



**CITY OF WESTMINSTER 2017  
LEGISLATIVE POLICY STATEMENT**

**Adopted December 12, 2016**

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## **OVERVIEW**

The City of Westminster's Legislative Policy Statement identifies general legislative issues of interest to the City along with the City's policy principles on these issues. The following policy statements are necessarily broad and are not all-inclusive. Staff will utilize the Legislative Policy Statement as a guiding document when reviewing and analyzing bills that have an impact on the City's interests. The City of Westminster will take official City positions on a limited number of significant bills. The City will have discretion in determining on which specific bills to take official City positions. Official City positions are not automatically assumed on bills simply because they are congruent with the policy statements contained in this document. When significant legislation is identified, Staff will provide City Council with a brief summary of the substance of the legislation and a proposed official City position that is consistent with the principles of the Legislative Policy Statement. If the issue is not the subject of local action, then upon concurrence of a majority of Councillors, Staff will communicate the recommended position to the City's lobbyists and update the legislative page on the City's website accordingly. If the matter may be the subject of local action and Councillors do not express any concerns with the position, Staff will communicate this position to the City's lobbyists and update the legislative page accordingly. The City will continue to contact legislators regarding official City positions on specific bills throughout the legislative session.

The City of Westminster welcomes the opportunity to discuss the City's legislative positions with legislators. This Legislative Policy Statement provides a reference tool for legislators to use when considering legislation that may impact the City of Westminster. For more information on the City's legislative program, please contact Policy and Budget Manager Chris Lindsey at 303-658-2004.

## **CITY OF WESTMINSTER STRATEGIC PLAN**

Each year, the City Council reviews and recommits the City organization to a Strategic Plan. The 2016 Strategic Plan identifies the City's underlying principles on which decisions are based and includes goals to be achieved. Each goal is further defined by a set of objectives and short-term actions to be taken to achieve the associated goal. The Strategic Plan reinforces long-term planning for both day-to-day operations and services, and long-term investment projects such as road construction, sewer maintenance, and water distribution programs. As a statement of City Council's goals and vision for the City, the Strategic Plan helps Staff successfully plan City projects and budgets to achieve this vision and associated goals. Accordingly, the City of Westminster Legislative Policy Statement is intended to be consistent with and support City Council's Strategic Plan goals and objectives.

Therefore, the City of Westminster:

- Supports legislation that is consistent with and supports the achievement of the City's Strategic Plan goals and objectives.
- Opposes legislation that is counter to or prevents the achievement of the City's Strategic Plan goals and objectives.

The following is a summary of the six major goals and corresponding objectives that are identified in the City's 2016 Strategic Plan.



# CITY OF WESTMINSTER STRATEGIC PLAN

Adopted July 2016



## VISIONARY LEADERSHIP, EFFECTIVE GOVERNANCE AND PROACTIVE REGIONAL COLLABORATION

*The City of Westminster has articulated a clear vision for the future of the community. The vision is implemented through collaborative and transparent decision making. Westminster is proactively engaged with our partners to advance the common interests of the region.*

- Develop communication, management and planning tools that move the City toward its vision while providing excellent government.
- Collaborate with state agencies, counties, school districts, neighboring cities and other governmental and non-governmental entities.



## VIBRANT, INCLUSIVE AND ENGAGED COMMUNITY

*Westminster provides options for an inclusive, demographically diverse citizenry in unique settings with community identity, ownership and sense of place, with easy access to amenities, shopping, employment and diverse integrated housing options. Members of the community are empowered to address community needs and important community issues through active involvement with City cultural, business and nonprofit groups.*

- Advance strategies that demonstrate Westminster is a regional leader in providing affordable/workforce housing.
- Develop programs and strategies that build a unique sense of community in Westminster.
- Lead the development of cultural opportunities in Westminster.
- Identify the distinct neighborhoods of Westminster and help them begin to work together, as neighbors, to grow the sense of place and community in their neighborhoods.



## BEAUTIFUL, DESIRABLE, SAFE AND ENVIRONMENTALLY RESPONSIBLE CITY

*Westminster thoughtfully creates special places and settings. The City is an active steward, protecting and enhancing natural resources and environmental assets. The City promotes and fosters safe and healthy communities.*

- Make a Citywide commitment to sustainability.
- Promote ongoing excellent management and maintenance of the City's parks and open space system.
- Provide opportunities for residents, visitors and employees to improve their personal wellness – physically, emotionally and intellectually.



