WESTMINSTER
COLORADO

CITY OF WESTMINSTER
2023 LEGISLATIVE POLICY STATEMENT

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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 actively advocates for legislation that aligns with this Policy Statement and 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 Assistant City 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 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 major goals and corresponding objectives that are identified in the City's Strategic Plan (adopted April 25, 2022).

2022 City of Westminster City Council Strategic Plan

Vision

Westminster is a city of beautiful, safe, well-maintained neighborhoods and destinations with a vibrant, diverse economy, rich and resilient environment, and a strong sense of community and belonging.

Mission

Westminster's purpose is to provide core services and foster economic resilience to give our community the opportunity to thrive.

Guiding Principles

- **Collaboration and Partnership:** Enhance and sustain our relationships with neighboring governments and community-based partners, leveraging our collective resources for maximum impact and benefit to Westminster.
- **Stewardship and Thrift:** Responsibly manage all of the resources entrusted to our care to meet the needs of today without sacrificing the ability to meet the needs of the future.
- **Transparency and Accountability:** Engage in two-way dialogue with the people of Westminster, clearly communicate our intentions and decisions, and take responsibility for all that we do, thereby earning the trust and confidence of the community.
- **Diversity, Equity, and Inclusion:** Achieve equitable processes for the people of Westminster by providing opportunity for all voices to be heard and drawing upon community diversity in decision making.
- **Innovate and Initiate:** Foster a culture of continuous improvement and approach opportunities and challenges with drive, inventive thinking, and resourcefulness, resulting in a resilient and sustainable future for our city.
- **Prevention and Proactivity:** Solve problems at their source and focus the City's policies, practices, and investments on prevention and community education and addressing root causes, leading to a better quality of life and greater prosperity for all in our community.

Strategic Priorities

Strategic Priority 1: Preparedness and Resilience

Build a system of intentional support for residents, businesses and the environment that mitigates risks and proactively seeks out ways to ensure the community not only endures, but thrives.

Strategic Priority 2: Proactive Public Safety

Enhance public safety to emphasize both prevention and enforcement, engage the community through education and outreach and provide the resources necessary to ensure safety and well-being throughout Westminster.

Strategic Priority 3: Shared Sense of Community
Foster equitable opportunities that help residents feel at home and connected in their community and empowered to live their best lives.

Strategic Priority 4: Quality of Life
Ensure that Westminster offers a diverse range of amenities and activities for residents, businesses and visitors that honor the city's history and support the arts, parks, recreation, open spaces, and libraries.

Strategic Priority 5: Robust Infrastructure
Provide safe and equitable access to core services and amenities by safeguarding, maintaining and improving the city's water, wastewater, stormwater, mobility and roadway systems.

The full City of Westminster Strategic Plan may be viewed here.

ECONOMIC DEVELOPMENT

The City of Westminster strives to develop and maintain a dynamic and diverse economy. Whether it is maintaining a healthy retail base, retaining and expanding targeted businesses and primary employers, or furthering affordable and workforce housing opportunities, 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.
- Supports the creation of a dedicated statewide fund for the development and preservation of affordable housing.
- Supports legislation that provides for the protection of renter's rights through fair, transparent, and equitable leasing practices.

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.

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.

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.

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 the financial sustainability of the Fire and Police Pension Association (FPPA) pension plans.
- 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.

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 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.

MENTAL HEALTH

The City of Westminster recognizes the importance of supporting mental health initiatives that enhance the safety and well-being of the City's residents, as well as the City's employees who may, in the course of the work, encounter residents in need of mental health support or who are in a mental health crisis. Support for mental health initiatives is foundational to public safety and for a vibrant, inclusive and engaged community.

Therefore, the City of Westminster:

- Supports legislation that expands support for those with mental health needs.
- Supports legislation that provides state resources for mental health initiatives.
- Supports legislation that provides enhanced safety for City employees who may encounter residents experiencing a mental health crisis.

PARKS & 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 efforts to renew the Colorado Lottery Division.
- 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.

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.
- Supports legislation that offers transitional services to those aging out of the foster care system.

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:

- Supports legislation that provides resources and support to all victims of crimes, particularly violent crimes, to include domestic violence.
- Supports legislation that increases the safety of first responders, including funding for mental health services.
- Supports legislation that provides funding for public defender 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 funding for additional municipal co-responder services and programs to work with police and fire personnel in responding to community members experiencing behavior health crisis.
- Supports legislation that encourages the retention and expansion of the public safety workforce.
- 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 for state death benefits for public safety personnel killed or who die in the line of duty.
- Supports legislation that allows the City to be reimbursed for emergency medical transport and services.
- Supports legislation that provides adequate funding for state court resources.
- Supports legislation that imposes more severe penalties for auto theft, catalytic converter theft, and street racing.
- 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.
- Opposes legislation that mandates unencrypted dispatch radio communication.
- Opposes legislation that preempts the City's ability to prosecute crimes locally, set appropriate bond terms and conditions, and order appropriate sentences.
- Opposes legislation that limits or reduces 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.
- 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.
- Opposes legislation that minimizes the accountability of possession of illicit drugs such as fentanyl and opioids.
- Opposes legislation that prevents offenders from being taken into custody (i.e., mandatory summons in lieu of custody on scene).

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 two-thirds 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.

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.

SUSTAINABILITY

For the City of Westminster, sustainability is a priority. The City's Vision Statement affirms that Westminster will strive to be a sustainable and inclusive city. While sustainability includes economic, social, and environmental aspects, this section deals with the environmental facets; social and economic are addressed in other areas. The City of Westminster recognizes the importance of working cooperatively with public and private partners to implement and manage efficient, cost-effective, and scientifically-based environmental sustainability and climate protection 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 significant financial burden on municipalities.

Therefore, the City of Westminster:

- Supports appropriate legislation and regulations that promote pollution prevention.
- Supports legislation and reasonable regulations that provide incentives for green building and sustainable design.
- 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.

- Supports funding for legislation that prepares, protects, and helps Coloradoans recover from the impacts of climate change, including wildfires, poor air quality, heat, floods, and other impacts.
- Supports legislation that increases the number of oil and gas inspectors.
- 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.

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.

TRANSPORTATION AND MOBILITY

The City of Westminster believes the safe 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 multimodal systems. 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 new revenue streams for state and regional multimodal transportation needs, including funding to support operations and maintenance, which also encourages accountability and the responsible use of new and existing revenues.
- 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 funding initiatives to complete the B Line (Northwest Rail Project) in a timely manner. Oppose efforts to eliminate the completion of the B Line or to prioritize other transit investments which might postpone its completion.

- 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.
- Opposes legislation to transfer maintenance responsibility of state-owned roads to municipalities without adequate short and long-term funding to meet these additional responsibilities.
- Supports equitable administration of the Colorado Department of Transportation's (CDOT) Managed Lane Policy. New highway capacity improvement constructed with state or federal funds projects should include a toll component.
- Supports state and federal investments in addressing the bi-directional commute needs on the existing I-25 Express Lanes.
- Support our community's need for multimodal transportation by advocating for additional Regional Transportation District (RTD) rail and bus services.

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 safe, financially sound, reliable, 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 reasonable and research-based water quality legislation that protects the public health and safety, and results in appropriate cost-effective water quality regulations.
- 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 while providing water supply owners flexibility in management of reservoir operations and resources.
- 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.

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. In addition, the City self-administers our Workers' Compensation program in order to provide individualized, one-on-one assistance to our injured 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.