



WESTMINSTER

Staff Report

TO: The Mayor and Members of the City Council

DATE: February 19, 2014

SUBJECT: Briefing and Post-City Council Briefing Agenda for February 24, 2014

PREPARED BY: J. Brent McFall, City Manager

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

Looking ahead to Monday night’s Briefing and Post-City Council meeting briefing, the following schedule has been prepared:

Dinner	5:30 P.M.
Council Briefing <i>(The public is welcome to attend.)</i>	6:00 P.M.
<i>Adams County Mayors Commissioners Youth Award Reception</i>	6:30 P.M.

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

PRESENTATIONS

1. Northwest Area Mobility Study – Key Findings and Recommendations
2. City Council Focus Group Discussion for the Westminster Center Urban Reinvestment Project Brand Market Research
3. Employee Political Activity Rules Change

CITY COUNCIL REPORTS

None at this time.

EXECUTIVE SESSION

1. Consult with the City Attorney's Office regarding City Charter section 6.2(i) and proposed changes to the City's political activity regulations, as authorized by WMC 1-11-3(C)(8) and CRS 24-6-402(4)(b) *(verbal if needed)*

INFORMATION ONLY

1. Monthly Residential Development Report

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

Respectfully submitted,

J. Brent McFall
City Manager

NOTE: *Persons needing an accommodation must notify the City Manager’s Office no later than noon the Thursday prior to the scheduled Study Session to allow adequate time to make arrangements. You can call 303-658-2161 /TTY 711 or State Relay) or write to mbarajas@cityofwestminster.us to make a reasonable accommodation request.*



Staff Report

Post City Council Meeting
February 24, 2014



SUBJECT: Northwest Area Mobility Study – Key Findings and Recommendations

PREPARED BY: Aric Otzelberger, Assistant to the City Manager

Recommended City Council Action

Review the presentation on key findings from the Northwest Area Mobility Study (NAMS). Provide Staff with direction regarding the City of Westminster's response and policy positions related to NAMS.

Summary Statement

In March of 2013, the Regional Transportation District selected a consultant team led by HNTB to conduct the Northwest Area Mobility Study (NAMS). Since that time, the City of Westminster and other corridor stakeholders have participated in the study through membership in the study's Policy Advisory Committee (PAC) and Technical Advisory Committee (TAC). The goal of the study is to determine a prioritized list of mobility improvements for the northwest corridor. The study's major tasks examined feasibility, costs, ridership and other information related to Northwest Commuter Rail, a potential extension of North Metro Rail to Longmont and arterial bus rapid transit (BRT) on key corridors. Other study tasks included determination of final scope elements for U.S. 36 BRT and evaluation of strategies for bi-directional service on the existing I-25 HOT/HOV lanes.

The study is nearing completion and the study team is requesting direction and decisions from the PAC. Preliminary recommendations include a prioritization of arterial BRT, a prioritization of State Highway 119 as the first improvement and completion of Northwest Rail to Longmont as funding becomes available. The U.S. 36 Mayors and Commissioners Coalition (36 MCC) have discussed an approach going forward that includes completion of the remaining capital commitments to U.S. 36 BRT, provision of bi-directional service on the existing I-25 HOT/HOV lanes, U.S. 36 "First and Final Mile Strategies," railroad crossing quiet zone improvements, rail/BRT station improvements and arterial BRT improvements. This is all predicated on a "no new revenue" scenario. Current RTD cash flow analysis does not show any potential funding for any additional FasTracks improvements, including other corridors, until after 2030. The amount of funding potentially available through 2040 is projected between \$550 and \$675 million. It is unclear when certain projects would be pursued.

Staff requests direction from City Council on the proposed response and policy positions related to NAMS and future transit efforts.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

- Does City Council concur with Staff's proposed response and policy positions related to NAMS and future transit efforts?

Alternatives

- City Council could provide different or additional responses and policy positions related to NAMS and future transit efforts.

Background Information

In March of 2013, the Regional Transportation District selected a consultant team led by HNTB to conduct the Northwest Area Mobility Study (NAMS). Since that time, the City of Westminster and other corridor stakeholders have participated in the study through membership in the study's Policy Advisory Committee (PAC) and Technical Advisory Committee (TAC). The goal of the study is to determine a prioritized list of mobility improvements for the northwest corridor. The study's five major tasks included:

- Evaluate feasibility and cost of constructing Northwest Rail in segments
- Evaluate potential for extending North Metro Line to Longmont
- Evaluate arterial BRT on key corridors such as State Highway 119 and U.S. 287
- Determine remaining FasTracks scope commitments for U.S. 36 BRT
- Analyze potential alternatives to facilitate bi-directional service on the existing I-25 HOT/HOV lanes

The study is nearing completion and the study team is requesting direction and decisions from the PAC. Below is a summary of key findings for each task:

Northwest Rail

- Phasing is possible, provided a chambering track is provided (staging of freight trains past last station)
- Three segments were identified (116th Avenue/Broomfield, Downtown Louisville, Boulder), along with ultimate completion to Longmont
- Burlington Northern Santa Fe (BNSF) did not actively participate in the study
- Operating plan includes 55 trains per day – 30 minute peak service and 60 minute off-peak
- Per Denver Regional Council of Government (DRCOG) modeling, total 2035 ridership for Northwest Rail is projected between 9,300 – 10,800 passengers per day
- Total cost is estimated between \$1.1 and \$1.4 billion. The attached presentation shows a breakdown of estimated costs, ridership, cost per boarding and travel time by segment on slide #6.
- Cost estimates include \$220 million for operating rights from BNSF and \$50 million for diesel multiple unit (DMU) maintenance facility

One element of Northwest Rail that the City of Westminster has been exploring is the potential extension of single-tracked, electric multiple unit (EMU) service from Westminster Station to the 88th Avenue station adjacent to Westminster's planned downtown. This roughly three mile extension would follow a similar approach to the forthcoming Northwest Rail project from Pecos to

Westminster Station. Seeing this would be EMU service, this service would not require an additional maintenance facility or additional vehicles. NAMS took a preliminary, high level look at this concept following a formal request from the City and provided a cost estimate of between \$183.5 to \$223.5 million for this segment. Study consultants did identify potential right of way concerns on the southside of the station area that could require partial property acquisitions. Without further and more refined design efforts, Staff is uncertain as to whether or not the tracks could be re-aligned to avoid these acquisitions.

The joint venture team selected for the North Metro Rail project, Graham, Balfour Beatty, Hamon (GBBH), included an option in their proposal to pursue the Northwest Rail extension to 88th Avenue. Staff's understanding is that GBBH's costs are lower than the NAMS projections. Staff will continue to consult GBBH about this potential extension. However, RTD's cash flow analysis, which is discussed below, makes the pursuit of this extension appear very challenging without significant non-FasTracks funds. At the present time, pursuit of this extension in the near term would require an extraordinary unsolicited proposal that would bring significant non-FasTracks financial resources to bear on this project. Also, there are significant political concerns along the Northwest Corridor regarding this extension. Primarily, the major concern is that if this extension is completed, Northwest Rail will never extend further up the corridor and the City of Westminster will not advocate for future rail extensions. BNSF would also have to agree to this extension and there have been mixed signals as to whether or not this would be feasible. Further exploration of this concept could determine actual feasibility and future City strategies.

North Metro Rail Extension

- 19.5 mile corridor from 162nd Avenue to Downtown Longmont
- Operating plan, operations, maintenance and other assumptions similar to Northwest Rail
- Per Denver Regional Council of Government (DRCOG) modeling, total 2035 ridership is projected between 840 – 900 passengers per day
- Total cost is estimated between \$682 and \$834 million

Due to relatively low ridership and high costs for this ridership, it appears that Northwest Rail will be the NAMS preferred alignment to Longmont. Annual cost per boarding of Northwest Rail is \$23.42 compared to \$138.82 for the North Metro Rail Extension. The Colorado Department of Transportation's (CDOT) plans for high-speed rail along the I-25 corridor continue to peak the interest in this extension by other entities.

Arterial BRT

- Includes State Highway 119, U.S. 287, Arapahoe Road/State Highway 7, 120th Avenue, South Boulder Road, State Highway 42, Broadway/28th Street Corridor (Boulder)
- Improvements may include queue jumps, transit signal prioritization, improvements for bus on shoulder or dedicated transit lanes, additional and enhanced stations, new quick-boarding busses and enhanced service frequency
- Per Denver Regional Council of Government (DRCOG) modeling, total 2035 ridership for arterial BRT service is projected at 27,800 passengers per day (this includes 9,405 existing riders)
- Total cost is estimated at \$304 million. The attached presentation shows a breakdown of estimated costs, ridership, cost per boarding and travel time by segment on slide #10.

All bus routes in the northwest area were modeled to determine feasibility for BRT service. There is high interest in pursuing arterial BRT by several communities and organizations. Current legal interpretation has determined that FasTracks revenues could not be utilized for these improvements without a vote of the people. Arterial BRT presents a challenge to the pursuit and completion of additional segments of Northwest Rail in the future.

Remaining Scope Commitments for U.S. 36 BRT

- These elements include replacement busses, relocation of the Church Ranch boarding platforms, improvements/enhancements to Westminster Center pedestrian bridge and parking improvements in Broomfield
- RTD is moving forward with bus procurement
- RTD is pursuing a FASTER grant for relocation of Church Ranch boarding platforms
- Operating plan for opening day and branding for service are in process

In addition to the remaining FasTracks commitments to U.S. 36 BRT, a “First and Final Mile” Study was conducted in the corridor to identify projects and strategies to improve connections between BRT stations along U.S. 36 and key employment and residential destination in communities along the corridor. An example of a “First and Final Mile” site-specific project is a potential underpass at Sheridan to connect the Westminster Center park N ride to the forthcoming downtown Westminster. Corridor-wide strategies include enhanced bike shelters and improved wayfinding.

Bi-Directional Service on I-25 HOT/HOV Lanes

- Examined Denver to Boulder travel in morning and Boulder to Denver in the evening (current lanes only allow for one direction of travel)
- Analysis shows weekday afternoon delays that will increase over time; morning commute is likely to be affected in the future as well
- Short term options include bus on shoulder and downtown circulation improvements
- Long term options should dovetail with systematic improvements along I-25

With the relationship of this issue to the U.S. 36 BRT system, there is significant interest in the corridor in exploring bi-directional service further.

RTD Financial Analysis

Following a formal request from the 36 MCC, RTD shared a financial analysis with NAMS participants on January 30, 2014. Current RTD cash flow analysis does not show any potential funding for any additional FasTracks improvements, including other corridors, until after 2030. The amount of funding potentially available through 2040 is projected between \$550 and \$675 million. This funding is identified as “base system” funding, which would come from RTD’s 0.6% sales tax. RTD’s projections show \$0 available through 2040 from FasTracks revenues (0.4% sales tax). RTD states that they have essentially reached their TABOR bonding capacity and that remaining corridors cannot be financed by certificates of participation (COPs) like the North Metro Rail project to 124th Avenue.

It is unclear when certain projects would be actually be pursued. RTD is listing the Southeast Rail Extension and completion of remaining U.S. 36 BRT scope items as priorities for completion in the

2030-2035 timeframe. Other remaining projects, besides Northwest Rail, include North Metro Rail completion to 162nd Avenue, Central Corridor Extension and Southwest Corridor Extension.

Next Steps

The study is nearing completion and the study team is requesting direction and decisions from the PAC. Preliminary recommendations include a prioritization of arterial BRT, a prioritization of State Highway 119 as the first improvement and completion of Northwest Rail to Longmont as funding becomes available.