## DYNAMIC, DIVERSE ECONOMY

*Westminster is a local government that fosters social, economic and environmental vitality and cultivates and strengthens a wide array of economic opportunities.*

- Develop an economic development strategy that contributes to City vision attainment and is executed through collaborative work between the City of Westminster, the business community, residents and other partners of Westminster.



## FINANCIALLY SUSTAINABLE GOVERNMENT PROVIDING EXCELLENCE IN CITY SERVICES

*Westminster leads the region in a culture of innovation that exceeds expectations in providing value in all city services – the city shall be known for “the Westy Way.”*

- Develop and maintain comprehensive municipal capital infrastructure master plan and financing strategy.
- Promote the organizational culture of Service, Pride, Integrity, Responsibility, Innovation and Teamwork.
- City Manager will develop an annual program of specific department business process improvement reviews.



## EASE OF MOBILITY

*Westminster pursues multi-modal transportation options to ensure the community is convenient, accessible and connected by local and regional transportation options through planning, collaboration, advocacy and execution. Transportation objectives include walkability, bike friendly, drivability, and mass-transit options.*

- Improve the walkability and bikeability of Westminster.
- Improve mass-transit options throughout Westminster.

### VISION:

**Westminster is the next Urban Center of the Colorado Front Range.** It is a vibrant inclusive, creative, and well-connected City. People choose Westminster because it is a dynamic community with distinct neighborhoods, quality educational opportunities and a resilient local economy that includes: a spectrum of jobs; diverse, integrated housing; and shopping, cultural, entertainment, and restaurant options. It embraces the outdoors and is one of the most sustainable cities in America.

### MISSION:

Our job is to deliver exceptional value and quality of life through S-P-I-R-I-T (Service, Pride, Integrity, Responsibility, Innovation, Teamwork).

# **POLICY PRINCIPLES**

## **HOME RULE AND LOCAL CONTROL**

The City of Westminster believes strongly in the principles of home rule authority and local control. Article XX of the Colorado Constitution grants home rule municipalities such as Westminster “the full right of self-government in local and municipal matters.” The City of Westminster believes that home rule authority increases the effectiveness and efficiency of local government services, enhancing the quality of life in the community and the value provided to local taxpayers.

Therefore, the City of Westminster:

- Supports state legislators in upholding home rule authority and Colorado’s tradition of local control.
- Supports legislative efforts to strengthen home rule authority of municipal governments.
- Opposes legislation that attempts to weaken municipal home rule authority and flexibility.
- Opposes legislation that mandates state intervention in matters of local concern, especially when that intervention unnecessarily or adversely affects the City’s ability to manage these matters pursuant to its home rule authority.

## **STATE AND FEDERAL MANDATES**

Programs and regulations mandated by the state or federal governments have the potential to adversely impact the financial resources of the City of Westminster. If additional costs brought about by these mandated programs or regulations are not paid by the state or federal governments, they can have a direct negative impact on the City budget. This can prevent the City of Westminster from meeting the needs of residents and businesses and achieving the City’s strategic priorities.

Therefore, the City of Westminster:

- Supports the TABOR Constitutional requirement for the Colorado General Assembly to reimburse municipalities for the cost of state mandates and to make this requirement clear in state fiscal notes prepared for the General Assembly.
- Opposes unfunded state and federal mandates that impose unfair financial burdens on municipalities and their citizens.

## **GOVERNMENTAL IMMUNITY**

The City of Westminster recognizes that the complexity and diversity of City operations and services required to meet the needs of citizens may expose the City, its officers, and its employees to liability for damage and injury. The City strongly believes that public officers and employees need to be assured that municipal liability will not impair the lawful and proper provision of necessary services to the public.

Therefore, the City of Westminster:

- Supports legislation that protects the interests of municipalities, their officers, and their employees in the lawful and proper performance of their duties and responsibilities.
- Supports legislation that discourages baseless and frivolous claims and demands made against municipalities, their officers, and their employees.
- Supports the availability of public liability insurance at reasonable costs and the ability of municipalities to reduce these costs through self-insurance.
- Opposes legislation that expands or increases municipal liability, or, conversely, further limits municipal immunity.

