



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council

DATE: November 16, 2011

SUBJECT: Study Session Agenda for November 21, 2011

PREPARED BY: J. Brent McFall, City Manager

Please Note: Study Sessions and Post City Council meetings are open to the public, and individuals are welcome to attend and observe. However, these meetings are not intended to be interactive with the audience, as this time is set aside for City Council to receive information, make inquiries, and provide Staff with policy direction.

Looking ahead to next Monday night's Study Session, the following schedule has been prepared:

Council Group Photo in Council Chambers **6:00 P.M.**

A light dinner will be served in the Council Family Room 6:30 P.M.

CITY COUNCIL REPORTS

1. Report from Mayor (5 minutes)
2. Reports from City Councillors (10 minutes)

PRESENTATIONS

1. 2012 CDBG Projects, Action Plan and Citizen Participation
2. City Council Assignments

7:00 P.M.

EXECUTIVE SESSION

None at this time.

INFORMATION ONLY ITEMS

1. Final Decisions Affecting the Surface Water Monitoring Program at the Rocky Flats Environmental Technology Site

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

Respectfully submitted,

J. Brent McFall
City Manager





WESTMINSTER

Staff Report

City Council Study Session Meeting
November 21, 2011



SUBJECT: 2012 Proposed Community Development Block Grant (CDBG) and HOME Projects, 2012 Action Plan and Citizen Participation Plan
PREPARED BY: Signy Mikita, Community Development Program Planner

Recommended City Council Action:

Approve the allocation of Community Development Block Grant (CDBG) and Home Investment Partnership Act (HOME) funds for 2012 as set forth in this agenda memorandum, and approve the submittal of the 2012 Action Plan and Citizen Participation Plan as prepared.

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 to moderate income populations and areas. Based upon information provided by HUD, it is estimated the City could receive between \$430,000-\$530,000 in 2012. It is recommended that the 20% allowed by HUD be applied towards administration, estimate between \$86,000-\$106,000. Based on input from City Council, City Staff and the public, it is proposed that \$50,000 of the CDBG grant be used to continue the Emergency and Minor Home Repair Program for low-moderate income homeowners, and the balance, estimated between \$294,000-\$374,000, be allocated to the Bradburn Boulevard Realignment Project.
- The City receives an annual allocation of about \$240,000 in Federal HOME funds through Adams County to be used on affordable housing projects and programs. These proceeds have previously been used to assist affordable housing development, to provide down-payment assistance to low and moderate-income homebuyers, and to fund the housing rehabilitation program, administered by Adams County, providing low-interest loans to income-eligible households. Based on information provided by HUD, it is estimated that HOME funding will be in the range of \$150,000-\$180,000. Staff is recommending that the HOME funds be allocated as follows:

County Administration	\$15,000-\$18,000
Housing Rehabilitation	\$50,000
Down Payment Assistance	\$0
New Development Fund	\$85,000- \$112,000

Expenditure Required: \$430,000-\$530,000 (CDBG)
\$150,000-\$180,000 (HOME)



Source of Funds: HUD CDBG and HOME Programs

Policy Issue:

Should the City allocate the CDBG and HOME funds to the recommended programs and projects?

Alternatives:

1. The Council may choose to not accept the funds. Staff recommends that such an alternative not be considered as the CDBG and HOME funds have provided benefits to Westminster residents and have provided needed funds for capital projects and other critical programs.
2. Council may choose to allocate the funds in a different manner. Staff believes the allocations identified in this staff report will serve Westminster residents well, meeting a number of critical needs in the community.

Background Information:

The City of Westminster receives an annual allocation of Community Development Block Grant funds (CDBG) from the United States Department of Housing and Urban Development (HUD). The 2011 CDBG allocation was decreased by 16% or \$98,084, from \$604,991 to \$506,907. For 2011, the final allocation amount was not known until June of 2011.

The 2012 CDBG allocation is not known at this time. The United States House of Representatives has recommended a 5% increase, while the United States Senate has recommended a 15% decrease. Based upon the two proposals, the approximate range is anticipated to be \$430,000-\$530,000. At this time, Congress has passed a Continuing Resolution to keep the government running until November 18, 2011.

The CDBG funds are to be used for projects and programs that benefit the City's low to moderate-income populations and address blight conditions. Eligible project activities may include economic development/redevelopment, certain public facility and infrastructure improvements, and affordable housing activities. Based upon eligibility criteria and the limited level of funding, Staff recommends continuing to fund the same multi-year projects that were funded in 2011 at the proposed levels for 2012 as follows:

CDBG Program Administration:	\$86,000-\$106,000
Emergency & Minor Home Repair:	\$50,000
Bradburn Realignment:	\$294,000-\$374,000 (remainder)

The proposed 2012 CDBG budget and projects are based on the previous year's discussion and input from the community, City Council, and based on the number of phone calls and emails that Staff receives requesting home repair assistance. Community input from the previous year is summarized in Attachment 1. Since the three recommended projects are all continuing, multi-year projects, Staff determined that a new citizen survey was not necessary. Rather than conducting a new survey, Staff held a citizen public meeting on November 14, 2011, to obtain input on the three recommended projects and gather ideas for alternative projects. Input from this hearing was not available in time for this report, but will be presented to the City Council.

Program Administration

HUD allows grantees to utilize up to 20% of the CDBG funding for administration and planning expenses. This funding pays the salary of the full-time CDBG Technician and the part-time Community Development Program Planner. The balance of administrative funds is used towards training, supplies and consultants as necessary. The 2011 program administration portion of the grant was \$101,381. In 2012, the program administration portion of the grant is estimated to be in the range of \$86,000-\$106,000.

Emergency and Minor Home Repairs

To help qualified, low-income homeowners make badly-needed repairs that will improve their in-home safety and mobility, the City Council created the Emergency and Minor Home Repair Program. Up to \$5,000 in eligible minor and emergency home repairs can be made free of charge to income qualified households located within Westminster. Recipients of these small grants have incomes at or below 80% of area median income (AMI). A family of four who earns \$62,550 in 2011 is at the 80% AMI income level.

The program was approved for \$50,000 in CDBG funding for both 2010 and 2011, totaling \$100,000. Although the program was approved in 2010, additional time was needed to competitively select a program administrator and develop the program. The City partnered with the long-established housing nonprofit, Brothers Redevelopment, Inc. (BRI), and the program began this summer.

