verizon
\$20.00	4/26/2015	Data for iPad A. Garcia - May	Verizon
\$20.00	4/26/2015	Data for iPad A. Seitz - May	Verizon
\$20.00	5/6/2015	Data for iPad M. De Cambra - May	Verizon
\$20.00	5/12/2015	Data for iPad H. Atchison - June	Verizon
\$20.00	5/19/2015	Data for iPad E. Pinter - June	Verizon
\$20.00	5/20/2015	Data for iPad B. Briggs - June	Verizon
\$20.00	5/21/2015	Data for iPad B. Baker - June	Verizon
\$20.00	5/26/2015	Data for iPad A. Garcia - June	Verizon
\$20.00	5/26/2015	Data for iPad A. Seitz - June	Verizon
\$20.00	6/14/2015	Data for iPad M. De Cambra - June	Verizon
\$20.00	6/21/2015	Data for iPad H. Atchison - July	Verizon
\$20.00	6/7/2015	Data for iPad E. Pinter - July	Verizon
\$20.00	6/21/2015	Data for iPad B. Briggs - July	Verizon
\$20.00	6/26/2015	Data for iPad B. Baker - July	Verizon
\$20.00	6/19/2015	Data for iPad A. Garcia - July	Verizon
\$20.00	6/26/2015	Data for iPad A. Seitz - July	Verizon
\$20.00	7/13/2015	Data for iPad M. De Cambra - July	Verizon
\$20.00	7/21/2015	Data for iPad H. Atchison - August	Verizon
\$20.00	7/20/2015	Data for iPad E. Pinter - August	Verizon
\$20.00	7/26/2015	Data for iPad B. Briggs - August	Verizon
\$20.00	7/19/2015	Data for iPad B. Baker - August	Verizon
\$20.00	7/26/2015	Data for iPad A. Garcia - August	Verizon
\$20.00	8/6/2015	Data for iPad A. Seitz - August	Verizon
\$20.00	8/20/2015	Data for iPad M. De Cambra - August	Verizon
\$20.00	8/26/2015	Data for iPad H. Atchison - September	Verizon
\$20.00	8/16/2015	Data for iPad E. Pinter - September	Verizon
\$20.00	8/26/2015	Data for iPad B. Briggs - September	Verizon