The U.S. 36 Mayors and Commissioners Coalition (36 MCC) have discussed an approach forward that includes completion of the remaining capital commitments to U.S. 36 BRT, provision of bi-directional service on the existing I-25 HOT/HOV lanes, U.S. 36 “First and Final Mile Strategies,” railroad crossing quiet zone improvements, rail/BRT station improvements and arterial BRT improvements. This is all predicated on a “no new revenue” scenario. With the recent outcome of MPACT 64 polling (potential statewide sales tax increase for transportation improvements), it appears unlikely that any major new outside revenue sources from a state or regional level will be pursued in the near term.

Recommended City Response and Policy

In response to NAMS and in consideration of the economic, technical, and other challenges facing the Northwest Corridor, Staff recommends the following policy positions:

The City of Westminster recognizes that the U.S. 36 Managed Lanes project represents an actual investment in the corridor. With the exception of Westminster Station, U.S. 36 BRT service will be the Northwest Corridor’s connection to the greater FasTracks system in the near term. The City of Westminster places a short-term priority on securing the final U.S. 36 BRT commitments as approved by the RTD Board on September 17, 2013. Considering the corridor’s disproportionate share of FasTracks benefits compared to other corridors, near-term fulfillment of these commitments is a reasonable expectation. The City also supports “First and Final Mile” efforts related to U.S. 36 BRT that provide a tangible benefit to residents, employees and commuters in the corridor.

The City of Westminster supports full completion of the Northwest Commuter Rail Project to Longmont. Considering costs, lack of revenues, uncertainty with BNSF and other challenges, the City supports a segmented approach to completing the project. The City also supports further exploration of creative and alternative strategies for incremental rail progress, including further investigation of the feasibility and costs of a potential EMU rail extension to 88th Avenue. The City recognizes and understands the concerns of corridor partners related to this extension and will work to address these concerns.

The City of Westminster supports pursuit of quiet zone implementation at railroad crossings in the Northwest Corridor. Quiet zone implementation will provide a tangible benefit to the corridor, mitigating freight train horn noise and improving the quality of life for residents and businesses.

The City of Westminster supports further investigation of strategies that support bi-directional service on the existing I-25 HOT/HOV lanes, with an emphasis on reasonable, attainable approaches such as bus on shoulder.

The City of Westminster recognizes the interests of others in arterial BRT improvements, but these interests present a challenge to the City of Westminster's interest in extending rail service. While non-FasTracks funds could be utilized for capital improvements to enhance bus travel times and the overall transit experience, major questions remain regarding where financial resources would be attained to provide enhanced service levels. With RTD's current financial analysis showing the possibility of excess base system funds (non-FasTracks) in the future, these funds that could otherwise be leveraged for capital rail projects could be cannibalized by arterial BRT operations and maintenance costs.

The arterial BRT routes contemplated in NAMS do very little to serve Westminster residents, businesses and commuters. The City of Westminster does not endorse the arterial BRT recommendations in NAMS and reserves judgment on potential future arterial BRT investments, which will be based on specific corridors, specific project scopes and effects on other potential transit investments. While the City of Westminster stands ready to partner with corridor partners on shared interests, certain arterial BRT advocacy efforts might not be in the City's best interest or an overall City priority considering limited resources. The City will assess its current and future resource allocation towards corridor activities through the upcoming level of service assessment, which is part of the budget development process for 2015/2016.

The City of Westminster recognizes that Longmont has been paying into the FasTracks program with very little benefit. Regarding potential arterial BRT capital improvements, the City believes that State Highway 119 should be the priority, as it follows the travel shed envisioned by FasTracks and serves a community that has not had any major FasTracks investment to date.

Future efforts on transit improvements in the region support the City's Strategic Plan goals of Strong, Balanced Local Economy and Vibrant Neighborhoods in One Livable Community.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment

Northwest Area Mobility Study

Five Key Tasks:

1. For I-25 Downtown Express HOV lanes, analyze potential alternatives to facilitate reverse commute between downtown Denver and US 36
2. Determine remaining FasTracks BRT funding/scope commitments for US 36 BRT Corridor
3. Evaluate feasibility and cost of constructing the Northwest Rail in segments
4. Evaluate potential for extending North Metro Line to Longmont
5. Evaluate potential mobility improvements in the area such as arterial BRT on Diagonal and US 287

Status of Key Tasks

Downtown Express / Reverse Commute Analysis.

Short Term Options

- Bus on Shoulder
- Downtown Circulation Improvements

Long Term Recommendations

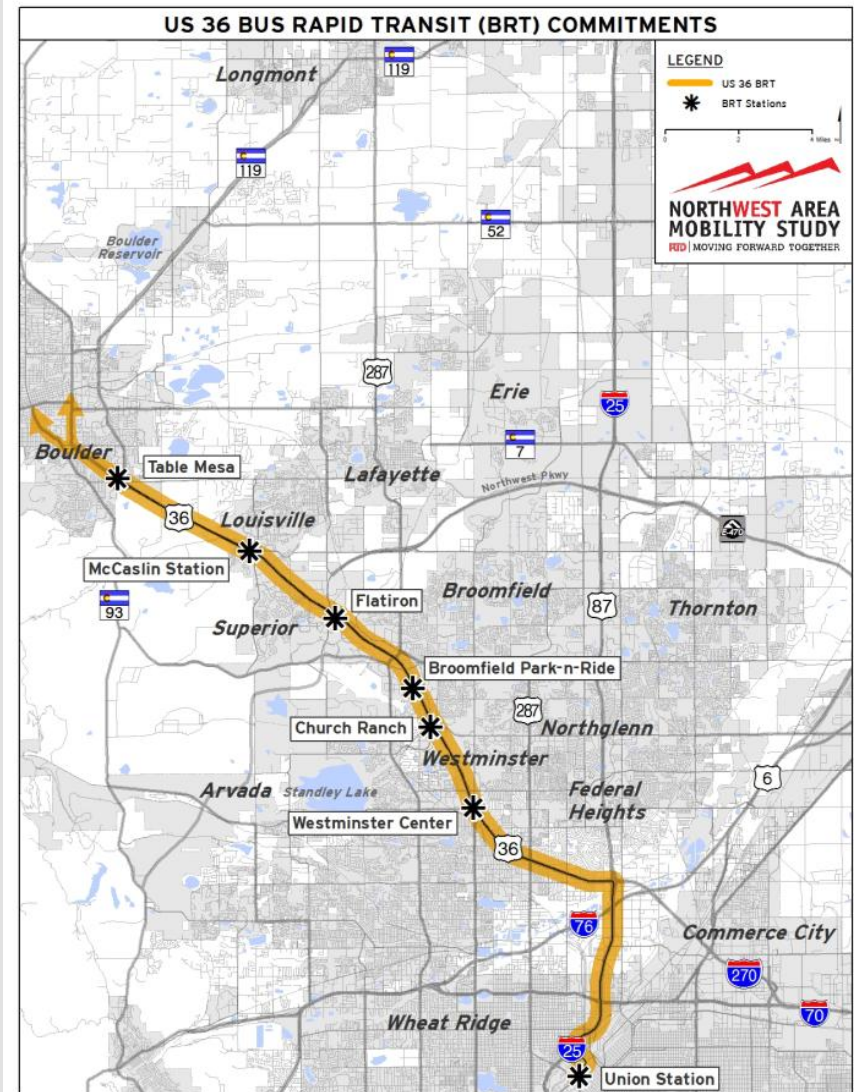
- Continue to monitor situation and determine if other long term planning efforts are needed.



Status of Key Tasks

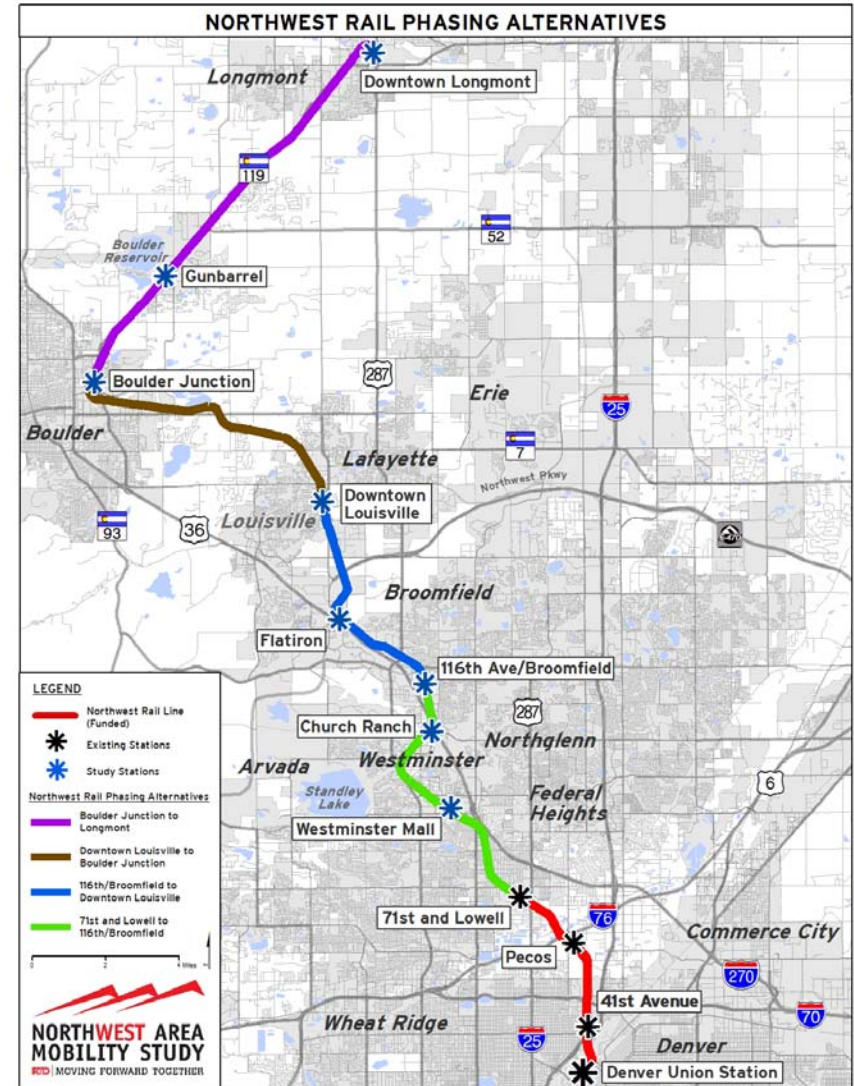
Determine remaining BRT Funding Priorities for US 36.