The City and BRI have implemented a marketing strategy and have received dozens of inquiries and five applications. It is anticipated that applications will increase as winter sets in and more emergency repairs are needed. Therefore, it is recommended an additional \$50,000 be allocated to the program for 2012, bringing the total allocation over three years to \$150,000. The \$150,000 could help approximately 30 homeowners through the 2012-2013 program year. In the spring of 2012, Staff will evaluate the program's fund balance and update City Council on the program's progress. As future CDBG allocations are considered, Staff recommends that the program's fund balance not exceed more than \$100,000 for a given year.

Bradburn Boulevard Realignment

The multi-year Bradburn Boulevard Realignment project will realign Bradburn Boulevard so that it intersects with 72nd Avenue at the traffic signal at Raleigh Street. This accomplishes several goals including reconstruction of an aging culvert where Little Dry Creek passes under 72nd Avenue, increasing traffic safety by moving Bradburn Boulevard to a signalized intersection and away from a hill that has limited sight distance, facilitating better access to the new Westminster High School, and providing improved connectivity between neighborhoods north and south of 72nd Avenue.

2010 CDBG funds were spent on the Bradburn Boulevard preliminary design (\$118,500) and right-of-way acquisition (\$315,493). 2011 CDBG funds have also been spent for the right-of-way acquisition (\$120,000) and approved for construction documents (\$235,526, remainder of 2011 CDBG).

The timing of this multi-year project is driven in part by the need to rebuild the 72nd Avenue bridge over Little Dry Creek that will be funded by a State grant in 2012. Because of the availability of this grant, Staff recommends that the City continue to work towards completing the expenditure of CDBG funds on the Bradburn Boulevard Realignment before 2015. However, CDBG funding should only be used on the reconstruction of the Bradburn Boulevard portion of the project given it can be shown to serve primarily eligible low to moderate income populations. The funds should not be used for the

arterial 72nd Avenue bridge reconstruction or roadway improvements given 72nd Avenue serves as a regional arterial roadway, thus making it harder to prove eligibility pursuant to HUD regulations for CDBG funds.

Federal expenditure requirements make it impossible to hold a CDBG balance of more than two years. The CDBG program requires that the City have no more than 150% of its annual grant amount on hand (“federal spending ratio”) at the end of any fiscal year. Thus, the City will have to spend the allocation on a regular basis so as to ensure it does not exceed the allowable retainage limit. Therefore, it is recommended that \$294,000-\$374,000, the remainder of the 2012 CDBG grant, and possibly a portion of the 2013 CDBG grant be used to complete construction documents for the Bradburn Boulevard Realignment project. Any remaining 2012 funds are recommended for other project related costs prior to construction.

HOME Program

HOME funds are distributed to eligible communities to assist in the development and provision of housing to low-income households and targeted populations (e.g. seniors, persons having disabilities, homeless, etc.). The City of Westminster alone does not meet the minimum population requirements to receive the funds directly from HUD as an entitlement. However, by having joined the HUD-authorized Adams County HOME Program Consortium, the City has received an allocation of about \$240,000 annually, providing funding for eligible affordable housing projects. The 2012 HOME budget is not known at this time, but the U. S. House of Representatives has proposed a 25% decrease, while the U. S. Senate has proposed a 38% decrease. Based upon the two proposals, the approximate range is estimated to be \$150,000-\$180,000.

In recent years, the City has divided the grant proceeds between major home rehabilitation for low-income homeowners and down-payment assistance for eligible homebuyers. Ten percent of the grant, as allowed per HUD regulations, is kept by Adams County for program administration.

There has been limited demand for the down-payment assistance funded by HOME money. There are other types of down-payment assistance programs offered through several organizations, including the Colorado Housing and Finance Authority (CHFA), Community Resources & Housing Development Corporation (CRHDC) is headquartered in Westminster, and Adams County Housing Authority (ACHA). It is recommended that the City not use HOME funds to offer down-payment assistance in 2012.

In 2011, the City reduced the amount of funding directed to fund major home rehabilitation projects from \$100,000 to \$50,000, because the City is now offering \$50,000 in CDBG money to fund minor home repairs. The combination of these two amounts would total \$100,000, with one-half earmarked for small projects that cannot be completed with HOME funds due to onerous regulations associated with HOME. It is recommended that major home rehabilitation projects continue to be funded at \$50,000. Rehabilitation projects under \$20,000 can be authorized by Adams County without further City authorization, but projects over \$20,000 will require further approval from the City.

Staff also recommends that \$85,000-\$112,000, or the remainder, of the City’s 2012 HOME allocation be reserved for affordable housing development projects. In addition to the 2012 HOME funds, the City had an accumulated HOME balance of approximately \$550,000 in unspent HOME funds from previous years, for a range of total of \$635,000-\$662,000 to expend. This funding is potentially needed for upcoming projects, including:

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2012 Action Plan and Citizen Participation Plan

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1. The pending sale and rehabilitation of the Westminster Commons Senior Apartments to Volunteers of America;
2. Growing Home - acquisition and rehabilitation of property on Newton Street adjacent to their existing property at 7240 Newton Street for affordable and transitional housing;
3. Renaissance on Lowell - a potential mixed use development, incorporating affordable housing, on Lowell between W. 72nd and 73rd Avenues; and,
4. Adams County Housing Authority (ACHA) - land acquisition for affordable rental housing in the south Westminster TOD area.

Staff is recommending that the HOME funds be allocated as follows:

County Administration	\$15,000-18,000
Housing Rehabilitation	\$50,000
Down Payment Assistance	\$0
New Development Fund	\$85,000-112,000 (Remainder), plus any unexpended funding from previous years

The proposed allocation of CDBG and HOME funds meets two City Strategic Plan goals: Financially Sustainable City Government Providing Exceptional Services, and Vibrant Neighborhoods in One Livable Community.

The 2012 Action Plan, to be submitted to HUD by January 15, 2012, will incorporate the CDBG and HOME projects as approved by City Council. HUD also requires that the City adopt a Citizen Participation Plan. The Citizen Participation Plan defines the process for obtaining community input for all CDBG-related planning processes, with particular outreach to low-moderate income, special needs, and homeless persons. Staff has prepared the attached Draft Citizen Participation Plan and recommends City Council approve its submittal to HUD.