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:	
\$1,020.00	TOTAL		<i>% of account budget expended year-to-date</i>	60.7%
\$1,680.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	0.6%
\$660.00	BALANCE			
PC REPLACEMENT FEE		(ACCT: 10001010.66950.0000)		
\$1,715.00	1/31/2015	PC Replacement Fee	Cost Allocation Budget	
\$1,715.00	TOTAL		<i>% of account budget expended year-to-date</i>	100.0%
\$1,715.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	0.0%
\$0.00	BALANCE			
SPECIAL PROMOTIONS		(ACCT: 10001010.67600.0000)		
\$100.00	7/29/2015	Additional non-budgeted cost for Hyland Hills Foundation Annual Golf Tournament	Hyland Hills Foundation	
\$100.00	TOTAL		<i>% of account budget expended year-to-date</i>	2.9%
\$3,500.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	1.3%
\$3,400.00	BALANCE			
OTHER CONTRACTUAL SERVICE		(ACCT: 10001010.67800.0000)		
\$300.00	2/5/2015	Westminster Chamber Gala Sponsorship	Westminster Chamber of Commerce	
\$600.00	2/17/2015	After Prom Sponsorship	Standley Lake High School	
\$200.00	2/17/2015	After Prom Sponsorship	Pomona High School	
\$750.00	2/28/2015	Budgeted Sponsorship - ACMCYA Banquet	Adams County	
\$100.00	2/28/2015	Annual City Membership Fee	Westminster Chamber of Commerce	
\$3,000.00	3/2/2015	Vaccination Sponsorship	St. Anthony Health Foundation	
\$1,500.00	3/30/2015	5 Star Gala Sponsorship	Adams 12 Education Foundation	
\$850.00	3/30/2015	Annual Gala - 4 extra tickets	Metro North Chamber of Commerce	
\$2,000.00	4/1/2015	2/20-21 Strategic Planning Facilitation	The Novak Consulting Group	
\$1,000.00	4/13/2015	Roast of Bob Briggs	Westminster 7:10 Rotary	
\$5,000.00	4/13/2015	Strategic Planning Community Summit	The Novak Consulting Group	
\$600.00	4/13/2015	After Prom Sponsorship	Westminster High School	
\$600.00	3/10/2015	Fundraising Event - (2) B. Briggs, (2) M. De Cambra, E. Pinter, A. Seitz	The Ralston House	
\$10,000.00	4/30/2015	Annual Budgeted Sponsorship	North Metro Arts Alliance	
\$1,000.00	5/14/2015	Strategic Planning Facilitation	The Novak Consulting Group	
\$195.00	4/12/2015	DRCOG Awards Ceremony - B. Briggs, A. Seitz, A. Garcia	DRCOG	
\$1,000.00	6/15/2015	Banquest Sponsorship	Westminster Public Safety Recognition Foundation	
\$800.00	7/3/2015	Hyland Hills Foundation Annual Golf Tournament Sponsorship	Hyland Hills Foundation	
\$310.00	7/19/2015	Indulge for Casa Wine Tasting Fundraiser - (2) A. Seitz, (2) D. Puntenny, (2) S. Smithers	CASA	
\$180.00	8/31/2015	Adams County Fair/Rodeo ad	Metrowest Newspapers	
\$897.00	8/31/2015	Water World Tickets	District 50 Education Foundation	
\$600.00	9/8/2015	Larry Silver Memorial Golf Tournament Annual Sp	Larry Silver Memorial Golf Tournament	
\$31,482.00	TOTAL		<i>% of account budget expended year-to-date</i>	47.2%
\$66,745.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	25.0%
\$35,263.00	BALANCE			