- Consultant Team worked with RTD and stakeholders to:
 - Determine remaining elements needed to complete BRT in the US 36 Corridor
 - Validate cost of remaining BRT items needed to complete US 36 BRT
- RTD Board adopted remaining scope elements September 17



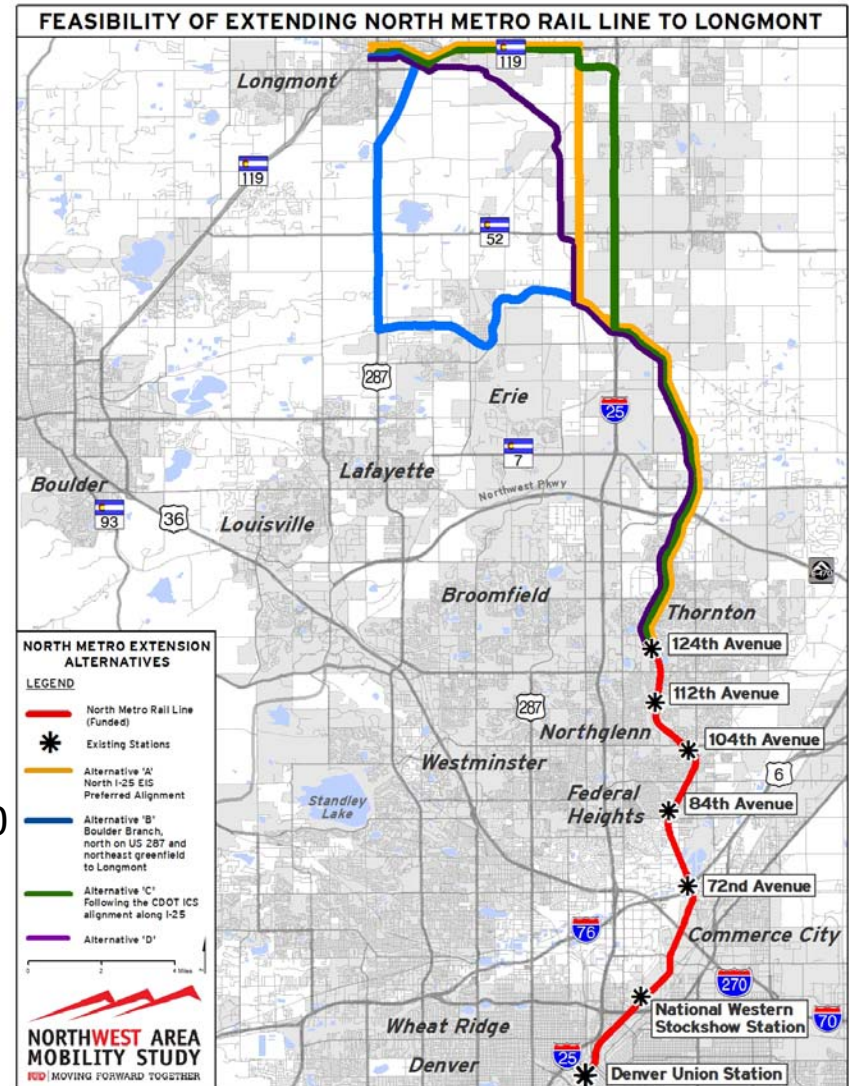
Northwest Rail

- Evaluation of possible NW Rail phases understanding that BNSF participation was undetermined from the start of the study
- 3 segments were identified; full extension to Longmont
- Each segment includes chambering track and associated improvements
- Operating plan - 30 min peak and 60 min off-peak – 55 trains per day – chosen to provide the goal of reliable service
- **Assumptions and cost estimates have not been reviewed or approved by the BNSF.**
 - Final negotiations and a time certain implementation will have a direct impact on final costs



North Metro Extension

- Evaluate possible North Metro Extension from current FasTracks end-of-line;
 - Concept Design for **Alternative C** (I-25 Median)) chosen based on reduced impacts and cost efficiencies
- Cost Estimate Methodology
 - 19.5 mile corridor;
 - Boulder Branch (RTD owned); Shared ROW with CDOT in I-25 median; Requires ROW along CO 119;
 - DMU-double track; 3 stations
 - Similar assumptions to NW Rail for vehicles and maintenance facility
 - Similar operating plan 30 min peak and 60 min off-peak operating plan – 55 trains per day – goal of reliable service
 - Estimate does not include any North Metro improvements south of 162nd and Colorado for DMU in the corridor



How Do the Rail Options Compare?

	Northwest Rail				N. Metro Extension
	Westminster to 116 th St Broomfield	Broomfield to Louisville	Louisville to Boulder	71st to Longmont <i>Full Corridor</i>	
Ridership (2035)	2,100 - 3,400	1,700 - 1,800	2,000 - 2,100	9,300 - 10,800	840 – 900
Capital Cost ¹	\$557 - \$681 ²	\$159 - \$194	\$241 - \$295	\$1,156 - \$1,413	\$682 - \$834
Yearly Cost Per Boarding	\$36.19	\$15.34	\$26.10	\$23.42	\$138.82
Travel Time (from DUS)	27 min.	38 min.	52 min.	71 min.	59 min.

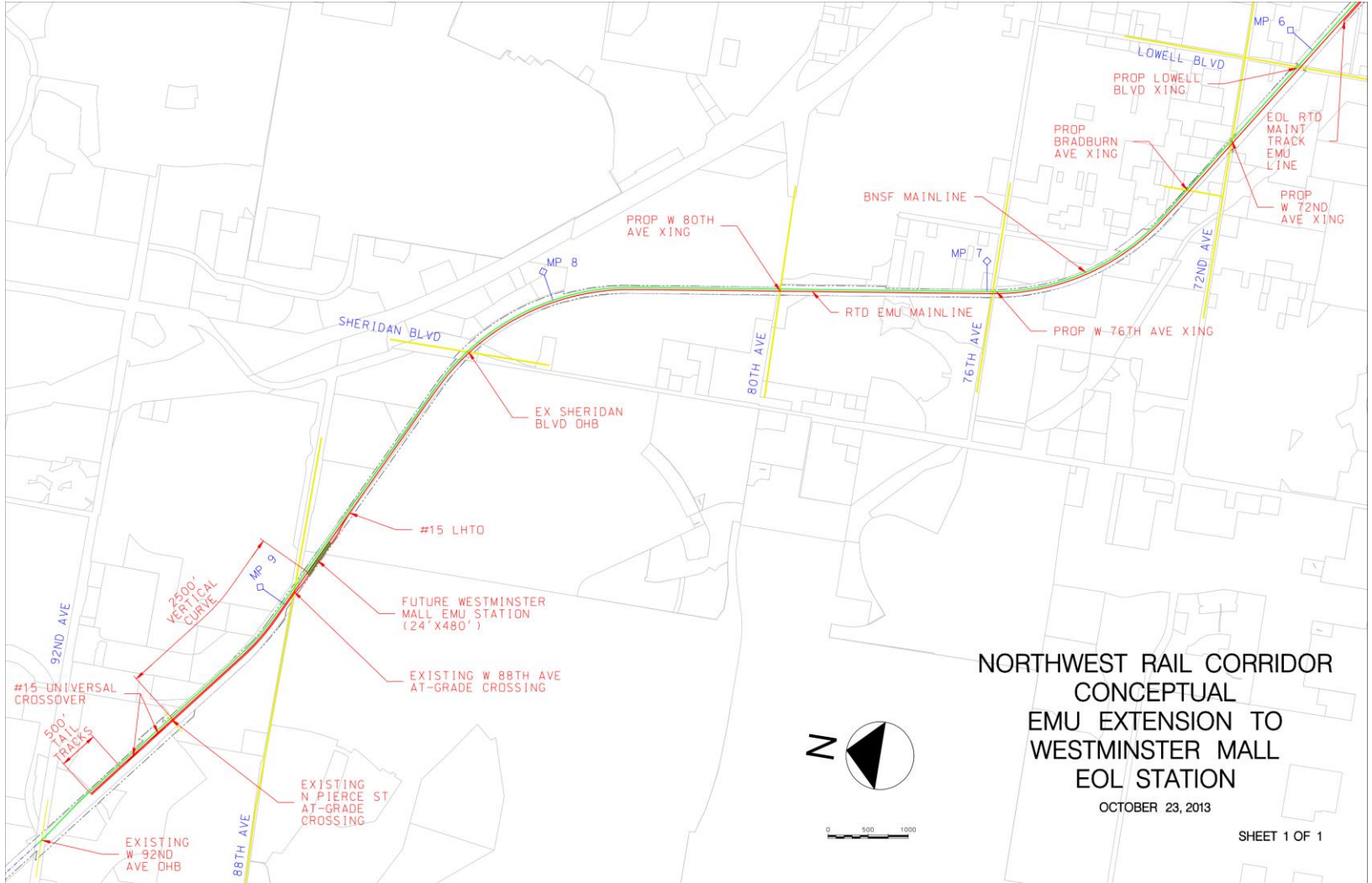
¹ Costs in millions of dollars (\$ 2013) and include stations not planned for in FasTracks (\$140M).

² The cost for this segment includes the DMU Maintenance Facility and acquiring the full NWR Corridor Operating Rights from BNSF.

EMU Extension

- EMU Extension from 71st/Lowell to Westminster Mall Station
- Requires BNSF to be on the north or east side of the corridor which requires a new track for BNSF
- RTD EMU rail at location of existing BNSF track on south or west side-similar to how the Pecos to 71st Lowell segment was constructed
- No new vehicles or maintenance facility required
- Estimated cost of improvements: \$183.5M to \$223.5M