Respectfully submitted,

J. Brent McFall
City Manager

Attachments

- Attachment 1 – Public Comment of the use of 2011 CDBG Funds
- Attachment 2 – Bradburn Boulevard Realignment Plan
- Attachment 3 – Citizen Participation Plan

Attachment 1

Public Comment on Use of 2011 CDBG Funds

Public comment on use of CDBG in 2011 was solicited several ways. Notices were published in Weekly Edition in September and October, as well as on the City website. A survey was distributed at the south Westminster Progressive Homeowners Association meeting in September. This resulted in one email from a longtime homeowner with a disabled spouse. They needed home rehab services and modifications to accommodate a wheelchair. They were directed to the home rehab program at Adams County (funded by City HOME allocation), Brothers Redevelopment Inc. and Rebuilding Together, all of which help with some home maintenance and repair as well as accessibility projects. The City's minor home repair program was not yet available to offer to them.

The Progressive HOA meeting produced 19 completed surveys. A year ago, the two projects that rated highest were the concept of realigning Bradburn Boulevard to join Raleigh Street (which is currently being designed) and the proposed Grange-Rodeo addition and improvements. The Bradburn project was the subject of more discussion last year because of the opening of the new high school and the need for improved traffic circulation. This year, the Bradburn realignment project was rated of medium importance, while the Grange-Rodeo project (19 out of 19) and adjacent outdoor space (18 out of 19) was rated high by almost all participants. Pursuing additional streetscape improvements on Bradburn and other neighborhood streets was also rated high. Here is a summary of the results:

2011-2015 CDBG Funds Survey Progressive HOA September Meeting Summary of Surveys (19 Participants)

Project Proposals & Ideas:	Level of Importance:				
	High	Medium	Neutral	Low	None
Bradburn Realignment	1	10	2	6	
Bradburn Streetscape	5	10	3	1	
Grange/Rodeo Addition	19				
Harris Town Park (Rodeo outdoor space)	18	1			
Minor Home Repair	6	10	2	1	
Other Streetscapes	10	7	2		
Other (write-in):					
Light Rail @ 70 th & Irving	4				
Buy properties that are for sale on 73 rd for future development	1				





Bradburn Boulevard Realignment



Attachment 2

Attachment 3



WESTMINSTER

City of Westminster Community Development Block Grant (CDBG) Program & Home Investment Partnership Act (HOME) Program Citizen Participation Plan

DRAFT

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Introduction:

The United States Department of Housing and Urban Development (HUD) makes available federal funds to the City of Westminster, Colorado, through the Community Development Block Grant (CDBG) program. The goals of these CDBG grants are:

- *To provide decent housing;* including assisting homeless persons to obtain affordable housing; preservation of existing affordable housing stock; increasing the availability of permanent housing that is affordable to low income persons without discrimination; and increasing supportive housing that includes structural features and services to enable persons with special needs to live in dignity.
- *To provide a suitable living environment;* including improving the safety and livability of neighborhoods; increasing access to quality facilities and services; providing affordable housing opportunities to low income and moderate income citizens dispersed throughout the City of Westminster; revitalizing deteriorating neighborhoods; restoring and preserving natural and

physical features of special value for historic, architectural, or aesthetic reasons; and conserving energy resources.

DEFINITION: HUD defines low to moderate income households based upon the median income in a community on an annual basis. Median income is the point where half of all incomes are above and half of all incomes are below the area income. Extremely low income households are at or below 30% of the AMI, very low income households are at or below 50% of the AMI, and low/moderate income households are at or below 80% of the AMI.

- *To expand economic opportunities:* including the creation of jobs accessible to low income persons; providing access to credit for community development that promotes long-term economic and social viability; and empowering low income persons to achieve self-sufficiency in federally assisted and public housing programs.

Additionally, the City also receives an annual allocation of Home Investment Partnership Act (HOME) funds that are administered directly by the Adams County Office of Community Development pursuant to a consortium agreement between Adams County and the City (IGA). HOME provides formula grants that communities use, often in partnership with local nonprofit groups, to fund a wide range of activities that build, buy, and/or rehabilitate affordable housing for rent or homeownership or provide direct rental assistance to low-income people.

In order to ensure that the grants meet the needs of the community, HUD requires that the City prepare and adopt a Consolidated Plan every five years. This Consolidated Plan is a strategic plan that sets forth a specific course of action. The first part of the Consolidated Plan assesses the existing assets of the community and analyzes the needs related to the above goals. The second sets forth goals and objectives as well as five year performance benchmarks for measuring progress toward meeting those goals. The third part sets out specific actions and a One Year Plan tied to available funding.

A key component in creating the Consolidated Plan is citizen participation throughout all steps of the process. In order to ensure that citizens have the opportunity to take part in creating the Consolidated Plan, the City has developed and commits to the following Citizen Participation Plan.

Participation:

It is the intent of the City to reach every resident of the City and provide access to all aspects of the CDBG and HOME programs. This access includes the opportunity to apply for CDBG and HOME funds, to comment on how the funds should be spent in upcoming years, to comment on the City's performance in carrying out CDBG and HOME funded projects, and to comment on drafts of reports such as the Five Year Consolidated Plan, the annual action plan, and the annual Consolidated Annual Performance Report (CAPER - the report prepared by the City at the end of each fiscal year).

The City will emphasize the involvement of moderate, low, very low, and extremely low income residents in areas where housing and community development funds may be spent. The City will also encourage participation of persons with special needs and/or persons who are often underrepresented in the public process, including minorities, non-English speaking persons, persons with disabilities, and persons who are homeless. The City will encourage the participation of Public Housing Authorities and their residents in the development of the Consolidated Plan. Finally, the City will inform and offer opportunities for comment to all residents falling within the scope of the Consolidated Plan.

The City will provide accommodations for non-English speaking citizens in case of public meetings or hearings where a significant number of non-English speaking residents can reasonably be expected to participate. Residents requiring special accommodations will need to request needed adaptations within a reasonable amount of time (one to two weeks) prior to the meetings or hearings in order for the City to make arrangements. Please contact the City's Department of Community Development staff in advance if

you would like to request translation services for community meetings, public hearings, as well as written documents.

The City will provide accommodations for hearing-impaired and sight-impaired citizens in case of community meetings or public hearings where a significant number of residents can reasonably expect to participate. These citizens will need to request needed adaptations within a reasonable amount of time (one to two weeks) prior to the meetings or hearings in order for the City to make arrangements. Please contact the City staff in advance if you need these services, or if you need written documents in a format accessible to persons with disabilities. The City will seek to have all on-line documents in a format that is compatible with web readers who are visually impaired, as required by 24 CFR Part 8.