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:	
SUPPLIES		(ACCT: 10001010.70200.0000)		
\$19.62	1/13/2015	F. Winter Outgoing Reception - punch	M. Barajas	
\$65.91	1/13/2015	F. Winter Outgoing Reception - snacks	M. Barajas	
\$17.71	2/12/2015	Punch for Welcome Reception - M. De Cambra	M. Barajas	
\$25.00	2/24/2015	iTunes gift card for iAnnotate - M. De Cambra	Best Buy	
\$299.00	2/24/2015	iPad replace/repair - A. Garcia	Apple Store	
\$177.97	1/7/2015	4 Seasons Photo Departure Gift - F. Winter	Creative Framing	
\$3.99	1/16/2015	Holiday Card/Outreach	American Greetings	
\$37.49	3/18/2015	Supplies	Office Max	
\$86.67	3/25/2015	iPad keyboard/cover - M. De Cambra	M. De Cambra	
\$45.44	3/30/2015	Strategic plan retreat - supplies	Officemax	
\$32.87	3/30/2015	ACMCYA Reception - cookies, punch	King Soopers	
\$13.41	3/30/2015	Laminating Supplies	Officemax	
\$15.65	3/31/2015	Photo Copies for display - M. De Cambra	M. Barajas	
\$71.76	4/3/2015	Council Photo Updates - B. Briggs, M. De Cambra	Action Awards And Engraving	
\$76.10	5/4/2015	4/14 Community Summit Supplies	Costco	
\$36.00	3/20/2015	Name tags (2) - M. De Cambra, (2) B. Briggs	Signs By Tomorrow	
\$26.74	5/12/2015	4/25-26 Strategic Planning Retreat - snacks	M. Barajas	
\$13.45	4/16/2015	4/14 Strategic Plan Community Summit - supplies	Standard Restaurant	
\$18.00	5/26/2015	Name tags (2) - A. Seitz	Signs By Tomorrow	
\$85.75	5/26/2015	Council Letterhead and Business Cards	Print Shop Charges	
\$108.34	6/16/2015	Keyboard/Cover for iPad - H. Atchison	H. Atchison	
\$6.24	6/17/2015	6/10 Potential Candidates Forum dinner	M. Barajas	
\$138.24	5/27/2015	Council Portrait Reframing - B. Briggs, M. De Cambra	Creative Framing	
\$1,996.77	6/19/2015	Golf Clubs for Brent McFall's Departure	Callaway	
\$155.00	7/20/2015	Council Portraits - A. Seitz and M. De Cambra	Cronin Photography	
\$37.25	8/20/2015	Updated Business Cards - H. Atchison	Print Shop Charges	
\$40.74	8/3/2015	Compostable Plates	Staples	
\$3,651.11	TOTAL		<i>% of account budget expended year-to-date</i>	67.0%
\$5,450.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	2.0%
\$1,798.89	BALANCE			
FOOD		(ACCT: 10001010.70400.0000)		
\$56.65	1/5/2015	1/5 Council Dinner	Li's Chinese	
\$181.25	1/6/2015	ADCOG Executive Committee Breakfast	The Grill at Legacy Ridge	
\$98.92	1/12/2015	1/12 Council Dinner	Double D's	
\$3.00	1/14/2015	1/14 Council Snacks - Special Meeting	V. Medina - Petty Cash - Vending Machine	
\$9.97	1/14/2015	1/14 Council Dinner/Snacks - Special Meeting	King Soopers	
\$28.17	1/14/2015	1/14 Council Dinner/Snacks - Special Meeting	Subway	
\$12.46	1/15/2015	1/15 Council Dinner/Snacks - Special Meeting 2	Subway	
\$56.50	2/3/2015	2/2 Council Dinner	Hong Fu	
\$26.92	3/13/2015	Soda/Tea/Coffee	Walmart	
\$142.75	3/18/2015	2/9 Council Dinner	Chili's	
\$50.95	3/18/2015	3/16 Council Dinner	Dickey's BBQ	
\$12.75	3/20/2015	3/19 Boards & Commissions Interviews Snack	King Soopers	
\$34.13	3/25/2015	3/23 Council Dinner	Subway	
\$58.75	3/30/2015	2/23 Council Dinner	Garlic Knot	
\$49.50	3/30/2015	3/2 Council Dinner	Subway	
\$79.00	4/8/2015	4/6 Council Dinner	Garlic Knot	
\$83.20	4/15/2015	4/13 Council Dinner	Los Lagos	

**3rd Quarter 2015 City Council Expenditure Report
(as of September 30, 2015)**

EXPENDITURE	DATE	DESCRIPTION	PAID TO:	
\$67.68	4/22/2015	4/20 Council Dinner	Quaker Steak & Lube	
\$60.00	4/28/2015	4/27 Council Dinner	Hong Fu	
\$211.85	5/4/2015	D. Tripp & M. De Cambra Reception Snacks/Soda for Council	Costco	
\$36.25	5/6/2015	5/4 Council Dinner	Garlic Knot	
\$13.94	5/14/2015	5/13 Council Telephone Townhall Snack	Walmart	
\$30.33	5/20/2015	5/11 Council Dinner	Costco	
\$50.00	5/20/2015	5/18 Council Dinner	Wishbone	
\$135.75	6/10/2015	6/8 Council Dinner	Los Lagos	
\$38.00	6/12/2015	6/10 Potential Candidates Forum Dinner	Subway	
\$54.59	6/16/2015	6/1 Council Dinner	V. Medina - Petty Cash - Costco	
\$99.36	6/17/2015	6/15 Council Dinner	Dominos	
\$66.10	6/23/2015	6/22 Council Dinner	Hong Fu	
\$35.62	6/25/2015	6/25 Council Tour	King Soopers	
\$219.96	6/26/2015	6/25 Council Tour	Quiznos	
\$83.24	7/7/2015	7/6 Council Dinner	Double D's	
\$5.98	7/14/2015	7/13 Council Dinner	Walmart	
\$52.00	7/15/2015	7/13 Council Dinner	Subway	
\$30.00	7/22/2015	7/20 Council Dinner	Wishbone	
\$18.77	7/23/2015	Council Dinner supplies - salad dressing, storage bags	Target	
\$46.75	7/27/2015	6/25 Council Tour	Costco	
\$0.70	7/27/2015	6/25 Council Tour	Costco	
\$66.55	7/28/2015	7/27 Council Dinner	Li's Chinese	
\$121.44	8/2/2015	Lunch for Council tours of BO&M, Fleet and PRL facilities	Pudge Bros Pizza	
\$96.71	8/3/2015	7/30 Council Tours Lunch	Costco	
\$76.95	8/13/2015	8/10 Council Dinner	Dickey's BBQ	
\$26.96	8/19/2015	8/3 Council Dinner	Costco	
\$17.70	9/30/2015	9/28 Council Snacks	Ben Goldstein	
\$2,748.05	TOTAL		<i>% of account budget expended year-to-date</i>	55.0%
\$5,000.00	BUDGET	2015 APPROVED BUDGET	<i>% of total City Council budget</i>	1.9%
\$2,251.95	BALANCE			
\$266,525.00	TOTAL 2015 CITY COUNCIL BUDGET			
\$160,042.41	TOTAL 2015 CITY COUNCIL EXPENDITURES THROUGH 06/30/2015			
\$106,482.59	BALANCE			
60.0%	PERCENT OF BUDGET EXPENDED THROUGH 09/30/2015			