## **SALES AND USE TAX**

The City of Westminster levies, administers, and collects its own sales and use taxes under its home rule authority. Sales and use tax revenue is the primary source of funding for City of Westminster services and operations, comprising over 68% of general fund revenues. Appropriate actions at federal, state and local levels must preserve or enhance this critical local revenue.

Therefore, the City of Westminster:

- Supports legislation that maintains local control over the imposition, collection and administration of sales and use taxes.
- Supports legislation that allows state and local governments to require businesses to collect state and local sales and use taxes on remote sales.
- Supports voluntary, cooperative efforts among Colorado municipalities to standardize sales and use tax practices and utilize technology for the convenience of taxpayers, the business community, and municipalities.
- Opposes legislation that preempts local authority to impose and collect sales and use taxes.
- Opposes legislation that grants jurisdictions other than the state, cities, and counties the authority to impose sales or use taxes.

## **GENERAL FINANCE**

The City of Westminster is a full-service community. While sales and use tax revenue comprises the primary funding source for general government services, the City's wide variety of services are also funded through a balanced array of other taxes, user fees, and other financial resources. Consequently, the City of Westminster is impacted by state and federal financial policies.

Therefore, the City of Westminster:

- Supports the continuation of existing local government financing methods and the addition of new methods for local governments to support the provision of municipal services to citizens.
- Supports equitable sharing with municipalities of existing and future state revenues derived from traditional state-collected, locally shared revenues, such as the cigarette tax, Highway Users Tax Fund, and the lottery.
- Opposes state-granted exemptions or other state actions that erode municipal sales taxes, use taxes, property taxes, and other revenue sources unless the state provides adequate replacement revenues.

- Opposes state-mandated reductions to the current property tax structure without specific revenue replacement provisions.

## **LAND USE, DEVELOPMENT, AND REVITALIZATION**

The City believes that local control with land use planning contributes greatly to the creation of a vibrant, inclusive, and engaged community and the overall quality of life in the City of Westminster. In order for redevelopment and revitalization efforts to succeed, the City feels very strongly that appropriate urban renewal tools need to be preserved and strengthened.

Therefore, the City of Westminster:

- Supports legislation that fixes the issues created by HB 15-1348, for both existing and future URA/TIF projects.
- Supports legislation that removes barriers to local land use planning and land development regulation.
- Supports appropriate legislation that facilitates the creation of Transit-Oriented Developments (TOD).
- Supports legislation to enable cooperative urban renewal projects between multiple jurisdictions.
- Supports appropriate legislation and funding that encourages and facilitates historic preservation and rehabilitation.
- Opposes legislation that prescribes comprehensive land use and other community planning efforts at the state level.
- Opposes legislation that would inappropriately limit local government authority to impose growth impact fees.
- Opposes legislation that would unreasonably restrict the use of tax increment financing or eminent domain for redevelopment projects.

## **ECONOMIC DEVELOPMENT**

The City of Westminster strives to develop and maintain a dynamic and diverse economy. Whether it is maintaining a healthy retail base or retaining and expanding targeted businesses and primary employers, the City recognizes the importance of a healthy economic climate to the overall quality of life.

Therefore, the City of Westminster:

- Supports the development of a statewide economic development strategy that addresses issues of business climate and economic direction at the state level but seeks local input and respects local control of economic development.
- Supports appropriate state tax policies and incentive programs, including enterprise zones, business incentive agreements, or other legislative initiatives that encourage business expansion, retention, and attraction through primary job creation, investment in capital equipment, and employer facility development.
- Supports workforce development, including higher education funding, relevant pre- and post-secondary vocational training, and STEM curriculum for K-12.

## **WATER RESOURCES AND TREATMENT**

Since the 1950's, the City of Westminster has invested substantial public funds into the creation and protection of an independent water supply. Westminster has an obligation to provide the highest quality water and wastewater services in a financially sound, reliable, safe, and environmentally respectful manner. The City supports legislative measures to further this goal.