The City will make reasonable efforts to consult with other public, non profit, and private agencies that provide housing assistance, health services, and various social services including those focusing on services to children, elderly persons, and persons with disabilities. The City will also encourage participation of other local and regional institutions, including businesses, developers, and community and faith-based organizations not already mentioned. The City will also consult with other general offices of government, including Adams and Jefferson Counties, surrounding jurisdictions, and the Colorado Division of Housing (CDOH), to notify them of the Plan process and solicit their input.

Participation Activities:

The following activities shall be held to obtain citizens' views.

Community Meetings and Public Hearings shall address and respond to proposals and comments on: housing and community development needs; development of proposed activities; review of proposed uses of funds; and review of program performance.

- ***Community meetings for the Five-Year Consolidated Plan:*** A minimum of two meetings shall be held at convenient times and locations, to include at least one early evening meeting. All locations shall be accessible and accommodate persons with disabilities. Meetings may be held at Public Housing Authority owned multi-family housing locations if accessible. These may be City owned or other agency owned public housing developments, such as the Adams County Housing Authority (ACHA). The City may include one focus group of low-moderate income and/or public housing residents as one of the community meetings.
- ***Public Hearings for the Five-Year Consolidated Plan and Annual Action Plans:*** A minimum of two public hearings shall be held at convenient times and locations, to include at least one early evening meeting. These meetings will be held at two different times during the program year. At least one of these hearings must be held before the proposed Five Year Consolidated/Annual Action Plan is published for comment. All locations shall be accessible and accommodate persons with disabilities. The Final Public Hearing shall be held at the City of Westminster Council Chambers, 4800 W. 92nd Avenue, Westminster, Colorado 80031.
- The Citizen Participation Plan shall be addressed during the two required public hearings for either the Five Year Consolidated or an Annual Action Plan. The final Citizen Participation Plan shall be incorporated into and publicized along with the appropriate Five Year Consolidated/Annual Action Plan.
- **Availability to comment** during required comment period via direct contact with City staff and/or on the City's website: www.cityofwestminster.us

Notification of Participation Activities:

- **Required: Public Notices for Community Meetings and Public Hearings shall be published on the City’s official website: www.cityofwestminster.us.** Public Notices shall be published for not less than two weeks (14 days) prior to any meeting/hearing. (Other notice periods are specified below under Comment Periods).

The City of Westminster has chosen to publish Public Notices on the City’s website, rather than in a local weekly newspaper, since no federal, state or local law has been specifically found to require printed notification. Over 37,000 households, or 80% of Westminster, had access to the Internet in 2006. Several years of experience has shown that publication of notices in the local weekly newspaper has yielded literally no citizen participation in the CDBG program. In fiscal year 2004, the City spent approximately \$1,700 on legal notices that were ineffective in supporting citizen participation. In 2005, the CAPER was posted on the City’s website, with a notice placed for two weeks on the City’s home page, and a notice was placed for two months thereafter on the Cityscape section of the website. These notices resulted in hundreds of hits by Internet users. It appears that posting of notices and reports on the Internet has several advantages:

1. Easy access by 80% of City residents.
2. Citizens who might not otherwise have been looking for CDBG information may discover the information while accessing the City website for other purposes.
3. Saves a significant sum of money that can be redirected to service delivery.
4. Allows the City to provide access for long periods of time at no additional cost.
5. Allows the City to provide lengthier reports directly to residents without requiring them to visit a public building to review such reports.
6. Encourages comment by email, which may be more convenient for citizens than attending a meeting, mailing a letter or a phone call.
7. Website publication has demonstrably resulted in many more people accessing the information that use of other methods of communication.

Current statistics indicate the following usage:

Date	Views	Visitor Sessions	Average Time Viewed
May 2011	186	170	2:18
December 2010	131	125	3:06
January 2010	68	55	3:23
December 2009	94	80	3:39
November 2009	73	69	4:10
July 2009	77	68	1:52
January 2009	75	57	3:01
December 2008	95	82	3:35
October 2008	64	56	2:34
September 2008	68	64	4:17

- **Required: Informational Flyers for Community Meetings and Public Hearings** (current list – Attachment A) shall be posted at:
 - City Facilities (Required): 1) City of Westminster City Hall.
 - Libraries (Required): 1) Irving Street Library; and 2) Westminster Public Library at College Hill.
 - Targeted schools and community centers in low and moderate income neighborhoods (Optional)

- Public Housing Authority-owned multi family housing properties (Optional);
- Multi family housing projects funded by CDBG, HOME, Private Activity Bonds, and Low Income Housing Tax Credits (Optional);
- Other interested parties upon request.

- **Optional: City communications:**

- 1) **The City publishes a bimonthly newsletter (six times per year) called City Edition** which is mailed to households in the City that have specifically requested to be placed on the mailing list; therefore, circulation is limited. In each issue of City Edition, information can be provided on how each resident can access information on the use of CDBG funds in the City. This information informs the residents of two major sources: 1) CDBG reports and notices will be provided on the City's website; and 2) If residents prefer not to use the City's website for any reason, they are provided the City's Department of Community Development contact information, so that they may request to be placed on a hard-copy mailing list to receive notices of hearings, applications and reports.
- 2) **The City publishes a weekly electronic newsletter called Weekly Edition** which is emailed to 470+ outside subscribers, community leaders, etc. Articles that are placed in the Weekly Edition may be picked up as **Press Releases** in newspapers serving City residents, such as The Denver Post – YourHUB, and The Westminster Window. Staff shall seek to identify Spanish publications, as well as other languages, that can be added to the email notification list. Weekly Edition items, and any other newsworthy items, are also posted on the city's "News Page" of the city's website. These items also are distributed via the city's Social Media pages on Facebook and Twitter.
- 3) In the past, the City has periodically (every two years) conducted a **citywide citizen survey** to solicit detailed input from residents. Input may be obtained from the next citizen survey. The City Council also conducts public outreach events called "**We're All Ears,**" in which they include citizens to talk to them about any and all concerns. The Mayor/City Council also hold periodic **Breakfasts and Desserts** which are informal question and answer sessions with citizens regarding issues of concern.
- 4) For the Department of Community Development, City staffers may attend neighborhood organization meetings in the area of the City that is home to the most low to moderate income citizens for the purpose of soliciting input into how the CDBG funds should be spent. Citizens are also free to comment on City performance and other CDBG program-related matters.
- 5) **Notification on the City's Cable Television station's "Bulletin Board" and/or "Cable Television" (Channel 8)** which reaches approximately 25,000 households (62% of the Westminster households).