WESTMINSTER

Staff Report

Information Only Staff Report
November 30, 2015



SUBJECT: Proposed Community Development Block Grant Projects for the 2016 Action Plan

PREPARED BY: Heather Ruddy, Community Development Program Planner

Staff will be present at the December 7 Study Session to answer any questions and seek direction at that time. This staff report is intended to provide background information on the Community Development Block Grant (CDBG) program in preparation for the 2016 Action Plan.

Summary Statement

The City of Westminster receives an annual allocation of CDBG funds from the United States Department of Housing and Urban Development (HUD). The funds must be used towards programs and projects benefiting low- and moderate-income populations and areas. Based upon an anticipated cut in funding estimated at five percent, the City could receive roughly \$550,000 in 2016 CDBG funding. Based upon input from citizens and City staff analysis and discussion, the following CDBG projects are recommended to be funded in 2016 at the following estimated funding levels (all are described in detail further in this staff report):

1. CDBG Administration – Approximately \$110,000 or 20 percent of CDBG program
2. Minor Home Repair Program - \$50,000
3. Electronic “Your Speed” Signs - \$43,000
4. Sidewalk Connection - \$100,000
5. Section 108 Loan Principal Balance Payment - \$247,000

Background Information

As an entitlement community, the City of Westminster receives an annual allocation of Community Development Block Grant (CDBG) funds from the United States Department of Housing and Urban Development (HUD). In 2015, the allocation was \$578,221. The 2016 CDBG allocation is not known at this time; as of the writing of this memo the federal spending bill appropriating departmental budgets had yet to be passed and signed into law. Once departmental budgets are appropriated, HUD must then calculate individual community CDBG allocations. It is estimated that the City will once again receive a reduction in its CDBG allocation of approximately five percent, making its 2016 allocation an estimated \$550,000.

CDBG funds are to be used for projects and programs that benefit the City's low to moderate-income populations and address blight conditions. The authorizing statute of the CDBG program requires that each activity funded, except for program administration and planning activities, must meet one of three national objects. These three national objectives are:

- Benefit low- and moderate-income (LMI) persons;
- Aid in the prevention of slums or blight; and
- Meet a need having a particular urgency (referred to as urgent need).

Examples of projects that may be completed under each of the three national objectives are listed below. Please note, the list of eligible projects is not exhaustive and each type of project completed has varying degrees of regulations and monitoring that must be met.

