



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council

DATE: June 18, 2014

SUBJECT: Briefing and Post-City Council Briefing Agenda for June 23, 2014

PREPARED BY: J. Brent McFall, City Manager

Please Note: Study Sessions and Post City Council briefings are open to the public, and individuals are welcome to attend and observe. However, these briefings 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 Monday night's Briefing and Post-City Council meeting briefing, the following schedule has been prepared:

Dinner 6:00 P.M.

Council Briefing (*The public is welcome to attend.*) 6:30 P.M.

POST BRIEFING (*The public is welcome to attend.*)

PRESENTATIONS

1. Report from April 8, 2014, City Prosecutor's Office/Court Coordination Meeting
2. Discussion regarding City Attorney candidate profile (*verbal*)

CITY COUNCIL REPORTS

None at this time.

EXECUTIVE SESSION

None at this time.

INFORMATION ONLY

1. Monthly Residential Development Report

Items may come up between now and Monday night. City Council will be apprised of any changes to the post-briefing schedule.

Respectfully submitted,

J. Brent McFall
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](tel:303-658-2161) /TTY 711 or State Relay) or write to mbarajas@cityofwestminster.us to make a reasonable accommodation request.



WESTMINSTER

Staff Report

Post City Council Meeting
June 23, 2014



SUBJECT: Report from April 8, 2014, City Prosecutor's Office/Court Coordination Meeting

Prepared By: Hilary Graham, Deputy City Attorney
Carol Barnhardt, Court Administrator
Gene Boespflug, Police Commander
Kimberly Kaufman, Lead Prosecuting Attorney
Mark Brostrom, Assistant Prosecuting Attorney
Barbara Lamanna, Victim Services Coordinator
Brian Poggenklass, Probation Supervisor
Joy Tallarico, Code Enforcement Supervisor

Summary Statement

This report is for City Council information only and requires no action by City Council. Staff will be present to receive any feedback from City Council.

Background Information

A report about the coordination meeting that took place on April 8, 2014, with representatives from the City Council, the Municipal Court, the City Prosecutor's Office ("CPO"), the Police Department (including the Victim Advocates), and defense counsel was prepared by the meeting's facilitator, Michael Spangle, Ph.D., and has been previously transmitted to Council.

This Staff Report provides additional feedback about the meeting from staff's perspective and discusses possible next steps. Staff will be present at the post-meeting to discuss follow-up questions Council may have and to receive further direction, as needed.

As referenced in Dr. Spangle's report, the coordination meeting was largely a success. From staff's perspective, the April 8th meeting, as well as the discussions preceding it, provided valuable time for the various Municipal Court stakeholders to focus on common goals and shared challenges. It seems time for reflection and big-picture thinking tends to get passed over in the struggle to stay on top of the steady flow of everyday tasks.

Staff agrees with all of the conclusions and recommendations within Dr. Spangle's report. In addition, staff would like to share with Council the following observations and comments:

1. From staff's perspective, it is clear that all stakeholders have a genuine concern for the welfare of our citizens. Often it is these stakeholders who see our citizens at their lowest and most vulnerable points in life.
2. There was consensus that the Court and CPO are generally well-run and highly effective; yet, there is a desire to fine-tune some of the procedures and practices.
3. CPO's proposed revised plea bargain guidelines were strongly supported by the group and are being implemented. The group was clear that these guidelines must not be viewed as inflexible rules for determining the outcome of any given case. Rather, there was agreement that the prosecutors must retain discretion. The facts and circumstances of each case matter, and the group appreciates the prosecutors' research, investigation and preparation efforts to determine an appropriate plea offer.
4. Along with granting prosecutors discretion, there comes a corollary need for the members of the stakeholder group to trust and respect a prosecutor's decisions.
5. There is support among stakeholders for maintaining the City's fast-track domestic violence program as a service to the community. The group supports ensuring its continued success.
6. There is also support among stakeholders for the CPO and Court to continue an emphasis on graffiti and theft cases. Strong prosecution of those two types of crimes is viewed to be an effective deterrent. There is also stakeholder consensus that cases involving a defendant inflicting harm on a person will generally be given priority.
7. There is a shared interest in encouraging more cross-departmental communication of the type that occurred leading up to and during the coordination meeting. In particular, there seems to be a need to draw internal stakeholders into shared discussions about Court processes. If there is an ethically permissible way to include the judges in some of these process-oriented discussions, that would be valuable.
8. Insufficient mental health resources for our citizens and defendants, who often have limited financial resources, were common themes. The group noted that defendants often face challenges paying for court-ordered classes or treatment services, and there was an interest in exploring ways to subsidize these types of services. Agencies providing these services are able to offer a sliding fee scale according to ability to pay; however, similar services required as part of County court case dispositions may be state-subsidized based on the financial needs of the defendant.
9. As a long-term goal, there is interest in exploring alternative courts within our Court, focusing on specific types of defendants or crimes (e.g., teen court, drug court, veterans' court, mental health court). There are examples in operation in the metropolitan area. There is also an interest in exploring various forms of alternative sentencing, along with restorative justice concepts.