The City reserves the right to adjust optional methods of notification depending upon which methods have proven to be the most cost effective in reaching the widest number of citizens, particularly low to moderate income residents.

Comment Periods and Access to Information:

The City shall consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the following documents. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final document.

Five-Year Consolidated Plan and Annual Action Plans:

- Comments shall be received from citizens for a period of **not less than 30 days**.
- The complete “Participation Activities” and “Notification of Participation Activities” outlined above shall be followed, including informational notices shall be posted at City Facilities and libraries noting that the plans are available for review at the City office or the City website.
- The entire draft and final plans shall be posted on the City’s website: www.cityofwestminster.us
- All City Facilities and libraries are mailed an entire final copy.
- Upon request, entire final copies of plans are available at no cost by contacting staff.

Substantial Amendments to the Five Year Consolidated Plan or Annual Action Plans:

- Comments shall be received from citizens for a period of **not less than 30 days**.
- A Public Notice shall be posted on the City’s website: www.cityofwestminster.us
- The City Council shall consider the Amendment in a publicly open session.

Consolidated Annual Performance Reports (CAPER)

- Comments shall be received from citizens for a period of **not less than 15 days** before submitting the CAPER to HUD.
- A Public Notice shall be posted on the City’s website: www.cityofwestminster.us
- Informational Notices shall be posted at City Facilities and libraries noting that the CAPER is available for review at the City office or the City website.
- The text of the draft and the final CAPER shall be posted on the City’s website: www.cityofwestminster.us
- All City Facilities and libraries are mailed a text of the final copy.
- Upon request, a text of the final CAPER is available at no cost by contacting staff.
- The entire CAPER, including the text and all IDIS data printouts, are available upon special request for an additional cost to be determined based upon the number of data printouts requested.

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan and the City’s use of assistance under the relevant federal programs during the preceding five years. The public will have the opportunity to receive information, review and submit comments on any proposed submission including the Five Year Consolidated Plan or Annual Action Plan as adopted, any amendments, and its Consolidated Annual Performance Report (CAPER). Information will also be available on the range of programs, estimated amount of funds available, and the estimated funding amount proposed to benefit moderate, low, very low, and extremely low income residents. The groups will also have access to the City’s Anti-Displacement Procedures, attached as Attachment B.

Records are maintained in the Department of Community Development. Inquiries for information that requires file research, copying and other preparation will be available within 3-5 business days. Information that could be used to identify persons served by programs and services is confidential and not released to the public.

Technical Assistance

The City will provide reasonable technical assistance to moderate, low, very low, and extremely low income groups located in the geographic scope of the Consolidated Plan who request assistance in developing proposals.

Timely Response on Complaints

The City will consider any comments or views of citizens, units of general local government, agencies, or other interested parties. Written answers to written complaints and grievances will be provided within 15 days where practical.

Substantial Amendments to the Consolidated Plan

Substantial changes to the City's published final statement or actual activities shall require an amendment to the Consolidated Plan and the Annual Action Plan(s). Areas of substantial change may include, but are not limited to:

- Major changes in service area, purpose, program beneficiaries, or national objective compliance;
- Budgetary or line item alterations of \$25,000 or more for Public Service projects and \$50,000 or more for Public Infrastructure, Public Facility, or Housing projects.
- Changes from one activity to another, such as a project cancellation and a new project approval.
- The establishment of a new Neighborhood Revitalization Strategy Area (NRSA).

ATTACHMENT A

NOTIFICATION LIST OF CITY FACILITIES, LIBRARIES, RECREATION CENTERS, AND SCHOOL DISTRICTS

City of Westminster – City Hall
4800 W. 92nd Ave.
Westminster, CO 80031

Irving Street Library
7392 Irving Street
Westminster, CO 80030

Westminster Public Library at College Hill
3705 W. 112th Ave.
Westminster, CO 80031

Optional Community/Recreation Centers:

The MAC
3925 W. 72nd Ave.
Westminster, CO 80030

Swim and Fitness Center
3290 W. 76th Ave.
Westminster, CO 80030

Optional Schools:

Hidden Lake High School
7300 Lowell Blvd.
Westminster, CO 80030

Westminster High School
6933 Raleigh St.
Westminster, CO 80030

Ranum Middle School
2401 W. 80th Ave.
Denver, CO 80221

Shaw Heights Middle School
8780 Circle Drive
Westminster, CO 80030

Early Childhood Center
8030 Irving St.
Westminster, CO 80030

Flynn Elementary School
8731 Lowell Blvd.
Westminster, CO 80030

Harris Park Elementary School
4300 W. 75th Ave.
Westminster, CO 80030

Hodgkins Elementary School
3475 W. 67th Ave.
Denver, CO 80221

Skyline Vista Elementary School
7395 Zuni St.
Denver, CO 80221

Westminster Elementary School
7482 Irving St.
Westminster, CO 80030

Crown Pointe Academy
2900 W. 86th Ave.
Westminster, CO 80031

Optional List of housing projects:

Attn: Sharon McDaniel, Mgr.
Lowell Colony Apartments
7495 Lowell Blvd.
Westminster, CO 80030

Orchard Crossing
4183 W. 72nd Ave.
Westminster, CO 80030

Attn: Gladys Arismendi, Mgr.
Susan Kay Apartments
7100 Hooker St., #101
Westminster, CO 80030

Terrace Gardens
7100 Hooker St.
Westminster, CO 80030

Village at Greenbriar
8290 N. Federal Blvd.
Westminster, CO 80031

Glendale Apartments
5345 W. 79th Ave.
Westminster, CO 80003

Westminster Commons
3180 W. 76th Ave.
Westminster, CO 80030

Villa Maria
2461 W. 82nd Pl.
Westminster, CO 80031

Clare of Assisi Homes
2451 W. 82nd Pl.
Westminster, CO 80031

Cottages at Panorama Point
2590 W. 83rd Way
Westminster, CO 80031

Residences at Panorama Pointe
8310 Clay St.
Westminster, CO 80031

Westchester Apartments
c/o Growing Home
3489 W. 72nd Ave., #112
Westminster, CO 80030