Therefore, the City of Westminster:

- Supports the constitutional doctrine of prior appropriation, the constitutional priority given to domestic water use, the right to purchase and change the use of water rights within Colorado, and supports legislation and policies to ensure fair treatment of all water rights holders.
- Supports water quality legislation that results in appropriate, cost effective water quality control regulations with measurable water quality benefits.
- Supports legislation that reasonably limits liability exposure of and protects investment in water and wastewater operations.
- Supports legislation and regulations that promote the appropriate and beneficial use of reclaimed water and wastewater biosolids.
- Supports legislation that protects water supplies from the environmental and operational impacts of aquatic nuisance species such as zebra and quagga mussels.
- Supports legislation to proactively reduce wildfire risks.
- Supports continued federal and state funding for water and wastewater treatment infrastructure to reduce local costs and expedite construction of necessary treatment, distribution, and collection facilities to comply with federal and state mandates.
- Supports appropriate water conservation efforts and sustainable water resources management practices by all users.
- Supports sufficient appropriations and adequate fee-based revenue so that the state may continue administration of its water programs including those federally mandated water and wastewater environmental regulatory programs, such as the Safe Drinking Water and Clean Water Acts delegated to the state to administer, and can fund the protection of critical infrastructure through an equitable distribution of program costs between state general fund monies and user fees.

## **TRANSPORTATION AND MOBILITY**

The City of Westminster believes the movement of goods and people is vital to the continued economic success of the State of Colorado and to the maintenance of the high quality of life that Coloradans enjoy. To preserve them, the state legislature must make significant investments to maintain and improve the state's transportation network including roads, bridges, and other multimodal systems. With the Colorado Department of Transportation's funding challenges, municipal and county governments have taken on greater construction, maintenance, and financial responsibilities. For example, two interchanges on I-25 at 144th Avenue and 136th Avenue were built and paid for entirely by the Cities of Westminster and Thornton. The City of Westminster has demonstrated that it is willing to partner on projects, such as contributing \$3 million in betterments to the U.S. 36 Express Lanes Project and \$500,000 as part of a \$8 million local funding commitment to the North I-25 Managed Lanes project; however, the City opposes efforts to pass along state roadway construction or maintenance responsibilities to local governments without increased and adequate funds to meet these additional responsibilities.

Therefore, the City of Westminster:

- Supports an appropriate state-wide transportation plan that not only funds repair and maintenance needs, but also commits to network and multi-modal mobility improvements and expansions, including actions that address congestion relief in the Denver metropolitan area.
- Supports legislation to enhance transportation funding equity within the state and Denver Metropolitan Region.
- Supports equitable administration of the Colorado Department of Transportation's (CDOT) Managed Lane Policy. U.S. 36 and North I-25 are gaining capacity improvements under a tolled, HOV3+ approach, and other potential capacity improvement projects should include a toll component.
- Supports legislation and regulatory action that maintains or increases the level of funding provided by the state or passed through the state by the federal government to transportation activities at the local level.
- Supports continued state and federal investments in the U.S. 36 and North I-25 managed lanes projects.
- Supports state and federal investments in addressing the bi-directional commute challenges on the existing I-25 HOT/HOV lanes.
- Supports additional funding efforts to complete the B-Line (Northwest Rail Project) in a timely manner.
- Opposes efforts to eliminate the completion of the B-Line or to pursue other transit investments in the region postponing the completion of this project.
- Supports efforts to pursue a statewide ballot issue and/or the creation of a Metropolitan Transportation District (MTD) for the Denver metropolitan area to increase transportation funding, provided regional equity is adequately achieved for a potential project list and MTD governance structure. Multimodal improvements, including completion of the B-Line should be included in any future funding plans.
- Supports state, federal, and RTD assistance and funding for Bus Rapid Transit (BRT) and bikeway improvements on U.S. 36, including the remaining capital commitments in FasTracks to U.S. 36 BRT, along with the acquisition of an appropriate BRT vehicle fleet.
- Supports state and federal funding assistance for the implementation of railroad crossing quiet zones. Supports legislative efforts to modify rulemaking to allow for a more attainable quiet zone crossing designation and better certainty as to the ongoing nature of quiet zone designations once investments are made in establishing those quiet zones.
- Supports Transportation Demand Management (TDM) efforts and investments for U.S. 36 and North I-25 and adjacent to transit oriented development.
- Opposes legislation to transfer maintenance responsibility of state-owned roads to municipalities without adequate short and long-term funding to meet these additional responsibilities.