Note: The long-term ideas outlined in #8 and #9, above, if implemented, would have significant impacts on budgets, personnel, and resources. Staff is aware that those types of changes cannot occur without City Council's direction and support.

10. Perhaps most importantly, as it relates to many of the foregoing items, there is an interest in receiving information and feedback proactively from Council about planning priorities and how to allocate the CPO's and the Court's limited resources. To set the stage for this increased feedback, CPO proposes to give an annual report to Council. CPO's prosecution statistics are already

reported as part of the City Attorney's Office annual report to Council. However, a separate CPO report, including time for prosecutors to be face-to-face with Council, could be a valuable opportunity for dialogue and guidance.

Going forward, staff will implement and continue to pursue the following:

1. The group agreed that a six-month follow-up meeting would be helpful to gauge satisfaction with CPO's new guidelines and to keep up the positive momentum. Staff will plan this meeting for late 2014; Dr. Spangle has agreed to facilitate again. A brief survey will be sent out prior to the follow-up facilitation so that staff can compare results with the 2013 survey. (Relates to #2 through #6 above.)
2. CPO will continue to earn the trust and respect of the stakeholder's group by being willing and able to discuss prosecutors' decisions in any given case. (Relates to #4 above.)
3. Staff will arrange for CPO to give a written and verbal report to City Council in 2015. (Relates to #10 above.)
4. Coordination meetings among the Court, PD, Victim Advocates, and CPO have already taken place and will be ongoing. A first project resulting from this new collaboration may be a shared calendar among Court, CPO and PD that would allow for better scheduling of police officer appearance dates. There are also discussions about reviewing the current Court docket schedules. CPO and the Court are in discussions about how to receive input from judges – as to process and not case-specific substance - in an ethically responsible manner. (Relates to #7 above.)
5. The City Attorney's Office is preparing a level of service review to document the City's successful graffiti mitigation efforts. It is hoped that this review will provide quantitative evidence of whether the City's hardline stance of requiring jail time for all graffiti offenders contributed to a decline in the instances of graffiti within the City. The results will be reported to Council. (Relates to #6, #7 and #10 above.)
6. Staff will explore alternative sentencing opportunities and will analyze how current ordinances, specifically Westminster Municipal Code § 1-22-15 (as to deferred prosecutions and deferred judgments) and § 1-22-23 (as to in-home detention) may be restricting CPO's and the Court's options. Staff may bring amended ordinances forward for Council's consideration in the future. (Relates to #9 above.)

This ongoing effort to better coordinate the Court and CPO working relationships and to give voice to the various Court stakeholders furthers the City's strategic plan goal of Excellence in City Services.

Staff welcomes additional direction or feedback from Council.

Respectfully submitted,

J. Brent McFall
City Manager



WESTMINSTER

Staff Report

Information Only Staff Report
June 23, 2014



SUBJECT: Monthly Residential Development Report

PREPARED BY: Walter G. Patrick, Planner

Summary Statement

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

- The following report updates 2014 residential development activity per subdivision (please see attachment) and compares 2014 year-to-date totals with 2013 year-to-date totals.
- The table below shows an increase in new residential construction for 2014 year-to-date totals when compared to 2013 year-to-date totals (17 units in 2014 vs. 9 units in 2013).
- Residential development activity for the month of May 2014 versus May 2013 reflects a decrease in single-family detached (1 unit in 2014 versus 7 units in 2013), and no change in single-family attached, multiple-family or senior housing (0 units in both years).