East Bay Senior Housing
3720 W. 68th Ave.
Westminster, CO 80030

Mountain Terrace
3650 W. 84th Ave.
Westminster, CO 80031

Bradburn Gardens
7545 Bradburn Blvd.
Westminster, CO 80030

Westbury Apartments
1585 W. 115th Ave.
Westminster, CO 80234

Toscana
8490 Sheridan Blvd.
Westminster, CO 80003

Walnut Creek
10350 Dover St.
Westminster, CO 80021

Warwick Station Apartments
10305 Dover St.
Westminster, CO 80021

ATTACHMENT B

Residential Anti-Displacement and Relocation Assistance

The City of Westminster, supportive of the right to remain in housing that was personally chosen, will avoid displacement if possible. In those projects and instances involving federal funding where displacement and relocation are unavoidable, the City will proceed in the following manner:

In connection with any project assisted with funds provided under the Community Development Block Grant (CDBG) and/or Home Investment Partnership Act (HOME), the City of Westminster will replace all occupied and vacant, occupiable lower income housing demolished or converted to a use other than as lower income housing. All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the City to provide funds for a project that will directly result in demolition or conversion, the City will make public by publication of a Legal Notice in the official City newspaper and submit to HUD the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of the lower income housing that will be demolished or converted to a use other than as lower income housing as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent shown, the address, number of bedrooms and location on a map of the replacement housing that has been or will be provided;
5. The source of funding and a time schedule for the provision of the replacement housing;
6. The basis for concluding that the replacement housing will remain lower income housing for at least 10 years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g. two bedroom unit replaced with two one bedroom units), or any proposed replacement of efficiency or single room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved Consolidated Plan.

To the extent that the specific location of the replacement housing and other data in Items 4 through 7 are not available at the time of the general submission, the City will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data are available.

The Department of Community Development of the City of Westminster is responsible for tracking the replacements of lower income housing and insuring that it is provided within the required period.

The Department of Community Development of the City of Westminster is responsible for providing relocation payments and other relocation assistance to any lower income person displaced by the demolition of any housing or the conversion of lower income housing to another use.

Consistent with the goals and objectives of activities assisted under the Act, the City will take the following steps to minimize the direct and indirect displacement of persons from their homes:

1. Coordinate code enforcement with rehabilitation and housing assistance programs.
2. Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
3. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
4. Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.

5. Adopt policies which provide reasonable protection for tenants faced with conversion to a condominium or cooperative.
6. Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhoods in the face of revitalization pressure.

The City of Westminster reserves the right to refuse to engage in any activity that may trigger relocation, if it is determined that such activity is not in the best interest of the City.



WESTMINSTER
COLORADO

City Council Study Session Meeting
November 21, 2011



SUBJECT: City Council Assignments

PREPARED BY: Mary Joy Barajas, Executive Secretary to the City Manager

Recommended City Council Action:

Review the attached Council Assignments list and discuss.

Summary Statement:

- With the November 1st election, it is time for City Council to review the attached City Council assignments list and make appointments to positions previously held by former Mayor Pro Tem Dittman and give the rest of Council the opportunity to revisit their current assignments
- These assignments pertain to internal committees of the City organization as well as numerous external organizations in which the City is involved.

Expenditure Required: \$ 0

Source of Funds: N/A

Policy Issue:

None identified.

Alternative:

None identified.

Background Information:

The City of Westminster is involved in a number of organizations that are external to the city government. These include a wide range of both standing committees as well as groups that are formed to address current issues. They range from transportation issues to representation on the Denver Regional Council of Governments (DRCOG) and the Urban Drainage and Flood Control District (UDFCD). City Council and Staff are active participants on a number of committees related to regional issues, such as the U.S. 36 MCC, that works to develop strategies to improve commuting on US 36.

There are now 11 City Boards and Commissions to which a City Council liaison is assigned. The purpose of such Council assignments is to assure open and time sensitive communications between City Council and the respective Board or Commission. These particular assignments are to be handled on an "on-call" basis. The Chairperson of each respective Board or Commission shall be responsible to contact the Council representative when he or she is needed to be at the respective meeting. Otherwise, the Council representative is not required to be in attendance at the Board/Commission meeting.

City Council is requested to review the attached City Council assignments list and make assignments to the vacancies left by former Mayor Pro Tem Dittman's departure and discuss any desired changes by the current members of City Council.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

COUNCIL ASSIGNMENTS
November 2011

<u>Organization</u>	Meeting Time/Date/Place	Council/Staff Representatives
36 Commuting Solutions (formerly US36 TMO)	2 nd Tuesday, 7:30-9:00 am, 1 st Bank Events Center, Broomfield - May opt for Bi-monthly meetings in 2012	Bob Briggs/Scott Major/Dave Downing/Aric Otzelberger
ADCOG Dinner	Quarterly 4 th Wednesday in Jan, April, July and August.	All
Adams 50 After School Task Force	Per Marge Rinaldi, this committee is no longer meeting.	Faith Winter/Cindy McDonald
Adams County Economic Development Board of Directors	4th Thursday of every other month (Jan, Mar, May, Jul, Sept, Nov), 11:00 networking; 11:30 a.m.-1:00 p.m. 12200 Pecos St, Suite 100.	Chris Dittman /Susan Grafton
ADCO Housing Authority	4 th Wed., 4-6pm, 7190 Colorado Blvd., 1 st Floor C.R.	Faith Winter
ADCO Mayors Executive Committee	3rd Friday, 7:30 a.m., location varies per municipality.	Nancy McNally/Brent McFall
Broomfield-Westminster Open Space Foundation	Varies. Scheduled as needed.	Nancy McNally/Mary Lindsey/Bob Briggs/Heather Cronenberg
CML Policy Committee	Three times a year at CML offices (2/23 9:30am-3pm – final meeting after May 9)	Chris Dittman /Mary Lindsey
CML Tax Policy Committee	Varies	Steve Smithers
CO Women in Government	Varies (Contact: Sara Reynolds/CML)	Faith
DRCOG Board	3rd Wednesday, 6:30-8:30 p.m., 1290 Broadway, 1 st Floor - <i>1st Wednesday is MVC from 4pm – 6pm</i>	Nancy McNally/Faith Winter/Aric Otzelberger
Jefferson County Transportation Advisory & Advocacy Group (JEFFTAAG)	2nd Wednesday, 7-9am at Jeffco Admin Courts Bldg – Lookout Mntn. Rm, 100 Jefferson County Pkwy, Golden	Chris Dittman /Bob Briggs, Alt/Dave Downing