## **TELECOMMUNICATIONS**

The City of Westminster recognizes the importance of telecommunications services to economic development and the quality of life in the City. The City of Westminster supports increased competition in the cable and video market and has taken steps in preparation to work with companies who are interested in providing video service in our community. However, the City's view is that statewide franchising should not override the City's authority to ensure the best possible service to its citizens and to regulate the use of public right-of-way.

Therefore, the City of Westminster:

- Supports the retention of municipal franchising and regulatory authority over cable television systems.
- Supports legislation that preserves municipal control and autonomy over public rights-of-way and other assets, along with the right of local governments to receive fair and reasonable compensation for their use.
- Supports the ability of municipalities to require “reasonable” build-out for potential new video providers per the Federal Communications Commission’s executive order.
- Opposes state or federal restrictions on municipal franchising, regulatory, and taxing authority over telecommunications systems.

## **WORKERS’ COMPENSATION**

The City of Westminster recognizes that the Colorado Workers’ Compensation Act was developed as a no-fault system established “to assure the quick and efficient delivery of disability and medical benefits to injured workers at a reasonable cost to employers, without the necessity of any litigation, recognizing that the workers’ compensation system in Colorado is based on a mutual renunciation of common law rights and defenses by employers and employees alike.” The City self-insures its Workers’ Compensation program up to a certain limit and then purchases excess commercial insurance coverage to ensure the most cost effective, efficient delivery of these benefits to employees. The City is concerned about any legislation that will erode the ability of an employer to control their claim costs and inhibit an employer’s ability to get competitive quotes from the market for quality insurance coverage.

Therefore, the City of Westminster:

- Supports legislation that maintains the spirit of the Colorado Workers’ Compensation Act, for the protection of both Colorado employers and employees.
- Opposes legislation that creates presumptive eligibility coverage within the law.
- Opposes legislation that increases insurance premium costs to employers.
- Opposes legislation that adds administrative burdens or taxes to self-insurance programs.
- Opposes legislation that promotes litigation.

## **HUMAN RESOURCES**

Employees are the City of Westminster’s most important resource. The City is an equal opportunity employer and works to ensure excellent and fair salaries and benefits for employees, along with growth and development opportunities. Like with most other organizations, the City of Westminster’s budget is continuously pressured by increasing compensation and benefit costs. The City constantly balances fair compensation and benefits with responsible expenditures of tax dollars.

Therefore, the City of Westminster:

- Supports legislation that maintains or reduces the employer and employee Fire and Police Pension Association (FPPA) pension and retiree health insurance costs.

- Opposes any legislation that interferes with a municipality’s ability to determine the terms and conditions of municipal employment.
- Opposes mandated Social Security coverage for public employees, mandated benefit levels or funding standards for municipal employee pension plans, or other unreasonable burdens or restrictions in connection with the administration of municipal employee benefit plans.
- Opposes legislation that reduces current state funding of death and disability benefits for emergency services personnel or legislation that shifts the funding of this State responsibility to local governments.

## **OPEN SPACE**

As stated in the City’s Strategic Plan, Westminster works to maintain and develop a “Beautiful, Desirable, Safe, and Environmentally Responsible City.” Increasing and preserving open space is a high priority in the City of Westminster. As build-out approaches, the City is striving to achieve its goal of maintaining 15% of the City’s land area as open space. Open space, along with trails, contribute greatly to the quality of life in the City of Westminster.

Therefore, the City of Westminster:

- Supports maintaining funding, and adding additional funding where appropriate, to state and federal land conservation programs that will help to increase the amount of open space within the City.
- Supports legislation that generally enables and empowers the use of conservation easements.
- Supports legislation that provides further incentives to preserve open space.

## **ENVIRONMENT**

For the City of Westminster, the environment is a priority, as is shown in the City’s programs and services that promote clean air, water, and land. Westminster is one of the most environmentally-friendly cities in the area and has signed the U.S. Conference of Mayors Climate Protection Agreement. The City of Westminster recognizes the importance of working cooperatively with other governmental entities to implement and manage efficient, cost-effective, and scientifically-based environmental control programs. It is the intent of the City to meet or exceed compliance with all applicable environmental laws and regulations. However, the City does not support state or federal programs that place a severe financial burden on municipalities.