EMU Extension-71st Lowell to Westminster Mall-Alignment

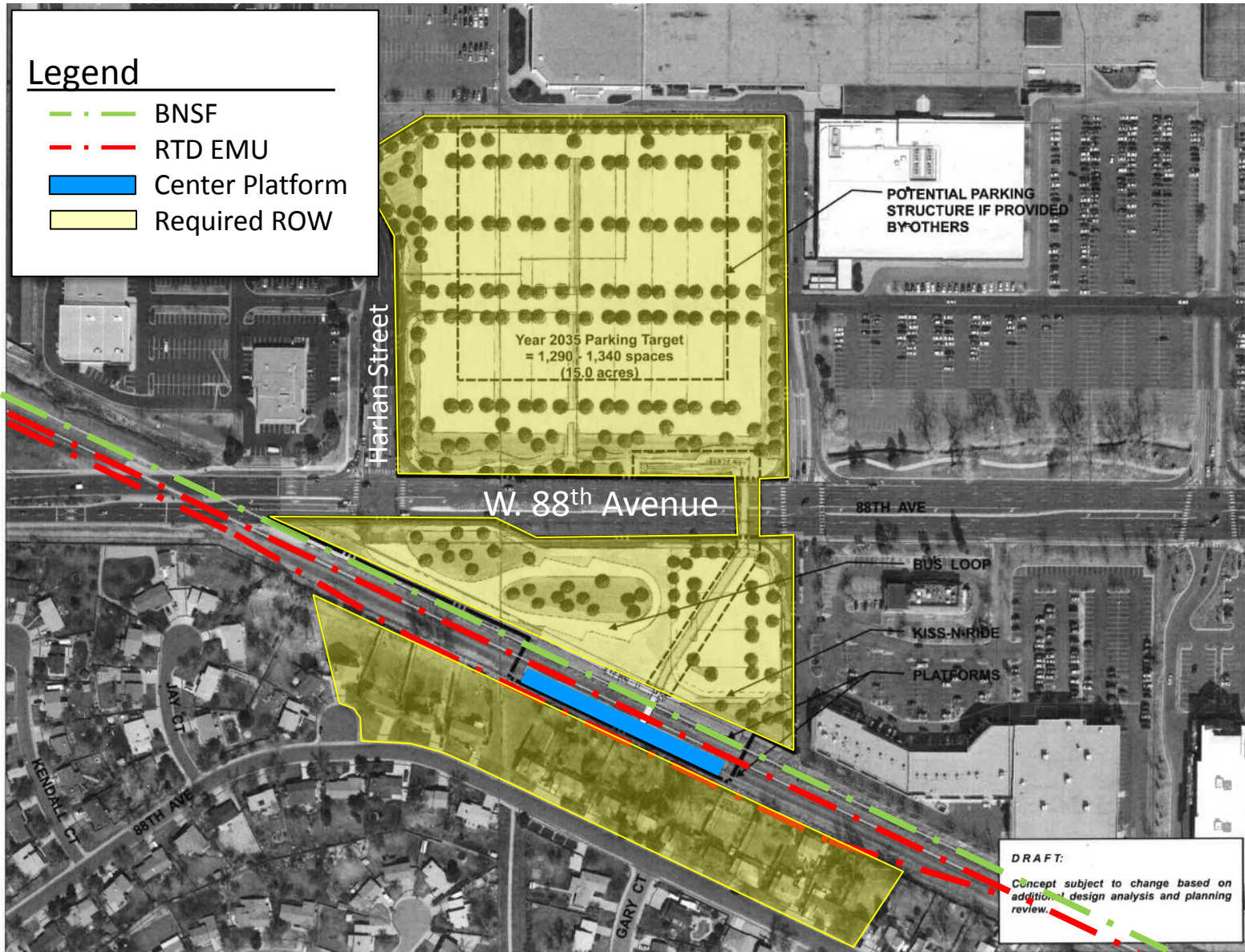


NORTHWEST RAIL CORRIDOR
 CONCEPTUAL
 EMU EXTENSION TO
 WESTMINSTER MALL
 EOL STATION

OCTOBER 23, 2013

SHEET 1 OF 1

EMU Extension-Westminster Mall Station

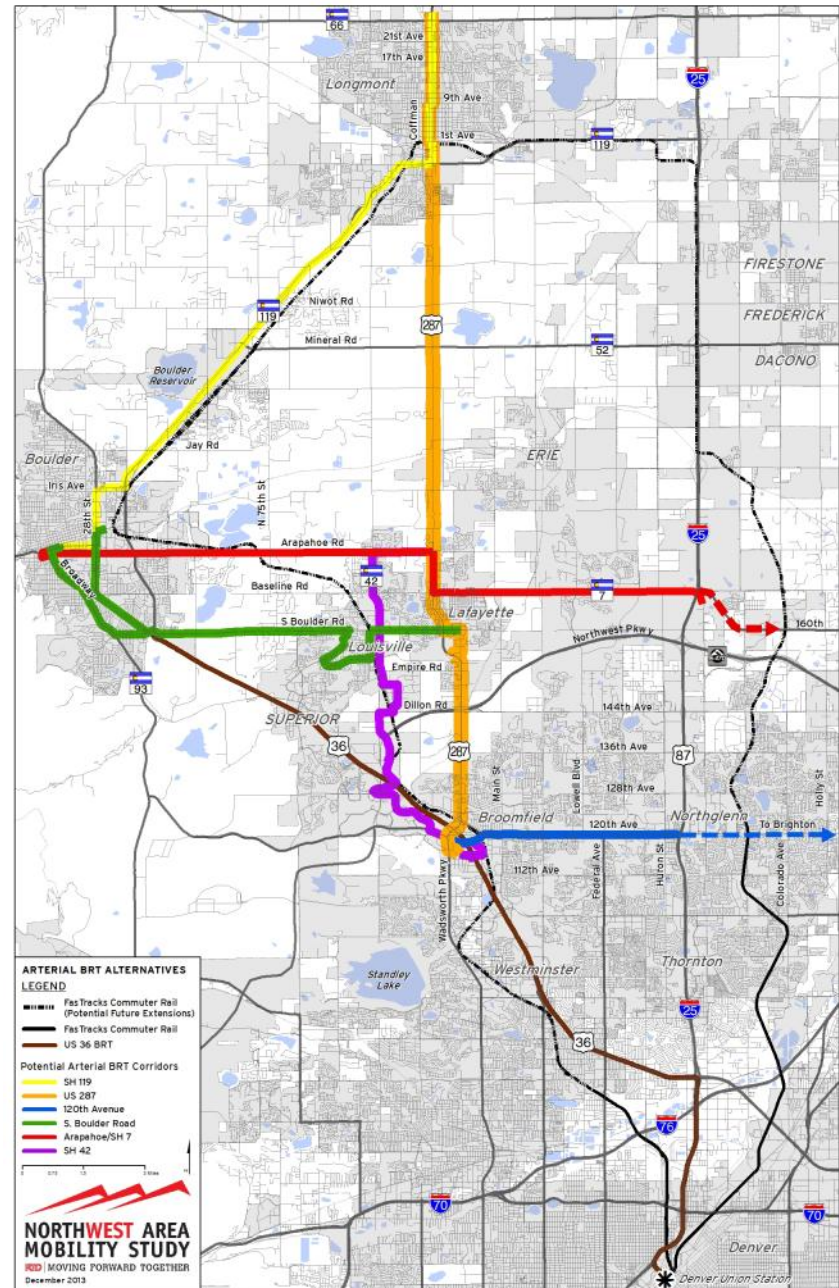


Status of Arterial BRT

- Study Team worked iteratively with TAC members to define the following Arterial BRT Corridors for consideration:

- SH 119
- US 287
- 120th
- South Boulder Rd
- Arapahoe/SH 7
- SH 42

- Identification of Broadway/28th Corridor as System Improvements providing connectivity and benefit for the majority of the above routes, US 36 BRT and other Boulder local routes



How Do the Arterial BRT Corridors Compare?

	Arterial BRT						Broadway and 28 th St. System Improvements
	S Boulder Rd + Share of Bway & 28th	120 th Ave	Arapahoe / SH 7	SH 42	US 287	US 119	
Boardings	3,300	5,000	4,600	900	9,000	5,000	TBD
Capital	\$36.4M ¹	\$32.2M	\$45.4M	\$27.4M	\$56.5M	\$57.0 M	\$21.5M *
Yearly Cost Per Boarding	\$10.01	\$3.97	\$4.33	\$11.14	\$3.82	\$6.27	TBD
Travel Time with Arterial BRT	21m	41m	34m	38m	39m	36m	TBD

* Full Cost of Broadway and 28th St. Systems Improvements.

Note (1) –Includes proportionate share of Broadway/28th St. Systems Improvements (\$4.8m)
Costs in 2013 dollars.

Capital Cost Summary

(In 2013 dollars)

- **Northwest Rail Corridor (Full Corridor)**
 - Riders per day 2035: 9,300 – 10,800
 - Cost: \$1,156M – \$1,413M

- **Arterial BRT (All Routes)**
 - Daily Ridership 2035: 27,800
 - Cost: \$304M

Financial Analysis

- Assumptions through 2035:
 - Assumes reasonable growth in bus and rail service
 - Completion of US 36 BRT remaining scope items and Southeast Rail Extension (2030-2035)
 - State of Good Repair expenditures
- Issues / Variables
 - Increase / Decrease in sales tax revenue
 - O&M cost increases (beyond rate of inflation)
 - Have reached TABOR bonding capacity
 - Remaining corridors cannot be financed by COPs

Financial Analysis

- Available funds by Revenue Source (in millions, YOE)

Revenue Source	2015-2030	2030-2035	2035-2040
FasTracks	\$0	\$0	\$0
Base System	\$0	\$260-\$315	\$295-\$360

Discussion of Study Recommendation to RTD Board

- North Metro Rail Extension
 - Formal Recommendation not to proceed
- Northwest Rail
 - Possible Phasing or other strategy for implementation?
 - Purchase of Operating Rights?
- Arterial BRT
 - Prioritization of Arterial BRT Routes
- Funding Discussion – Short Term and Long-term
- Other thoughts?
- Direction to Study Team



WESTMINSTER

Staff Report

Post City Council Meeting
February 24, 2014



SUBJECT: City Council Focus Group Discussion for the Westminster Center Urban Reinvestment Project Brand Market Research

PREPARED BY: Katie Harberg, Communication Coordinator for Economic Development

Recommended City Council Action

Participate in a focus group discussion facilitated by Cohn Marketing as part of the first phase work in brand development for the Westminster Center Urban Reinvestment Project (WURP).

Summary Statement

Economic Development staff is working with a brand strategy firm to identify the brand and market strategy for the WURP. The first phase of the project involves research and discovery relating to project attributes that will contribute to the brand. The Westminster City Council, as the property owner, is a key constituent in this research and discovery. Cohn Marketing will meet with Council Monday night during the post meeting to conduct a market research focus group discussion concerning the WURP.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

Should the City of Westminster brand and market the development of the WURP?

Alternative

Do not actively market development opportunities at the Westminster Center. It is a normal responsibility of a property owner with definitive project vision to develop a brand and market strategy.

Background Information

The City of Westminster has pursued a vision for the redevelopment of the site of the former Westminster Mall that calls for a development that is urban in nature with high densities, verticality, and land uses that would be typical of a downtown area. A preliminary development plan for a master planned site, which is mostly owned by the Westminster Economic Development Authority (WEDA), was adopted by the Westminster City Council in October of last year. An official development plan is in the process of being finalized and potential developers that would work with the city to fulfill the City's vision for the site are currently in discussions.

In an effort to communicate the City's vision for the site with potential developers and end users, WEDA has retained a marketing brand and strategy firm, Cohn Marketing, with a specialty in real estate and development. The firm is currently undertaking the task of identifying a brand for the region and is engaging in a research and discovery process that includes market research. As part of that market research, a facilitated group interview with the City Council is desired. The interview will take approximately one hour and will be facilitated by personnel from Cohn Marketing.

The discovery of the brand identity for this project is related to the physical attributes of the master plan, which already has PDP approval, but anticipates the human experience of the end user, the business, resident or visitor to this neighborhood. Communicating the experience that is envisioned and in the process of being developed is important right now to potential developers and certain end users in order to invoke their interest in being a part of the City's vision.

City Council's involvement in identifying the brand "promise" of the WURP is directly related to Council's strategic goals, including development that contributes to a Strong, Balanced Local Economy, a Safe and Healthy Community, a Financially Sustainable City Government Providing Exceptional Services, Vibrant Neighborhoods and a Beautiful and Environmentally Sensitive Community.

Respectfully submitted,

J. Brent McFall
City Manager

cc: Steve Smithers, Deputy City Manager
Susan Grafton, Economic Development Director



WESTMINSTER

Staff Report

Post City Council Meeting
February 24, 2014

SUBJECT: Employee Political Activity Rules Change

PREPARED BY: Marty McCullough, City Attorney
Debbie Mitchell, Director of General Services

Recommended City Council Action

Review various options and determine how to proceed with the possible modification of employee political activity guidelines through the creation of an ordinance modifying the Personnel Policies and Rules or through the Charter amendment process.

Summary Statement

City Council requested that Staff consider possible modifications to the current employee political activity guidelines presently contained in the employee Personnel Policies and Rules by expanding employee rights to participate in City of Westminster campaigns to the extent allowed by the City Charter. Staff was also directed to collect employee input through the Employee Advisory Committee (EAC) and anonymous opinion boxes in order to gauge employee sentiment and about the current policy.

This report outlines two possible ordinances for consideration as well as other options available for City Council consideration. Additionally, requested employee input is summarized in Attachment A, including a tally of general opinions gathered as well as specific comments submitted by employees.

Expenditure Required: \$0

Source of Funds: N/A

Policy Issue

- Consider various options for modifying the current policy related to employee political participation in City of Westminster elections and determine how to proceed on the matter.

Background Information

The City Charter establishes provisions for a Civil Service System, including the restriction of active employee involvement in the municipal politics of the City. Specifically, the City Charter, Chapter VI, Civil Service System Section 6.1 Personnel Board states:

The Council shall provide by ordinance for a civil service system under the merit principle of personnel management. Said ordinance may be supplemented by rules and regulations based on said ordinance. The civil service system shall provide at least the following:

- (i) For the restriction of active participation in the municipal politics of the City of Westminster, it being the stated policy, however, not to deny to employees and officials covered by the civil service system the rights of such persons to engage in their normal rights and responsibilities as citizens.

The City Municipal Code defines the authority of the City Manager to establish personnel policies and rules in Title I Administrative, Chapter 24 Personnel Management Program, Section 2 General Principles and Implementation:

1-24-2 (C) Administrative Regulations: The City Manager shall have the authority to establish such policies and rules deemed necessary for the efficient and orderly administration of the personnel management system. Such authority may be delegated to Department Heads, Division Managers and supervisors as deemed appropriate by the City Manager. The City Manager will provide City Council with a quarterly report if any substantive changes are made to administrative personnel policies in the previous quarter. All such policies and rules must be in writing and be consistent and compatible with this Chapter and the Charter, and, at a minimum, include the following:

- (3) **Employee political activity.** Active participation by employees in the municipal politics of the City of Westminster shall be restricted. It shall be the policy of the City, however, not to deny to employees and officials the rights to engage in their normal rights and responsibilities as citizens.