Benefit Low- and Moderate-Income Persons

- Acquisition of land to be used as a neighborhood park;
- Acquisition of a building to be converted into a shelter for the homeless;
- Site improvements on publicly-owned land to serve a new apartment structure to be rented to LMI households at affordable rents;
- Housing rehabilitation for single family units;
- Public service activities like the provision of health care;
- Improvements to public infrastructure like the installation of gutters and sidewalks; and
- Clearance activities on a site slated for a new business, which would result in the creation of jobs where at least 51 percent of jobs created will be for LMI persons;

Aid in the Prevent of Slums and Blight

- Rehabilitation of substandard housing located in a designated blight area when the housing is brought to standard condition;
- Infrastructure improvements in a deteriorated area; and
- Economic development assistance in the form of a low-interest loan to a business as an inducement to locate a branch store in a redeveloping blighted area.

Meet a Need Having a Particular Urgency

- Acquisition of property located in a flood plain that was severely damaged by a recent flood;
- Demolition of structures that are severely damaged by a tornado; and
- Public services like additional police protection to prevent looting in an area damaged by a recent major storm.

Additionally, CDBG funds may be used to support non-profit institutions, known as subrecipients, that benefit Westminster residents. The City of Westminster made a policy decision to not use CDBG funds in this manner due to the reporting burden placed on subrecipients and the monitoring burden placed on staff. These reporting and monitoring requirements strongly outweigh the benefit conferred

upon subrecipients. This in part, leads to the creation of the Human Services Board and the use of general fund dollars to support non-profits.

CDBG staff relied upon input gathered during the 2015-2019 Consolidated Plan process to inform the selection of 2016 projects. Staff also reevaluated input gathered from South Westminster residents during the 2014 Action Plan process. During that process, South Westminster residents, through the Heart of Westminster community organization, developed a list of potential CDBG projects. This includes:

- Large Item Pickup for South Westminster residents
- Crabapple Restoration on Bradburn Boulevard – 72nd to 80th Avenues
- Begin to underground overhead utilities
- Solar powered “Your Speed” signs
- Matching funds for homeowners needing major arbor work to trim or remove dead or dying trees.

Several projects recommended by the organization were incorporated, at least in part, in projects initiated in 2014 and 2015. This includes the crabapple restoration on Bradburn, which was included in the 2014 Bradburn Stump Removal and Tree Planting project. However, under the City Arborist’s recommendation, this project was designed to plant a variety of flowering tree species, not just crabapples. The City Arborist did not recommend planting just one species of tree due to the risk of the spread of disease. Also, the undergrounding of overhead utilities was incorporated into the Bradburn Street Enhancement project, which is currently under design by Xcel Energy.

Staff evaluated the other projects suggested by the Heart of Westminster and assessed the feasibility of each. The large item pickup for South Westminster residents was not an eligible project as it would have supplanted a previously City-run program that was eliminated due to budgetary reasons. Federal guidelines prohibits the use of CDBG funds to supplant programs or projects. Also, the proposed project to provide funding for arbor work is an ineligible CDBG project, as landscape work cannot be done on its own; it must be done in conjunction with repairs and rehabilitation inside the home. Landscaping work is eligible under the Emergency and Essential Home Repair Program when deemed necessary for the health and safety of the home occupants by the City Arborist and done in conjunction with other home repairs. The Heart of Westminster’s request for speed monitoring signs is recommended for funding in 2016.

Finally, Staff evaluated over 35 additional projects for funding that were generated through the Consolidated Plan and previous years’ Action Plan processes, internal staff discussions, and consultation with other City departments. Many of these projects were not chosen for funding in 2016 for reasons including their complexity, impact on operating and maintenance budgets, their ability to be completed on time, their eligibility to be funded through the CDBG program, and the appropriateness of utilizing CDBG funds for the respective project.