Therefore, the City of Westminster:

- Supports appropriate legislation and regulations that promote pollution prevention.
- Supports legislation and regulations that provide incentives for green building and sustainable design without imposing unfunded mandates.
- Supports energy conservation efforts and legislation that accelerates the development of clean, economical energy resources and fuel-efficient technologies such as wind and solar energy, waste to energy, fuel cells, and other appropriate and effective technologies.
- Supports reasonable legislation and regulations that increase the fuel efficiency of motor vehicles.

- Supports legislation that limits liability for waste cleanup costs under federal law where the municipality demonstrates due care and absence of fault in connection with waste disposal at a site and provides an early and fair means of settlement for municipalities named as liable parties at waste cleanup sites.
- Opposes legislation or standards that weaken current air quality standards or regulations.
- Opposes legislation that limits the ability of local government to regulate the activities of private waste or recycling collectors or to provide waste or recycling collection or processing services to citizens.

## **PUBLIC SAFETY**

The City of Westminster works diligently towards keeping citizens safe anywhere in the City. The City of Westminster recognizes the critical importance of maintaining public order, providing a safe environment, and protecting the lives and property of the citizens of Westminster. The role of the Police Department is to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of police authority and the constitutional rights of all persons. The Westminster Fire Department works to minimize injuries and property losses due to fire, to provide quality emergency medical care and transport services, and to provide other services including fire inspections and emergency preparedness planning. Finally, the City of Westminster's Municipal Court enforces the City's ordinances in an effective and judicious manner.

Therefore, the City of Westminster:

### **POLICE**

- Supports legislation that provides resources and support to victims of domestic violence.
- Supports legislation regarding the Public Safety Spectrum that supports a nationwide, interoperable, wireless broadband network (FirstNet).
- Supports legislation that protects society against identity theft.
- Supports legislation that allows for 9-1-1 oversight and accountability for all 9-1-1 service providers in the state.
- Opposes legislation that inappropriately transfers immigration enforcement responsibilities from the federal government to local government and diverts local law enforcement resources from other priorities.
- Opposes legislation that restricts and limits automated license plate reader technology and data retention by law enforcement.

### **MUNICIPAL COURT**

- Opposes legislation that limits the authority of municipalities to enforce their own ordinances in municipal courts.
- Opposes imposition of state surcharges on municipal court fines for the purpose of funding state programs.

### **FIRE AND EMERGENCY MEDICAL SERVICES**

- Supports legislation that assists in the development of interoperable communication systems for public safety.
- Supports legislation to require the installation of appropriate fire protection systems in structures to enhance life safety and property protection.

- Supports legislation that strengthens the City’s ability to prohibit the use and sale of all fireworks, along with legislation that allows counties and fire districts to prohibit and otherwise control fireworks.
- Supports legislation that creates a State Plan Amendment that establishes a program allowing public agencies who provide emergency medical services (EMS) to be reimbursed by the federal governments via the Ground Emergency Medical Transport Supplemental Reimbursement Program.
- Opposes legislation that restricts the City from adopting local strategies and regulations for safely addressing hazardous materials.
- Opposes legislation that restricts the City’s ability to review and approve the location of facilities that use or store hazardous materials or hazardous waste.

## **PUBLIC EDUCATION**

Access to a quality public education is a priority of the City’s residents and an asset to the community. Strong schools make strong communities. Quality public schools prepare all students to succeed and are the foundation of a vibrant, inclusive, and engaged community. The City works in partnership with school districts and education institutions to enhance the learning and development opportunities available to students of all ages and encourages regional, state, and local collaboration and expansion of resources for these efforts.

Therefore, the City of Westminster:

- Supports legislation that provides adequate funding to all school districts.
- Supports legislation that expands workforce development opportunities and funding to train skilled workers.
- Supports legislation that provides state and local resources for the expansion of quality early childhood education opportunities.
- Supports legislation to increase safety in schools and provides adequate funding to support law enforcement and school districts in these efforts.
- Supports legislation to increase the quality of and resources for special education.
- Supports legislation that provides funding for quality out-of-school time enrichment activities that are accessible to public schools, local governments, and non-profits.