

**City of Westminster City Council Study Session
October 16, 2006**

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

City Staff in attendance included: City Manager Brent McFall; Assistant City Manager Steve Smithers; City Attorney Marty McCullough; Police Chief Dan Montgomery; Neighborhood Services Administrator Janice Kraft; Lead Code Enforcement Officer Joy Tallarico; Police Sergeant Mike Hendershot; City Engineer Dave Downing; Public Information Specialist Carol Jones; and Management Analyst Aric Otzelberger.

The guests in attendance were Evie Hemphill and Taylour Nelson with the Westminster Window; Superintendent Roberta Selleck, Skeet Hartman, Dr. Marilyn Flachman, Marge Rinaldi and Vicky Marshall with District 50 Schools; Larry Dean Valente; and Rick White.

District 50 Presentation on Bond Issue

Superintendent Roberta Selleck with District 50 Schools delivered a presentation to Council on the District's bond issue that will be decided by voters in November. The \$98.6 million bond measure would fund a new high school, a new elementary school and a Master Plan study to look at the 32 facilities in the District and plan for maintenance, repair and utilization. The presentation was informational in nature and District 50 representatives asked for Council's support of the bond issue. Council was unanimous in support of the bond issue and directed Staff to prepare a resolution for adoption at next Monday night's Council meeting that expresses support for the bond issue.

Graffiti Strategy

Neighborhood Services Administrator Janice Kraft, Police Chief Dan Montgomery, Lead Code Enforcement Officer Joy Tallarico and Police Sergeant Mike Hendershot were present to discuss a proposed graffiti program that consists of a three-pronged strategy including community involvement, eradication and enforcement. The community involvement piece would encompass efforts to get the citizens and businesses of Westminster actively involved by way of programs similar to Crimestoppers and Adopt-A-Street. Significant efforts would also be made to educate school students and the community-at-large about the impacts of graffiti. The eradication piece would involve the use of individuals assigned to community service work by the Court to remove graffiti on public property, parks and City right-of-way. Private property owners would be required to clean graffiti from their property. If they are unable or unwilling, the City could consider abating the graffiti and billing the cost back to the property owner. Coordination with the City's volunteer program would be a key element of the program to provide assistance to victims of graffiti. The enforcement piece would involve adopting an ordinance that makes the act of graffiti illegal, requires identification to purchase graffiti products and would allow police officers to confiscate graffiti products from juveniles under certain circumstances. Conviction in court could require community service work removing graffiti, restitution to the property owner and significant financial penalties.

A key element of this graffiti strategy is the Community Service Coordinator. This is an authorized position in the City's staffing plan, but recruitment has been frozen since late 2003. This employee would be the City facilitator for community service workers and would manage the graffiti program from the Police Department Neighborhood Services Section. The annual expenditures for this position would total approximately \$50,000.

Council directed Staff to continue to develop and implement the proposed graffiti program. Council encouraged Staff to contact businesses to gather feedback on the possibility of restricting the sale of graffiti materials to minors under the age of 18. Mayor McNally asked Staff to explore how the Youth

Advisory Council could be included in these anti-graffiti efforts. Councillor Dittman asked if there was any opportunity for homeowners or businesses to receive free or reduced-price products to cover graffiti. Staff responded that Lowe's has approached the City to offer free materials for graffiti eradication. Staff said that other businesses could be contacted to see if they would be willing to do the same. Councillor Kaiser expressed concern over penalizing homeowners that are habitually "tagged."

Intergovernmental Agreement with the City of Thornton for the Design and Construction of Improvements to the McKay Drainageway

City Manager Brent McFall, Assistant City Manager Steve Smithers, City Attorney Marty McCullough and City Engineer Dave Downing discussed a proposed Intergovernmental Agreement (IGA) between the Cities of Thornton and Westminster to share costs and cooperate on the design and construction of the proposed improvements to the McKay Drainageway between Huron Street and Washington Street. McKay Drainageway runs from McKay Lake Reservoir, crossing Huron Street between 140th Avenue and 144th Avenue, ultimately joining Big Dry Creek in Thornton at 140th Avenue and Washington Street. The flow path is poorly-defined and Interstate 25 acts as a dam, resulting in a broad and shallow floodplain that covers approximately 96 acres of the area between the Interstate and Huron Street and between 136th Avenue and 144th Avenue. About 34 acres are similarly affected in Thornton in areas of importance to both cities' future land use planning.

A drainage planning study prepared in 2001 identified improvements that would confine and convey the flows and recover most of the floodplain land. The cities have been discussing the project for several years and have finally arrived at a cost-sharing method that has received preliminary concurrence by the respective staffs. The project has a projected concept level cost of between \$8 and \$10 million dollars that is intended to cover design and construction of a channel with crossing structures at the Bull Canal, I-25 and Washington Street. The City Council has been appropriating funds for this project for several years and \$7.3 million has been accumulated. The current terms of the proposed Intergovernmental Agreement (IGA) has Westminster fronting the cost of the project with reimbursement by Thornton at some point in the future.

Council concurred with Staff's recommendations to pursue this proposed IGA with Thornton and directed Staff to bring back this item for official action at a future City Council meeting.

Mayor McNally adjourned the Study Session at 8:16 PM.