City Council directed staff to develop options for modifying the current restrictions on employee political activity in the Employee Personnel Policies and Rules. These current regulations are attached. See Attachment D.

The City Attorney's Office developed two options to modify the existing regulations in ordinance format. These are attached and marked as Attachment Option A and Option B. Both Options are intended to represent less restrictive regulations compared to the current regulations. Both options assume that the proposed restrictions would be enforced as administrative regulations, rather than code violations.

Option A is intended to offer the Council a “minimalist” approach to the issue through the adoption of an ordinance that employs the same language as is contained in the Charter in regard to the restriction of employee political activity. The advantage of Option A is its simplicity. Its chief disadvantage is also its simplicity, in that it does not provide employees any specific direction of what conduct is and is not acceptable.

Option B maintains the articulation of permissible and prohibited activities by employees, but the lists have been modified in an attempt to fulfill Council’s desire for a set of less restrictive regulations, while still fulfilling the spirit and intent of the Charter. In attempting to come up with the proposed modifications, the challenge was to try to distinguish between existing regulations that could be considered to be unduly restrictive, while still preserving the Charter’s requirement of restricting employees from actively participating in City politics. The resulting proposed changes were developed by focusing on activities that could be objectively viewed as active participation, versus those that could be fairly viewed as “passive” or indirect participation. In addition, the criteria attempt to limit the prohibited activities to those with a fairly objective “cause and effect” relationship between the activity and a City Council candidates election prospects. For example, the proposed regulations make permissible merely attending a candidate’s rally, but make impermissible the handing out of campaign materials. Similarly, by way of further example, having a bumper sticker or yard sign is in the permissible column, which soliciting funds or votes for a City Council candidate is not. A closer call is wearing a campaign button. But in the spirit of liberalizing current regulations, this was put in the “permissible” column, on the theory that doing so is no different than informing a friend or neighbor as to who you support, which has historically been considered as not being sufficiently “active” participation in a City Council election, and therefore, permissible. In addition, the proposed regulations would now provide, and clarify, that they do not extend to an employee’s spouse or family member.

There is a potential for an “Option C” ordinance, but it is not attached. “Option C” would be an ordinance that would translate, but not change, the current political activity regulations from the administrative Personnel Rules to the City Code. It has not been included because it seemed redundant since the current rules are attached as Attachment D.

Staff was also directed to collect input from employees through the EAC representatives in each department and anonymous submittal box option with regard to their opinions related to the current policy. Staff gave EAC members five questions regarding the topic. The feedback is summarized by response totals for each question (although many employees only noted their agreement or disagreement of the current policy) and any specific written responses employees submitted.

Other variations on the proposed ordinance could be considered. But proposed Option B is considered by the City Attorney’s Office to reflect Council’s desire to see an ordinance that goes further than what is currently on the books, but which does not go too far in relation to the Charter mandate.

The last Option that Staff would offer for Council’s consideration would be the development of a ballot issue to either repeal or modify the existing Charter provision concerning employee political activity. If that was Council’s direction, Staff would intend to come back to Council with possible ballot questions for Council to consider, for the 2014 election.

City Council direction regarding the Employee Political Activity policy is requested. Possible direction could include but is not limited to the following options:

- Adopt one of the two proposed ordinances, or leave the current employee political activity regulations unchanged
- Direct Staff to prepare ballot language to either repeal or modify the existing Charter provision concerning employee political activity. Direct Staff to continue working on further options.

Respectfully submitted,

J. Brent McFall

City Manager

Attachments:

Attachment A – Employee Input

Attachment B – Ordinance Option A

Attachment C – Ordinance Option B

Attachment D – Personnel Policies and Rules section relating to Political Activity

Survey Results for the Employee Political Activity Rules **February 17, 2014**

Survey input from 142 employees. Total of all answers and comments only provided on Question #1 as it was completed by all participants.

1. Do you agree with the current restrictions of City Employees prohibiting their active campaigning for City Council and Mayoral candidates?

Total All Responses including comments:

100 yes agree with policy

34 No do not agree

6 Westminster citizen Employees should have activity rights

1 No Interest in politics

1 wants policy clarification

Comments:

- Yes, I agree without additional comment --- 69 people
- No, I do not agree without additional comment --- 20 people
- As a resident of the City of Westminster, I do not like the fact that my rights are less than my neighbors. I pay taxes and live in the city and I feel that I should have the same rights of citizenship as everyone else. I understand the desire to maintain the Council/manager system in an unbiased manner. A City employee who does not reside within the City limits should have limited access to influence voters in City elections.
- I do not agree with the current restrictions.
- No!! Currently the City of Westminster also infringes on my wife right to post a sign in the yard.
- Yes. I agree with the restrictions placed as written. This system was set-up years ago for protection of both sides. This helps keep the “politics” out of the work place. A very small minority and literally a handful of his followers are trying to undermine this system for a certain individual’s political gain.
- I have no political connections or interest in local government. None of the policy affects me.
- I agree with employees not participating in active campaigning nor being asked to participate in campaigns. I think it’s best not to bring the political side into our jobs, since we’re employed by the city. If an elected official or one campaigning for the position requests our help, this could be difficult for the employee. The pressure would be on the employee to participate if the person is in the position. The same would be true if the person isn’t currently in the position and loses the election. It’s uncomfortable no matter what the results.
- Some of the policy should be revisited. As a resident and taxpayer in Westminster there should be some allowances as to what a resident/employee can do on their own time away from employment.
- I agree with the current restrictions on employee involvement for the reasons it was initially established. Politics have become increasingly contentious in America in general and in trying

to maintain high service, there's no need to allow politics to bring potential adversity among co-workers.

- Overall, I think the regulation makes sense in its attempt to separate City employees from overt engagement in City politics, especially as it pertains to selections of elected officials.
- I am very frustrated that this is a topic of discussion. In my tenure as an employee, I have never heard anyone complain about the political activity policy. I find it hard to believe that the citizens of Westminster are really concerned about government employee's political activity. I have lived in Westminster for over 30 years and I have never even heard a glimmer of concern about this issue. With that being said, here is a list of concerns I have if this should change:
 1. Partisan infighting – we are a pretty cohesive team of employees, however we do not all fall in the same political class. What happens when people at work disagree politically? Will that damage working relationships?
 2. More likely to see work time being used inappropriately
 3. Political favors – do we really want politicians to owe political favors to government employees?
 4. Narcissism – Human nature is tough to overcome, wouldn't we want the people who are going to give us the most to be elected?

In my humble opinion, if you think this needs to be changed, put it to the vote of the citizens and let them decide if this is a real issue. From my own perspective as a citizen and employee, this is a big waste of time and energy and we have already spent too much money on this.

- I absolutely do not believe employees should actively participate in candidates' political activity. Working in the City Manager's Office, I have regular interactions with our Councillors and I believe it puts unfair pressure on employees and can also put the employee in an uncomfortable position if they "choose the wrong person" to campaign for. I feel I am here to do the best job I can to serve the citizens of Westminster and would not want to put myself in a political position that might compromise my ability to do that.
- Yes, when at work; No when off work.
- No for City employees that live in the City.
- No. If you are a citizen and act off City time, then maybe it would be okay.
- No, constitutionally, we should be able to participate how we want.
- No, if it is outside of work and you do not identify yourself as an employee, you should be able to participate.
- Yes, if it's not broke, don't fix it.
- Yes, there could be a real conflict of interest.
- Yes, there should not be any chance of pressure from either side to participate.
- Yes, upper management could pressure an employee if they wanted to (not just candidates).
- Yes, there could be a retaliation against each other as employees if one side eventually got things that others did not based on who might win an election.
- The City has been successful for a long time as a team, not groups.
- If we let up a little, then it might be the beginning of bigger changes.
- Clarify the restrictions a little more --- example is an employee shall not (n) endorse or oppose a candidate but they can (b) display a political picture, sticker, badge or button.
- I do agree with the current restrictions. I feel it is a protection for employees.
- I believe that city employees should be prohibited from campaigning and/or holding an elected office.

- Yes, I agree with the current policy. I certainly don't want any member of PD or the PD as a whole to be put into the position of "backing" the wrong member. The current policy protects us from potential backlash in my opinion.
- Yes, I do agree with the current policy, without any reservations.
- Yes, I agree with the current situation. There should definitely not be any employee helping a council member in securing votes or helping in any other way with elections. That is just going to lead to suspicions of cause. Thank you for letting me express my concern.
- I do not agree with the current restrictions of City Employees actively campaigning for City Council or Mayoral candidates.
- No. I disagree with portions the current policy. I do agree with the bullets that prohibit using City time, resources, and City employment status in the elections process.
- I have always thought that the current rules do inhibit our "freedom of Speech Rights". The restrictions at work are appropriate. (But our time should be OUR TIME away from work.)
- Yes, always have.
- Yes, I strongly agree that City employees should not actively campaign for City Council and Mayoral candidates. I think it is crucial to separate the administration of the city from political activity and combining these two has the potential to create a conflict of interest. Employees are responsible for carrying out the policies set forth by Council, as directed by the citizens.
- Yes, I agree with the current restrictions. It would be a huge conflict of interest for City employees to actively support the candidacy of a person running for City Council or Mayor. If the person were elected, the employee could be seen in other employees' eyes as a "favorite" and event perhaps non-trustworthy. It can alienate other candidates who might win the election and cause problems for those who supported someone who was not elected. City Council is responsible for the legislative aspects of government; no operations. Employees can be friendly to elected official and candidates for City elected office. There should be no reason to involve City Council in opinion relative to operations. Employees should educate themselves about what candidates stand for and vote. Why should City employees who cannot vote in the election be able to influence a candidate? None of it makes any sense and it is completely inappropriate.
- I do agree with it. It keeps a "separation of power" so to speak. If employees are allowed to participate in the process, it can create division within the organization. Employees interjecting them into the process may have personal agendas to push that may contradict the direction of a department or division. It also circumvents the chain of command established with the City.
- Yes, the Charter Committee had the forethought and reasons to include language back when the Charter was written. It has served the city and citizens well for over 60 years. I believe that today those reasons still exist and are even more necessary as we have witnessed groups who want to influence city council candidates with personal agendas.
- Absolutely. This is a great protection for employees and City Council. Citizens/residents should determine who makes up the City Council and Mayor's position.
- There are a handful of City employees that live in the City of Westminster. For them to not be allowed to participate in local elections and back a candidate, their neighbor, by a simple act of placing a campaign sign on their lawn or knocking on doors for a candidate they are passionate about is incomprehensible. It gives the appearance of "once employed by the City of Westminster and living in the City of Westminster, you give up your First Amendment Right to free speech and to peaceable assemble". This also applies for City Employees that don't happen to live in the City of Westminster, like myself. If I happened to be passionate about a

- candidate promoting a positive change, running for City Council and I am out of uniform, on my off time, and not on City property, why should I not be allowed to participate?
- No, I do not agree with the current restrictions of City Employees prohibiting their active campaigning for City Council and Mayoral candidates. Not allowing employees that live in the City of Westminster to actively participate in elections, not only silences them, but any potential votes they would be able to rally for their candidate.
 - This policy, I believe, is unconstitutional and should not be part of city directives. I do not think it would even hold up to a strong legal challenge. It is really just another way the city keeps its finger down on its employees, thus keeping them from ever really having much of say in the really important matters before them, (i.e.: pay, benefits, grievance's, and working conditions). Any employee who wants to campaign for any City of Westminster candidates, or place a sign in their yard should be able to with no consequences from work/city management. It is our taxpayer right as an American.
 - No, I believe that if a city employee lives in the city limits of Westminster that they should be allowed to vote and support any person they want to. There should be no restrictions on them for campaigning and supporting a candidate.
 - No, I do not agree with the city's current restrictions of employee political activity.
 - Not really.
 - I do not live in Westminster, but I am a firm believer in the policies that are in effect. I have worked and lived in places where these sort of rules were not in place and there was often scandal and polarization of employees and elected officials. I would not support changing any of the existing rules. I do not believe that the existing rules interfere with free and open elections or with free speech or with any civil liberties real or implied.
 - My take on the current rules is that:
 - Respectful participating that does not reflect badly upon the City
 - When done AWAY from any City property or facility
 - Is permissible
 - While anything else (for example, wearing a political pin on one's shirt while at work at City Hall) Is NOT.