Staff recommends that CDBG funds be expended on small-scale “shovel ready” projects. In the past, CDBG funds have been used on large-scale, often multi-year phased projects, which can prove to be problematic. Staff does not recommend utilizing CDBG funds on large-scale projects as doing so has the potential of increasing total project costs in order to meet both Davis Bacon and Section 3 (low income job creation) requirements. Complex, large-scale and costly projects raise concerns for Staff as these types of projects can affect the City’s HUD imposed timely expenditure of funds requirement. Also, should these projects for some reason never be completed, the City runs the risk of having to pay HUD back any CDBG funds expended on the project. Staff accordingly recommends that CDBG funding be directed toward smaller scale projects which can be completed and closed out more

quickly. Examples of such projects include sidewalk connections, small-scale streetscaping projects, curb cuts for ADA accessibility, park development, public art installations, and tree plantings.

The following projects were chosen due to their benefit to the community and their ability to be completed quickly and on time.

1. CDBG Administration - \$110,000 or 20 percent of CDBG program

Description: HUD allows grantees to utilize up to 20 percent of CDBG funding for administration and planning expenses. HUD requires the City to provide a number of services that require a significant amount of staff time. These duties include submission of the five-year Consolidated Plan, preparation of the annual action and performance reports, hosting citizen participation activities and community meetings, monitoring minority business contract reports and complying with federal Section 3 requirements, conducting environmental reviews, compliance with the Davis-Bacon Wage Act, national objective and eligibility review, and contracting and procurement regulatory procedures. This funding pays the salary of the full-time CDBG Technician and the one-half time Community Development Program Planner. It is anticipated that program administration expenses will increase in 2015 in order to comply with new Affirmatively Furthering Fair Housing rules. The balance of administrative funds is used towards training, supplies, and consultants as necessary. Any unspent administration funds revert to the CDBG uncommitted fund balance at the end of the program year to be reallocated to future projects and/or studies.

2. Emergency and Essential Home Repair Program - \$50,000

Staff recommends a continuation of funding of the Emergency and Essential Home Repair Program at a reduced level from 2015. Due to the delay in receipt of CDBG funds for the past two years, the City currently has a full-year's level of funding for the home repair program still to be expended. During the 12 month period after receiving the City's 2014 allocation in September, 2014, the home repair program has completed or is in the process of completing repairs to 22 Westminster homes, which is greater than projected. The City just received its 2015 CDBG allocation in September of this year and has just begun spending the \$90,000 budgeted for the home repair program. Providing an additional \$50,000 in 2016 to the program will provide residents with access to \$140,000 in home repair funds for 2016. In the past, the practice has been to decrease the home repair program budget when a balance has remained in the program in order to avoid a large balance of unexpended funds in the program budget and to manage the program under current staffing capacity. Therefore, staff recommends decreasing the funding amount for the program in 2016.

3. Electronic "Your Speed" Signs - \$43,000

During the 2014 Action Plan process, the Heart of Westminster community organization requested that the City use CDBG funds to install electronic "Your Speed" signs in various locations in South Westminster. Due to previous funding priorities, Staff did not recommend previously pursuing this project but had agreed that it would be a beneficial project to complete in the future. Staff now recommends budgeting \$43,000 to install approximately six signs in three locations in South Westminster that meet traffic engineering standards for installation of these signs. A Heart of Westminster representative provided a list of potential locations for sign placement, which will be evaluated by Engineering staff. If the requested locations meet engineering standards, signs will be installed at those locations. Should the requested locations not meet standards, Engineering staff will evaluate alternative locations in South Westminster. Due to the fact that motorists become ambivalent to these signs over time, Engineering staff may move them periodically throughout the area. However, the signs must be located in South Westminster and in qualifying Census tracts. Staff believes this project would be a positive use of CDBG funds and will provide a tangible benefit to the South Westminster community.

4. Sidewalk Connections - \$100,000

There remains several areas throughout South Westminster with missing sidewalk connections including Oakwood Drive just north of 80th Avenue to Auburn Street and the south side of 73rd Avenue at Fireman’s Park. The Oakwood Drive connection has been requested by area residents and is needed to improve safety along this roadway. Staff recommends approving funding for the Oakwood Drive sidewalk connection in 2016 and reserve the Fireman’s Park sidewalk connection as a “plan b” project that may be completed should the City need to accelerate spending in 2016. Sidewalk connection projects may be completed rather quickly and will help the program meet its timely expenditure of funds requirement.