Organization	Meeting Time/Date/Place	Council/Staff Representatives
Jeffco Economic Council Board Meeting	3 rd Wednesday, 11:45 – 1:00 p.m., Jeffco Admin. Building	Chris Dittman /Susan Grafton/Bob Briggs
Metro Mayors Caucus	1 st Weds of Feb/Apr/Jun/Aug/Oct from 7:30-10:00am @ Denver Metro Chamber of Commerce, 4 th Flr, 1445 Market Street, Denver *Jan 14 th Annual Retreat, 8:30am – 3:30pm, Lone Tree Arts Center, 10075 Commons Street, Lone Tree *Nov 15 th Legislative Reception, 5:00-7:00pm, TBD	Nancy McNally
Rocky Flats Stewardship Council	Feb 6th 8:30 – 11:30 a.m., Rocky Mtn. Metro Airport. Will decide regular meeting schedule at that time.	Bob Briggs/Mary Fabisiak
Volunteer Firefighter Pension Board	As needed, will send notices.	Nancy McNally/Gary Doane & Gary Buschy
Urban Drainage and Flood Control District Board Meeting 303-455-6277	3 rd Thursday of each month, except for Jan/Jul @ UDFCD offices. 12:15 lunch; 1:00pm meeting, Annual Meeting Feb 1	Nancy McNally
U.S. 36 Mayors/Commissioners Coalition Debra Basket 303-469-3301	1 st Thursday each month 7:30-9am; location – odd months/Broomfield, even months/Superior	Nancy McNally/Aric Otzelberger /Dave Downing
Westminster Historical Society Linda Cherrington 303-426-1858	3 rd Saturday, 10:00 – 11:30 am at the Bowles House.	Mary Lindsey/Nancy McNally

City Boards/Commission/Panel	Meeting Time/Date/Place	Council/Staff Representatives
Board of Building Code Appeals Staff Liaison – Dave Horras x2077	Meets on an as needed basis – At least once a year	Mark Kaiser
Election Commission Staff Liaison – Linda Yeager x2161	As needed basis in the GS Conf Rm.	Faith Winter
Environmental Advisory Board Staff Liaison – Carey Rangel x2183	Last Thursday of every month @ 6:30 p.m. Council Board Room	Faith Winter/Mary Lindsey
Historic Landmark Board Staff Liaison – Patrick Caldwell x2090/Terrilyn W. x2357	1 ST Tuesday of every month @ 7pm Council Board Room/Council Chambers for Public Hearings Only	Mary Lindsey/Bob Briggs
Human Services Board Staff Liaison – Ben Goldstein x2007	Two to seven times a year. (Location: TBD) Feb. Planning/Scheduling Meeting	Mark Kaiser
Open Space Advisory Board Staff Liaison – Heather Cronenberg x2142	4 th Wednesday of every month @ 5:30 p.m. in the Main Level Conference Room	Bob Briggs/Scott Major
Planning Commission Staff Liaison – Mac Cummins/Betty L. x2092	2 nd & 4 th Tuesday of each month @ 7:00 p.m. in Council Chambers	Chris Dittman /Scott Major
Parks, Recreation & Library Advisory Board Staff Liaison – Sue Andre x2198	2nd Thursday of every other month starting in Jan. 6:00 p.m., location varies.	Scott Major/Mary Lindsey
Personnel Board Staff Liaison – Debbie Mitchell x2155	Meets 1 time per year for legal updates and training of Board’s choice and as needed for personnel hearings.	Mary Lindsey/Faith Winter
Special Permit & License Board Staff Liaison – Linda Yeager x2161	1 st and 3 rd Wednesdays of each month (dependent upon applications) 7:00 p.m., Council Chambers	Mark Kaiser/Bob Briggs
Youth Advisory Panel Staff Liaison – Cindy McDonald x2219	1 st Wednesday of each month @ 6:30 p.m. PRL Conf Rm	Faith Winter/Scott Major



WESTMINSTER

Staff Report

Information Only Staff Report
November 21, 2011



SUBJECT: Final Decisions Affecting the Surface Water Monitoring Program at the Rocky Flats Environmental Technology Site

PREPARED BY: Mike Smith, Director of Public Works and Utilities
Mike Happe, Utilities Engineering and Planning Manager
Mary Fabisiak, Water Quality Administrator
Cathy Shugarts, Water Quality Specialist

Summary Statement:

- This report is for information only and requires no action by City Council.
- This report provides City Council with an update on the final decisions adopted by the regulatory agencies regarding the surface water monitoring program changes at the Rocky Flats Environmental Technology Site.
- City Staff has been actively involved in commenting on proposals from the regulatory agencies related to a variety of Rocky Flats issues.
- The final decisions from the Department of Energy, the U.S. Environmental Protection Agency, and the Colorado Department of Public Health and Environment on the Rocky Flats issues related to dam breach, surface water monitoring location changes, and institutional controls include the following:
 - Dam breach activities have been delayed for eight-ten years (2018-2020 timeframe).
 - Additional water quality monitoring protocols will be implemented to assess the concerns expressed by the public related to dam breach activities.
 - The regulatory surface water monitoring locations at Indiana Street will be retained for two years following construction of the new sampling locations for purposes of water quality data comparison between the two locations on each creek.
 - Excavations below three feet will be allowed if the Colorado Department of Public Health and Environment approves a Soil Disturbance Review Plan, but those projects will be delayed for ten calendar days following posting of the approved plan on the Department of Energy website to allow for public review.
 - Future changes to site institutional controls will be subject to public comment.
- Standley Lake is protected from Rocky Flats flows. The Woman Creek Reservoir has severed the hydrologic connection between Rocky Flats and Standley Lake since the mid-1990s. The Woman Creek Reservoir Authority, consisting of the cities of Northglenn, Thornton and Westminster, owns and operates the facility which provides an added layer of physical protection to the downstream water supply.



- City Staff will continue to be actively engaged in Rocky Flats issues to protect public health and the environment.