NEW RESIDENTIAL UNITS (2013 AND 2014)

UNIT TYPE	MAY		% <i>CHG</i>	YEAR-TO-DATE		% <i>CHG</i>
	2013	2014		2013	2014	
Single-Family Detached	7	1	-85.7	9	15	66.7
Single-Family Attached	0	0	-	0	2	-
Multiple-Family	0	0	-	0	0	-
Senior Housing	0	0	-	0	0	-
TOTAL	7	1	-85.7	9	17	88.9

Background Information

In May 2014, there was 1 Service Commitment issued for new housing units.

The column labeled “# Rem.” on the attached table shows the number of approved units remaining to be built in each subdivision.

Total numbers in this column will change as new residential projects (awarded Service Commitments in the new residential competitions), Legacy Ridge projects, build-out developments, etc., receive Official Development Plan (ODP) approval and are added to the list. Conversely, projects with expired Service Commitments are removed from the list.

This report supports the City Council Strategic Plan goals of Vibrant & Inclusive Neighborhoods and Beautiful, Desirable, Environmentally Responsible City.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – Active Residential Development Table

ACTIVE RESIDENTIAL DEVELOPMENT

Single-Family Detached Projects:

Bradburn (120th & Tennyson)
CedarBridge (111th & Bryant)
Country Club Highlands (120th & Zuni)
Countryside Vista (105th & Simms)
Huntington Trails (144th & Huron)
Hyland Village (96th & Sheridan)
Legacy Ridge West (104th & Leg. Ridge Pky.)
Lexington (140th & Huron)
Various Infill
Winters Property (111th & Wads. Blvd.)
Winters Property South (110th & Wads. Blvd.)

Apr-14	May-14	2013 YTD	2014 YTD	# Rem.*	2013 TOTAL
0	0	3	0	0	6
0	0	0	0	3	0
3	0	3	12	58	8
0	0	0	0	9	0
1	0	2	2	21	10
0	0	0	0	105	0
0	0	1	0	0	1
0	0	0	0	2	1
0	1	0	1	7	7
0	0	0	0	8	0
0	0	0	0	10	0
4	1	9	15	223	33

SUBTOTAL

Single-Family Attached Projects:

Alpine Vista (88th & Lowell)
Cottonwood Village (88th & Federal)
East Bradburn (120th & Lowell)
Hollypark (96th & Federal)
Hyland Village (96th & Sheridan)
Legacy Village (113th & Sheridan)
South Westminster (East Bay)
Shoenberg Farms
Summit Pointe (W. of Zuni at 82nd Pl.)
Sunstream (93rd & Lark Bunting)

0	0	0	0	84	0
0	0	0	0	62	0
0	0	0	0	117	0
0	0	0	0	58	0
0	0	0	0	153	0
0	0	0	0	30	24
0	0	0	0	53	0
0	0	0	0	8	0
0	0	0	0	58	0
0	0	0	2	8	4
0	0	0	2	631	28

SUBTOTAL

Multiple-Family Projects:

Hyland Village (96th & Sheridan)
Orchard at Westminster
Prospector's Point (87th & Decatur)
South Westminster (East Bay)
South Westminster (Harris Park Sites I-IV)

0	0	0	0	54	0
0	0	0	0	194	200
0	0	0	0	24	0
0	0	0	0	28	0
0	0	0	0	6	0
0	0	0	0	306	200

SUBTOTAL

Senior Housing Projects:

Crystal Lakes (San Marino)
Mandalay Gardens (Anthem)

0	0	0	0	7	0
0	0	0	0	0	60
0	0	0	0	7	60

SUBTOTAL

TOTAL (all housing types)

4 1 9 17 1167 321

* This column refers to the number of approved units remaining to be built in each subdivision.