I fully understand the reasoning behind the current rules. I am also against them for a very simple reason ... Our government is founded upon the principle of active participation by ALL adult citizens in the process of governance. If a leader is not living up to our standards, it is our right – AND OUR RESPONSIBILITY – to directly confront and challenge this leader, and to replace him/her if he/she is not getting the job done. These rights and responsibilities are laid out in our great defining document, the United States Constitution. So I ask you How can we be good citizens if we cannot or will not do this?

And most importantly of all, who is so righteous amongst us, (as a mortal man or woman), that he/she should be entrusted with deciding what constitutes appropriate election time behavior and what doesn't? There are a lot of gray areas And a lot of unnecessary control exerted by the government over the individual with this one And it smacks of a Bill of Rights violation ... or three!

All of this is balanced against a desire to maintain a quiet, harmonious working environment If workers who must work closely together each vehemently support oppositely aligned political parties or pundits ... then what? Does person "A" have the right to be "offended" if

person “B” puts up a picture of a figurehead politician in a shared workspace that person “A” doesn’t like?

It’s not an easy question to solve, but, at the end of the day, I believe in the personal freedoms granted to all Americans, more than I agree with a minority group deciding what is best for the majority. We are not slaves. We are not convicts. We are free men and women who have the right to decide where to go and who to be and what to believe and what to think. I say, require only a quiet, peaceful, polite, cordial and efficient professionalism of your workers; let the remaining decision be left up to them!

- Yes, this is designed to protect us as well as the citizens of Westminster.
- Members of City Council: Thank you for requesting feedback from employees on the political activity rules. I am respectfully giving you my thoughts and input. I firmly believe that the City Charter, as adopted by Westminster voters in 1958 and the corresponding Personnel Policies and Rules, are well thought out and were put into place many years ago with the underlying foundation of integrity. Placing limitations on employee involvement in elections makes sense. It is designed to limit involvement of employees and restricts self-interest.

I wholeheartedly support the restrictions prohibiting active campaigning for City Council and Mayoral candidates by employees. I believe there would be a significant conflict of interest if employees were allowed to actively campaign for those in political offices – as my spouse and small business owner said to me, “that’s” ludicrous and would be like being able to vote for or appoint your boss. There is a direct conflict of interest tied to wages and performance”. I have to agree.

City Council should be working for the community – not for employees or special groups of employees. Ask the community who voted you into office, have placed their trust in you and whom you serve what they think, not what employees think. As a long-tie resident of Westminster, I am appalled that there is any question as to the validity of the City Charter or the City’s policies and rules. I’m sure my hard working Westminster neighbors would be equally appalled if they knew. If these changes are made, I will assume that it is also okay for me to make sure my neighbors and hard-working members of the Westminster community are informed.

- I want to thank the City for asking the employee population their opinion on the Political Activity debate. I was fearful when originally hearing of the issue that we would not be asked since it seems that members of this new Council make assumptions about what the majority of employees feel on important subjects.

I am a long standing employee of Westminster and have always been very proud to work for the city. I believe we serve our citizens and work as an organization under a premise of trust and respect. This has been foundational to our culture and has held true through the years at all levels. Therefore, it is with grave concern that I submit my opinion to the question posed to us regarding political activity. I wonder why the topic is just now being brought up and hope it is this new council’s way of learning about the trusting, professional culture we have fought so hard for. I am concerned that I would be disappointed if I really knew why the question is being raised. From the side-line, it seems that it is truly due to the political aspirations of a few new council members who have made political promises in order to get elected. These promises seem to have been made to members of a small minority who desire to bring unions

to our city. I believe we have created a dynamic, professional organization to date and believe changing our political activity policy is not only unnecessary but also could be damaging to our culture. Since serving our community is the charge we all hold as employees and council, I feel sure that changing the political activity policy will be seen as unnecessary.

Thank you, in advance, for taking my perspective seriously. In talking with my peers, I believe I am not in the minority and feel a change is unwelcome and unwarranted.

- Attn: City Council --- I have been an employee for the City for over 20 years. I work here because of my commitment to public service and all that this City has come to represent. This is a great organization that cares about this community. A big part of what makes us great is the commitment throughout this organization for doing things right, based on what is best for the community in the long term. Allowing us to participate in election of City Councilors will add a political element that will undermine all that we have worked so hard to put in place for many years. I also feel it will place me in a compromised position as an employee because of the pressure that will come to support particular candidates. Let me be clear, I don't want this and I know most of my fellow employees don't want this.

Please don't do this.

Thank you for the opportunity to provide input.

- Yes, I agree. Decision by Councillors that affect employees could be unduly influenced by which employees did or did not campaign for them. This could result in favoritism to select individuals or groups who helped get a councillor elected, and could result in employees who did not campaign for that councillor, and/or campaigned for another candidate, fearing post-election repercussions – including but not limited to losing their jobs. Working relationships and morale could also be negatively affected which could be a significant concern in the area of public safety where those employees often depend on each other for their lives.

Elected officials should base their decision on sound reasoning and facts, the greater good, and the interests of the majority – rather than on to whom they owe favors. This is not about taking away employees' rights, rather, it's a common sense policy for public sector employees to prevent the harms mentioned above, among others.

- No. Based on the language in the City's Charter, I agree with the restrictions a., b., e., j., and part of c., d., and o. I think the restrictions contained in h., i., l., and m. go way too far in limiting an employee's First Amendment rights.
- Yes, I do not believe these are excessive limitations. That said, there may be ways to tweak the current policy while still preserving the integrity and intent of this policy. All in all, this policy has served the organization well for many years, has transcended multiple City Councils and Mayor's and provides clear direction (if implemented consistently) as to what types of activities are allowed and those that may be discouraged or prohibited.

2. In what way, if any, do you think it would be appropriate for employees to be more active in the election of candidates for City office (Mayor or City Council)?

- No changes – 48 people
- Changes need to be made – 8 people

- As long as you are not representing the City and at work, you should be able to support a candidate – 5 people
- Employees that are citizens should be able to support a candidate – 2 people
- As a resident of the City of Westminster, I do not like the fact that my rights are less than my neighbors. I pay taxes and live in the city and I feel that I should have the same rights of citizenship as everyone else. I understand the desire to maintain the Council/manager system in an unbiased manner. A City employee who does not reside within the City limits should have limited access to influence voters in City elections.
- I believe employees should be able to participate in any and all political activities they wish to be involved with, providing that they:
 - Are not at work
 - NOT using City of Westminster phones, computers and or other materials.
 - Not wearing uniforms or other clothing that affiliates them with being a City of Westminster employee
- Not at all, could affect the workplace.
- To express their 1st amendment rights.
- In no way should an employer have a say as to who, or what, an individual votes for or believes in. Especially if they are not on the job.
- Employees should be free to engage in off-duty political activities to the fullest extent, provided they are not using City time, leveraging City employment status, using City resources, etc. The threat of an employee being disciplined for posting a yard sign or supporting a neighbor's run for council (on their own accord) is both invasive and oppressive.
- I do not think it is appropriate AT ALL. In fact, in the recent election, a certain individual decided the FOP would endorse a specific candidate for City Council. This is a clear violation of sections 1(n) and 1(o). The membership was not polled for an opinion, nor a vote on this issue. This is a clear conflict of interest from both the employees and the candidate. This, and several other violations/abuses of position have caused several department members to resign from the FOP – myself included.
- I think the more informed staff is, the better they can direct residents to appropriate avenues of information during elections.
- I feel it is appropriate for employees to engage in any activity as long as it follows the guidelines and is on their personal time.
- Input from tenured employees (10-plus years of employment) to communicate the previous success of mayor-city council relationships would be appropriate. I think previous success provides a good footprint for what future success can look like.
- It wouldn't be appropriate. It goes against policy.
- I don't believe it would be appropriate to be more active other than what is already allowed in the policy.
- I believe the only way employees should be involved is to make sure they have and share with the public (when they have that contact) the facts of elections. Example, "There is an election coming up on X date, with X, X, and X as candidates and the following issues receiving focus: X, X, and X."
- It is a constitutional right to support whomever they feel best represents them.
- Employees who live in the City should be allowed to fundraise and attend events but not publicly endorse a candidate.
- Leave things as they are.
- Yard signs should be okay.

- If not working, should be able to help campaign but cannot identify self as employee.
- I don't think there should be ANY employee involvement. Recently, I chose to end my membership with the Fraternal Order of Police. One of my reasons for doing so was the organization's decision to endorse candidate(s) during the last City Council election process. I feel that this violates both sections 1(n) and 1(o), and I don't think the FOP properly polled its membership when that decision was made.
- Assuming the city employee is a citizen of Westminster The only permissible way is if this is done entirely on the individual's personal time with no association to the City. The employee shall not be allowed to use city facilities/resources unless they follow the same policies and procedures as every other citizen does when they are involved with elections. If this is the case, I believe the employee should be permitted to be involved in any capacity short of holding the office themselves. If the employee is not a citizen of Westminster, they should be prohibited from participating in the election/activity.
- We think it would be a great benefit for the employees to be more active in the election of candidates for many reasons. First, it would improve morale by showing more of a cooperative effort between the management and employees in making decisions in developing the cities future. Second, this would provide the citizens with a different perspective from the employee group that interacts with the citizens directly on a daily basis. Third, this would provide more of a direct line of communication to City Council from the employee group without having our concerns filtered up through the long chain of command.
- Independent groups or individual employees should be able to exercise their first amendment right of free speech and peaceful assembly, so long as it does not occur during their working hours.
- I think it is appropriate for employees to be active in election of candidates. Currently I feel like I am unable to support anyone running for City office. I feel I cannot place a yard sign in my yard, display a bumper sticker on my car, wear a tee-shirt, contribute money and or time to a candidate's campaign, go to a candidate's event, or even privately verbalize my support of a candidate---because I worry that I might be "ousted" and then face disciplinary action.
- Employees should not be involved in any way with the election of candidates for city office.
- I believe it is a conflict of interest and integrity to be actively involved in a municipal race that could ultimately affect employee wages and/or benefits.
- On their own time in a non-directive manner. No management or director-type positions in any campaign.
- I do not think it is appropriate in any way.
- Delete "1" from the Personnel Policies under Political Activity – (1) solicit votes in support of or in opposition to a candidate for City Office. This item is too broad a statement. Employees should be able to make statements in support or opposition to a candidate at work or away from work. Such statements could be considered a "solicitation" of votes.
- I do not think it is appropriate for City employees to be active in city elections.
- I don't. It would be inappropriate.
- As I said, I agree with the current policy.
- I don't believe having employees involved in Westminster City Council candidate elections to be appropriate in any way. Employees who are residents are still able to participate in Westminster elections, as long as they don't represent themselves as employees. I am also a resident and do not have an issue with this.