Background Information:

The regulatory agencies responsible for environmental oversight of the Rocky Flats site recently proposed modifications to the existing surface water monitoring program. The proposed actions would significantly change the physical configuration and the operational management of surface water that flows off the site through Westminster. The regulatory proposals and the City's role in the public process for each proposal are described in this report.

Dam Breach Proposal

The City has devoted extensive staff resources over the past 18 months to addressing proposed changes to the water quality monitoring programs at Rocky Flats. In April 2010 (five years after the site was declared clean), the public expressed concern when the Department of Energy (DOE) issued an Environmental Assessment intended to evaluate the environmental impacts of breaching the five dams remaining on the site. The communities were in opposition to the plan as the stability of the site had not been demonstrated over an adequate period of time following closure. Three of the dams are located on terminal ponds that retain water until it is tested to ensure water quality standards are met before the water is released downstream into the neighboring communities. The terminal ponds also capture any soils that may be washed down the creeks during rain events or snow melt. Radioactive contaminants are more easily transported when attached to soil particles. If the terminal dams were breached, there would be no way to contain water in the event of an unforeseen contaminant release from the site.

The public comments submitted by Westminster and other entities stated that the proposed dam breach violated a prohibition on digging below three feet for non-remedy related purposes, as the dams are not considered part of the site remedy. In response to public comment, DOE engaged stakeholders in the Adaptive Management Plan process, which provided the downstream communities the opportunity to design additional water quality monitoring programs to assess the potential for contaminant movement during high flow events. The dam breach project, originally scheduled for terminal Pond C-2 on Woman Creek in 2010, was delayed for eight to ten years during which time the additional monitoring will take place. The dam valve at Pond C-2 will be opened to simulate dam breach conditions, but could be closed in the event of an unexpected contaminant release. Staff expects the additional monitoring data, combined with eight more years of observations, will reduce the uncertainties related to how Rocky Flats operations will affect Woman Creek when the Pond C-2 dam is eventually breached.

DOE released a Finding of No Significant Impact (FONSI) for the dam breach proposal that will allow the project to proceed at a future date because any impacts to human health or the environment can be addressed.

Surface Water Quality Monitoring Program

In July 2010, the DOE, the U.S. Environmental Protection Agency (EPA), and the Colorado Department of Public Health and Environment (CDPHE) jointly released for public comment a proposed modification to the water quality monitoring program at Rocky Flats detailed in the Rocky Flats Legacy Management Agreement. The proposal included construction of two new water quality monitoring stations (identified as WALPOC and WOMPOC on the attached map) with enforceable

standards just inside the Central Operable Unit boundary on Woman Creek and Walnut Creek and elimination of five current monitoring locations, including the one on each creek at Indiana Street. The rationale for the proposal cited: 1) the Indiana Street monitoring locations were located on the Wildlife Refuge that is no longer under DOE's control; 2) DOE intends to breach the terminal pond dams; and 3) if the Jefferson Parkway or other transportation corridor is constructed, the two monitoring locations at Indiana Street would require relocation.

The City submitted comments opposing this plan as premature. In response to public comment, the regulatory agencies agreed to retain the two existing monitoring locations (identified as GS-O1 and GS-O3 on the attached map) with enforceable standards at Indiana Street for two years following construction of the new monitoring locations within the Central Operable Unit boundary. Comparing the results from the upstream and downstream locations will assess whether any residual contamination might be mobilized downstream of the terminal ponds if the dams were breached.

The new monitoring location on Woman Creek was constructed this past summer and is scheduled to become operational in November. At that time, Pond C-2 will be operated in a flow-through configuration with the dam valve retained in the open position. Additional monitoring requirements secured during the Adaptive Management Plan process will be initiated.

Corrective Action Decision/Record of Decision

The Corrective Action Decision/Record of Decision (CAD/ROD) for the Central Operable Unit at the Rocky Flats site documents the final response actions required to address the residual contamination left on site. The CAD/ROD required: 1) physical controls (e.g., signs); 2) institutional controls (e.g., prohibition on excavation below three feet for non-remedy related purposes); and 3) ongoing monitoring activities.

The proposed dam breach action was delayed due to the public's interpretation of one of the institutional controls that prohibits excavation below three feet for non-remedy related purposes. The regulatory agencies recognized the ambiguity of the wording of a number of the institutional controls and realized a formal amendment to the CAD/ROD was required to resolve the issue. In June 2011, the DOE, EPA and CDPHE jointly proposed a formal amendment to the CAD/ROD. The proposed changes modified the specific language for some institutional controls and eliminated the requirement for a formal CAD/ROD amendment process for any future changes to institutional controls. The issue related to the dam breach (i.e., prohibition on excavation below three feet for non-remedy related purposes) was proposed to be rectified by allowing the excavation if CDPHE approved DOE's request as detailed in a Soil Disturbance Review Plan. DOE and CDPHE have utilized this plan repeatedly since closure to document approval of excavation activities.

In response to public comment opposing the amendment to the CAD/ROD, the regulatory agencies formalized the Soil Disturbance Review Plan as an Attachment to the Rocky Flats Legacy Management Agreement. The agencies agreed to delay any excavation activities that require CDPHE approval of a Soil Disturbance Review Plan for ten calendar days following public notification to allow the public time to review the proposed action and make inquiries as appropriate. The agencies also agreed that any future changes to institutional controls will be subject to public comment, but will not require a formal amendment to the CAD/ROD.

City Staff has been and will continue to be actively engaged in Rocky Flats issues to protect public health and the environment. Relevant DOE activities are continually reviewed and water quality data are evaluated to ensure regulatory standards are not violated. Increased communication between

Staff Report - Final Decisions Affecting the Surface Water Monitoring Program at the Rocky Flats
Environmental Technology Site

November 21, 2011

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DOE and the public, required as part of the Adaptive Management Plan, will give the City additional opportunities to provide input on proposed DOE activities.

Finally, it is important to reiterate that the City's drinking water supply, Standley Lake, is physically protected from activities at the Rocky Flats site. Due to the City's construction of Woman Creek Reservoir and the completion of the Church Ditch Water Quality Project, our drinking water supply remains physically isolated from water leaving the Rocky Flats site. This continued oversight supports the City's "Strategic Plan Goal of a Safe and Secure Community" by continuing to ensure that public health is protected. City Staff will continue to monitor the lake to ensure the highest water quality is maintained.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

Rocky Flats Environmental Technology Site