5. Section 108 Loan Principal Payment - \$247,000

At the December 14 City Council Meeting, the City Council will consider a \$600,000 expenditure of CDBG funds to pay down a portion of the City’s Section 108 Loan. In 2012, the City received a \$1.5 million Section 108 loan from HUD to support redevelopment on the southwest corner of 73rd Avenue and Lowell Boulevard. These funds were utilized for planning, property acquisitions, and tenant relocations. While the City continues to hold the note, paying down the principal would reduce the City’s obligations towards interest payments until a project can assume the loan. Moreover, paying down an additional portion of the principal balance on this loan will strengthen the financial position of any project moving forward on the 73rd and Lowell property. The Section 108 loan is structured so that any future developer will assume the balance of the loan upon completion of a project. Paying down the principal balance on the loan reduces the developer’s financial burden. Finally, expending the bulk of CDBG funds on a loan payment will allow staff to focus its energies on completing the previously budgeted Bradburn Boulevard streetscape improvements through the phasing of tree and light installation in areas where undergrounding is not necessary. Also, a significant amount of Staff time is expected to be needed to meet new federal requirements to Affirmatively Further Fair Housing.

Public Outreach Process

Staff proposes to follow the City’s CDBG Citizen Participation Plan in order to provide outreach to citizens regarding the 2016 Action Plan. This will include conducting a public meeting in South Westminster at the MAC or Irving Street Library, a public hearing on the plan at a City Council meeting, and a 30 day public comment period. Per the Citizen Participation Plan, all meetings will be noticed to the public in both English and Spanish for at least 14 days prior to the meeting date. Staff will continue to focus on its outreach efforts to draw community input and participation in the CDBG planning process.

The following provides a list of locations where public notices will be sent regarding the Action Plan. Recipients are asked to place the public notice in a prominent location in their facility for a 30 day period. Additionally, select individuals who have expressed an interest in the CDBG program and/or have requested direct notification of actions taken within the program will also receive notices.

Schools	Apartment Complexes
Hidden Lake High School	Lowell Colony Apartments
Westminster High School	Orchard Crossing
Ranum Middle School	Susan Kay Apartments
Shaw Heights Middle School	Terrace Gardens
Early Childhood Center	Village at Greenbriar
Flynn Elementary School	Glendale Apartments

<p>Harris Park Elementary School Hodgkins Elementary School Skyline Vista Elementary School Westminster Elementary School Crown Pointe Academy</p>	<p>Westminster Commons Villa Maria Clare of Assisi Homes Cottages at Panorama Point Residences at Panorama Point Westchester Apartments East Bay Senior Housing Mountain Terrace Bradburn Gardens Westbury Apartments Toscana Walnut Creek Warwick Station Apartments</p>
<p>Organizations FRESC Adams County Housing Authority Jefferson County Housing Authority Harris Park Townhomes HOA Hidden Lake HOA Meade Manor HOA Growing Home Heart of Westminster Westminster Grange Denver Post South Westminster Arts Group (SWAG) Lao Buddhist Temple Community Enterprise Servicios de La Raza Hmong American Association of Colorado</p>	<p>City Facilities City Hall Irving Street Library College Hill Library The MAC Swim and Fitness Center City Website and Social Media</p>
<p>Individuals Joe Sloan Gary Shea Vi June Bill Christopher Dino Valente Jill Jennings Golich</p>	

Other Considerations

Staff will be available at the December 7, 2015 Study Session to address the Action Plan with Council. Also, in the first quarter of 2016, Staff will be coming to City Council for a comprehensive discussion of the CDBG program. This will include a discussion of funding priorities, program mechanics, and public outreach.

The proposed 2016 CDBG Action Plan Projects meets the City Strategic Plan goals of Dynamic, Diverse Economy and Financially Sustainable Government Providing Excellence in City Services by cultivating and strengthening a wide array of economic opportunities and supporting a financially sustainable government.

Respectfully submitted,

Donald M. Tripp
City Manager