- There could be a CC candidate/Mayor employee forum for introductions of CC and a respectful and professional Q&A between the candidates and employees.
- Senate Bill 13-025 spearheaded by Senator Tothrop and signed by the Governor on 6/5/13 simplified this for all Firefighters and should apply for all city employees: Page 7 Sect (e) States: “Fully participate in the political process of their public employers while off duty and not in uniform, including speaking with members of the public employer’s governing body and engaging in other legitimate political activities in the same manner as other citizens of Colorado without discrimination, intimidation, or retaliation.” Senator Ulibarri, one of the many co-sponsors of this bill is also a Westminster resident.
- As long as the employee is not working/on-duty, in uniform, or wearing any insignia that identifies them as a city employee, they should be allowed to freely participate in elections as their constitutionally protected rights allow.
- Employees should be able to campaign as much as they want to on their free time not during work time and contribute however much they feel they can or want to.
- There should be no restrictions on a city employee for supporting or voting for mayor or city council candidate.
- We, as city employees, are affected just as much as the citizens of Westminster of any actions taken, any issues or amendments endorsed by the Mayor and/or City Council. We should be allowed to have an active voice as an employee for any candidate that we feel would have the best interests of Westminster in mind as a city and as a government when taking any actions on any of these items.
- I think current restrictions are appropriate.
- Employees that are Westminster residents should be permitted to minimally participate in campaigns (not as a manager, but OK as someone passing out literature or other minor campaign activity). Their right as a citizen should be completely mollified by their employment with the City.
- Not on city time or property. Employee can be active on personal time and away from city properties.
- No way involved.
- On their own time, off city property.
- NONE. Do what you will on your own time – not as a city employee.
- I believe it would be OK for a City employee to be more active in the election of candidates for City office on their own personal time and not during their working hours. I do not believe they should be wearing anything that has the City logo on it during their time when campaigning for candidates for City office.
- It’s no employee’s business what an employee does off the clock. Nothing more to say.
- Voting.
- The parameters that have been established are sufficient to prevent the appearance of impropriety and should remain that way.
- I can’t really think of anything.
- Do not believe employees should be involved.
- I do not think employees should be involved in City Office candidate campaigns.
- I don’t think employees should be active in elections for candidates for City office.
- De minimus or anonymous contributions or \$50 or less will not create such a tie between an elected official and an employee so as to create an expectation of favoritism.

Residents of Westminster who are also employees are affected by the actions of their elected representatives as citizens and not just as employees. Those resident employees should not be disenfranchised because of their employment any more than the Charter requires. The Charter language reads “the restriction of active participation in municipal politics” – Candidate elections are not necessarily synonymous with “municipal politics”. The qualifying language in that Charter section (not to deny employees the rights to engage in their normal rights and responsibilities as citizens) should be given equal standing with the restrictions language; otherwise, it wouldn’t be there.

Employees should be able to take a leave day on Election Day and drive people to the polls – it is a public service.

Employees should not have a gag rule applied to their speech in terms of speaking in favor of a candidate for the purpose of soliciting votes or otherwise. Our personnel rules prohibit an employee from “soliciting” the votes of their parents, spouses or voting age children – that is too extreme.

- I feel this is a slippery slope when it comes to active participation for campaigns taking place in the City we work for. There are currently various policies in place that establish a protocol for currently seated elected officials or potential elected officials which limit how these people can interact with Staff. These policies are critical in being able to allow staff to continue to operate the City and provide exceptional levels of service without the thought, perception, or fear that a person running for office may request information or otherwise restrict Staff’s ability to fairly and equitably provide services to the public.

3. Do you agree with the existing restrictions placed on candidates and elected officials regarding requests for your participation in their election?

- Yes – 72 people
- No – 10 people
- Not Sure – 2 people
- A City employee who is also a resident of the City of Westminster should not have their rights of citizenship restricted.
- If a candidate’s political position is in alignment with the belief of an employee or group then they should be able to exercise their ‘free will’ and provide support with no expectations by either side.
- I disagree the existing restrictions on candidates. I am a voter, I am also a City resident, and I am also a City Employee, and I can say NO. I think is it fair to both candidates and voters to keep restrictions to work time hours?
- Yes, I think it should be left up to us to seek out the individuals we wish to help with their campaign.
- I do not agree with the existing restrictions placed on the candidates. A candidate cannot force a person to partake in their campaign. That being said, if a person is willing, and wishes to campaign for an individual, they should have that opportunity.
- No. I disagree with the current restrictions.
- None. To me it works as it is and is clear.

- Yes. I don't believe candidates and elected officials should be allowed to solicit participation of employees.
- Yes, I agree. Candidates need not exert pressure or encouragement on any level that generates the possibility of an employee feeling that their employment could or would be affected and there's a very fine line between asking for contributions and support and pressuring for support.
- Yes, but they are not being followed.
- Leave things as they are.
- Yes. This acts as protection and a buffer for the employee.
- Assuming the city employee is a citizen of Westminster, they should be allowed to participate as a citizen of the election upon a candidate's request so long as the employee does not involve their employment with the City in any way. If the employee is not a citizen of the City of Westminster, then they should be prohibited from participation. **If the employee wants to be involved, be a citizen.**
- Yes, I agree with the current policy. It should be kept as written.
- Yes. They should not solicit. People can volunteer to help, but not direct the efforts. There needs to be a clear line on any influence from a city perspective on an individual or campaign.
- Yes. I have no desire to work somewhere that is "politically charged" and allowing this would result in one.
- Yes, I agree wholeheartedly with the current restrictions.
- Yes, I believe that an employee participating in a candidate election can backfire for the employee. This restriction is a protective measure for all employees.
- Yes!! I do not want to feel "coerced" into supporting or not support a particular CC candidate or Mayoral candidate. My job should be secured based solely on performance and not politics.
- No. Again, if an employee is off duty and not on city property, the First Amendment should apply for all. A request by a candidate not on city property and not during the employees working hours is just that, a request.
- I agree with restricting an incumbent from approaching a city employee with requests for participation. However, any employee should be free to approach any incumbent or candidate during their own personal time and participate in any electoral campaign they want.
- I do not agree with any restrictions placed on candidates talking to city employees. I feel that for way too long the mayors and city counselors really have not been very in touch with the rank and file employee and just go along with what a department head says with no questions asked.
- No, I think that the existing restrictions are unfair and inappropriate taking away the freedom of speech.
- No, I do not agree with the existing restrictions. I feel that if a candidate does have the best interest of Westminster in mind that he/she should be able to approach city employees to get gainful insight on the best direction to lead with. Not just for the citizens, but the city employees as well regarding any direction that would affect both. Even if it means garnering city employee support and endorsements for a better direction.
- Absolutely.
- Yes, otherwise conflict of interest.
- Yes. I'm tired of shady politicians only thinking of themselves.
- I do believe that candidates for office of City Councillor or Mayor are able to solicit City employee(s) to contribute money or campaign for them. Again, I believe this should be done during an employee's personal time and not during their working hours.

- Yes, the candidate should not approach any differently than they would any other person.
- Yes. I do not want elected officials to be able to bother me with request and put me in a position to have say “no” to someone who could influence my job security.
- Yes, I do agree with these restrictions. I think anyone who is running for a city public office has a responsibility to understand the common sense reasons why involving municipal employees in their election campaigning is a bad idea. The significant negative impacts on the workplace as whole should not be ignored or downplayed in favor of more self-serving interest.
- No. “Coincidental contracts” needs to be better defined and expanded upon. Council candidates should not be allowed to “target” individual employees or employee organizations, but the current prohibition is overbroad.
- This policy seems to work well for 90% or more of the population and has for years. This current effort appears on the surface to be something pre-meditated by one or more elected officials who may have preconceived ideas on what should change without basing this change on actual data. Some in the organization have even questioned to what extent elected officials would actually entertain doing nothing to the current policy.

4. In what way, if any, would you like to see restrictions placed on candidates for office modified?

- No comment – 10 people
- No changes – 20 people
- Policy is fine – 12 people
- Not Sure – 1 person
- No modifications. It is in the best interest of city residents, if this policy is kept “as is”.
- No modifications. Integrity should be the number one priority for the City of Westminster.
- I do not believe modification is needed. We have set a good standard.
- I do not think the restrictions should be modified in any way.
- If anything, it should be stricter.
- Candidates may not contact employees at work in any way to solicit help or support – 3 people
- We would like to see the restrictions removed. This would improve our ability to get to know the candidates better ultimately helping all groups make better more educated decisions. This would also give them a chance to see some of the problems and concerns of the employee group.
- A candidate should be able to meet with employee groups and engage in an open dialog regarding their views and aspirations to help make this an even better place to live and work. This could help create an informed and active work group
- I do not want any restrictions placed on candidates other than on-duty conduct.
- I would like to see the restrictions involving City of Westminster employees removed.
- I support allowing open dialogue between candidates and citizens, including off-duty employees.
- Inform candidates that violations of the policies could result in removal from the election.
- No changes
- I think the statement in the existing policy should remain as is: “It shall be unlawful for a candidate for the office of City Councillor or Mayor to solicit knowingly, directly or indirectly, a City employee to contribute money or campaign for or against any candidate for the office of

- City Councillor or Mayor. This provision shall not prohibit coincidental contacts with City employees through mass mailings or distribution of literature.”
- No suggestions
 - Employees should be advised of cons to both for themselves and the employees
 - They should be restricted for seeking endorsements from labor organizations or any political group that is not wholly associated as residents or businesses of Westminster.
 - Restrictions are generally appropriate. However, I feel that candidates (no yet elected) can do as they wish; there is no recourse set for them violating the policy. Current elected officials may suffer recourse for violations.
 - Leave things as they are.
 - Less signs up within the City.
 - I don't feel that an organization affiliated with or whose membership is predominately made up of city employee should endorse any candidate(s). Conversely, no candidate should accept said endorsement.
 - I would like them to stay as they are. I don't think it is ethical for a candidate to pressure employees on any issue.
 - If the employee is not a citizen of Westminster, they should be prohibited from participating with candidates for office. If the employee is a citizen, they should be allowed to participate as long as they don't involve their employment and they follow the same rules/regulations/laws as normal citizens of Westminster do now.
 - Again, employee donations to a candidate could be considered a form of lobbying and create the above notes issues.
 - My understanding is that the candidate's restrictions are set by Colorado law. I would be in favor of modifying these restrictions so that both the candidate and employee are held to the same restrictions.
 - The current CC seems to be doing whatever it wants regardless of the current and/or previously established restrictions so I don't see that any modifications will accomplish anything if they do not respect what is presently in place by the City of Westminster Charter and the Municipal Code.
 - The wording of “to solicit knowingly, directly or indirectly a City employee to contribute money or campaign for or against any candidate for the office of City Councilor or Mayor.” Is extremely vague and needs to be clarified. A candidate knowing his neighbor of many years is a City Employee can't give him a flyer or ask him to vote for him or her? How would this apply if the spouse of a City Employee who happened to live in the City of Westminster decided to run for City Council? Would the City Employee spouse on their off time and not on city property not be allowed to participate in their campaign?
 - A city employee should be able to approach any candidate or incumbent on their personal time and request to be involved in their campaign. As long as it is employee initiated, I see no issue.
 - Modify this policy to let candidates talk to anybody working for the city at any time, and once if elected be able to talk to more than just department heads to be a lot better informed on an issue before they vote on it.
 - There should be no restrictions placed.
 - Not so much of a restriction, but more of a transparency of any endorsements and/or support given for any candidate.
 - Candidates should find other resources/services outside the City in any and all preparations for their election.

- None in respect to City employees!
- Any gray areas about what is and is not acceptable for a candidate to do should be made more clear. Penalties should also be clear – and enforceable – for elected officials who have violated these provisions during their candidacy.
- “Coincidental contracts” needs to be better defined and expanded upon. Council candidates should not be allowed to “target” individual employees or employee organizations, but the current prohibition is overbroad.
- I think it is critical to allow Staff to do their jobs and continue to provide exceptional services with little interaction with elected officials or candidates running for office. I would even be supportive of increased limitations placed on how candidates for office or currently seated candidates interact with staff relative to elections or campaigns. The community as a whole loses if the Staff are allowed to become divided and if candidates are given the ability to facilitate this division. Part of what makes Westminster function so well is that there is only one “ward” which theoretically fosters more collaborative thinking and policy making rather than seeking “special interests” where people have specific political agendas that need to be met in order for one to feel they’ve accomplished some great thing while in office.

5. Do you agree with the current policy allowing City Employees to actively participate in the campaigns for City ballot initiatives for Charter amendments? If no, what changes would you like to see?

- Yes – 65 people
- No – 11 people
- No comment – 1 person
- City employees who are also City residents should enjoy the same rights and privileges as their non-City employee neighbors. My view on this topic is not of wishing to influence the outcome of City elections. My belief is that a citizen should not have their rights restricted in any way as compared to the rest of the society in which they live.
- This seems fine and is well defined unlike the policy regarding the candidate election, who by the way allows new initiatives and amendments to move forward.
- I agree, but, there should be no restrictions other than on-duty conduct. I would like to see city employees who are residents be able to participate, fully, on any campaign during their off duty time.
- NO!!!! It seems like the City of Westminster wants to have its cake and eat it too. They welcome us to help with ballot initiatives, but walk all over our rights as citizens of Westminster because we are employed by the City. On my free time away from work I should be able to post signs in my yard and campaign for whoever I wish to affiliate myself with.
- Yes, I think each employee should have the right to do what they wish in politics.
- Yes, as long as there is no pressure, repercussions, etc., for campaigning or refusing to.
- No. If we are limiting involvement in local government political involvement regarding candidates, the same should hold true for ballot initiatives.
- If the ballot initiative for a charter amendment is supported / endorsed by City Council, then employees should be allowed to support those initiatives, but no on City time or as a City employee. However, they should not be mandated or compelled to do so.
- Would prefer further restrictions to avoid employees taking a position on any municipal issue or candidate. Any campaign brought in to the workplace would be polarizing and disruptive.

- No, politics need to stay out of the workplace. Morale issues are caused by disagreement of opinions.
- I agree with current policy.
- It clearly states that employees can do this when not working or representing the City. So yes, I do agree.
- I agree. I'm from a state where all city, county and state jobs and contracts are based/awarded on what candidate you support. It is corrupt, unfair and is an economic disaster. You get or lose a job based on the candidate you support and you are pressured into supporting government officials. I never want the City or its employees to experience that.
- As long as an employee is a resident and in their campaigning do so as an individual completely separate from their employment, then I think it's reasonable.
- In paragraph 2.C. of the regulation, I think the word "non-partisan" should be eliminated. At the very least, I don't understand why the word is there when the spirit of the regulation is that employees have the right to engage in partisan politics on their own time. Also, Paragraph 2.k. is unclear. I cannot think of an instance in which it would apply. An example might help. Generally, it seems to contradict the idea of separating employees from partisan city issues.
- Yes, employees might know more about an initiative and could help spread the information to citizens.
- Okay because it is for a broader issue that impacts a whole group, not an individual.
- Be careful as they could have a negative influence.
- We should not be able to influence citizens.
- We do not want anyone to think that we as a government are being self-serving.
- I agree based on the limitations of section 1.
- I agree as long as the restrictions placed in section 1 are followed.
- I agree that City Employees should be allowed to actively participate in campaigns for City ballot initiatives and Charter amendments. The only change I'd like to see is the individual should be a city of Westminster citizen.
- Yes, I agree with the current policy. No changes. It would be a terrible idea to allow city employees to actively campaign for candidates for city office or to allow candidates to recruit or use city employees in support of their campaign. Employees should not be involved in any campaign for or against any candidate for city office.

Allowing a city employee to campaign for and/or actively support a candidate could easily cause internal problems between employees and could also raise questions about the candidate (if elected) as to a conflict of interest with the employees. Imagine if all of the employees took sides in an election. I have seen that happen with sheriff's elections and that creates hard feelings and is easily counterproductive to the actual goals of an organization.

Council members are elected to represent the best interest of their community, not the best interest of individual employees. While we do want to have good employees, that does not necessarily mean that employees should be catered to. All employees should know that they are treated fairly and that individual employees are not given preferential treatment because of their political affiliation. What a mess we would have if employees were given promotions or "special assignments" simply because they were a Republican, a Democrat, or because of some other political affiliation. Sounds too much like Washington, D.C.

In addition, it is in the best interest of candidates not to request an employee or a group of employees, to assist in a campaign. That is a no win situation for both the candidate and the employee. Whether justified or not, citizens in our community could easily question any actions taken by elected officials that have any impact (positive or negative) on supporters or detractors. Imagine if two individuals were running for mayor and the employees were split evenly in support of the two. Now imagine an aggressive and “nasty” campaign between the two. Talk about divisive and not in the best interest of the community.

These are just a few of the problems we could see if the policy and charter were to be changed. One final note. I have worked with employee who have violated the existing policy. These employees are (to me) mediocre employees and I wished many times that they would have paid as much attention to their jobs as they did to their political aspirations. Their goals were obviously (1) less work and (2) more money and benefits. I would think that if the Council felt that we needed more pay and benefits, that they could make that determination without political pressure from allied employees. Thank you.

- No, I do not agree. The wording can be confusing because it needs to be measured against the wording in sub-section (1).
- Yes. If it ain't broke, don't fix it!!!
- A person living within the confines of the City affected by ballot initiatives or amendments should be able to support or oppose these measures on their own time.
- Yes. We are here to make the city the most sustainable community as possible. Because we work in it each day, we are qualified to make recommendations for ballot initiatives and should continue to be allowed to do so.
- Yes. Charter provisions guide operations and operational practices evolve based on current capabilities. For instance, technology, the economy, growth of business, and community philosophy have huge impacts on local government. City employees are better equipped to understand the need for Charter amendments and to explain proposed changes because the employees work within existing provisions and realize how to propose amendments that are more responsive. Employees still cannot campaign during the work day.
- I think that the issues here comes with differentiating between an employee and a citizen and that line can be blurred. Employees participating in ballot initiatives may give the impression that they are representing the City and this is not appropriate. In summary, all employees are informed when they are hired that there are restrictions that they will have placed on them because of their employment and these are accepted based on employment.
- I believe it is beneficial to have City Employees participate in campaigns for City ballot initiatives to be valuable. The most recent ballot initiative was the Public Safety Tax. The passage of this tax allowed the City to invest that money to ensure that our police and fire departments had the employees needed for staffing, equipment, etc. This benefitted each and every citizen of Westminster. Employees have the choice to volunteer to participate or not. If an employee finds the call to volunteer for a ballot initiative or charter amendment and it fits into their moral values and they believe it is the best move for the Westminster Citizens, why would we want to change that?
- Yes. If we don't like the charter provisions, then the Westminster residents should be allowed to understand the issue(s) and they should decide!!! No special interests!! No special politics!!!! Let's do what's right for the community. Any and all changes to the Charter and any changes regarding the political participation provisions presently in place should be approved by the Westminster residents.

- Yes, I agree with it but would like to see it expanded to the State level. If a city employee is sent to the Capitol to speak in favor or opposition of a bill in uniform, the same should hold true with employees who choose to do the same under their own volition.
- If you allow City employees to campaign for ballot issues than it must be the same for campaigning for candidates. In closing, it appears that the fear is certain groups might have undue influence with city council, on the flip side, it also looks like the city manager's office wants to keep control. Keeping city council uninformed and uneducated about issues with employees thus running the city without much decent from them.
- Yes, I agree. I think that the city employee should be held to the same standard as a regular Westminster citizen. It is unfair and in appropriate to place restrictions upon city employees since a normal citizen does not have restrictions.
- To be honest, I don't think I was ever aware that Westminster allowed any city "employees" to be active with any participation or campaigning for any ballot issues.
- This policy is good and should stay the same.
- Yes, because of job function and interest of City. No, for personal reasons – conflict of interest.
- I don't believe employee should put themselves at risk of being in a conflict of interest position.
- Yes. I'm really confused. We have every right to do what we want on our own time and as a private citizen. Why would anyone want us to be able to coerce people into a vote simply by identifying ourselves? This seems like a bit waste of time.
- Politics does not belong in the workplace. Keep it out of the workplace. Too many different opinions that can cause major conflict amongst co-workers. We see too much self-servicing for individuals in office now, we don't need to add to it! We need to be objective and work towards the good of the City, not make it a playing field where people make decisions to better themselves.
- Yes. The current policy has served this city well for many ears and I believe this is a waste of City Council's time to review this because of a few unhappy employees. City Council should keep in mind that allowing employees to get more involved in political activity can work against them just as easily as it can work for them!
- I agree with the policy in place as it is clear that much thought and consideration has been put in to arrive at the policy we have in place.
- Yes. Thank you for giving us the opportunity to give your opinions on these matters.
- Employees should NOT be able to participate in campaigns for City ballot initiatives for charter amendments! I say this as a ten+ year employee that has worked at four other Front Range municipal organizations. Employees should not be active in local jurisdiction campaigns. I also say this as being a resident of Westminster for over 23 years. I recognize that my employment status has reduced by participation in public issues but those are the rules under which I operate. My citizenship status takes a back seat to my employment status. Do not be swayed by arguments from the Fire Department. They should not be involved in political campaigning!
- I think this policy is OK. Quite a bit of thought was given to this at the time this policy was enacted and in the years since, and it seems like there are sound reasons why this is different than campaigning for an elected official. Allowing this kind of activity also demonstrates that the City is trying to respect employees' political activity rights, while still find a balance with adjustment that have to be made due to the nature of the governmental workplace.
- I do not see that there are any undue restrictions that unconstitutionally limit one's ability to vote or participate in political activities. Most employers have policies that govern within

reason certain types of activities that employees may or may not participate in on/or off duty. Part of agreeing to work for an employer is submitting and accepting to follow those policies. These policies are put in place to protect the integrity and the character of the organizations so that the level services provided can remain fair, equitable, consistent, and most importantly, the highest level possible.

OPTION A: SKELETAL APPROACH

Section 1: Title 1, Chapter 24, W.M.C., is hereby AMENDED by the addition of the following new subsection:

1-24-4: POLITICAL ACTIVITY:

(A) **EMPLOYEE POLITICAL ACTIVITY:** City employees are hereby prohibited from actively participating in the municipal politics of the City, but shall not be otherwise restricted from engaging in their normal rights and responsibilities as citizens. The foregoing restriction of employee political activity shall be enforced exclusively as an administrative regulation in accordance with the provisions of this Chapter 24. *(New)*.

(B) **SUPERVISORS:** No supervisor shall in any way coerce an employee to campaign for or against any candidate or issue. *(Existing Administrative Policy)*.

(C) **SOLICITATION:** It shall be unlawful for a candidate for the office of City Councillor or Mayor to solicit knowingly, directly or indirectly, a City employee to contribute money or campaign for or against any candidate for the office of City Councillor or Mayor. This provision shall not prohibit coincidental contacts with City employees through mass mailings or distribution of literature. *(Existing Administrative Policy)*.

Section 2. This ordinance shall take effect upon its passage after second reading.

Section 3. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

OPTION B: MODIFIED MODEL
(SECTION B REDLINED TO SHOW CHANGES TO EXISTING REGULATIONS)

Section 1: Title 1, Chapter 24, W.M.C., is hereby AMENDED by the addition of the following new subsection:

1-24-4: POLITICAL ACTIVITY:

(A) EMPLOYEE POLITICAL ACTIVITY: City employees are hereby prohibited from actively participating in the municipal politics of the City, but shall not be otherwise restricted from engaging in their normal rights and responsibilities as citizens.

(B) ~~Prohibited Political Activity~~ PROHIBITED POLITICAL ACTIVITY:

(1) ~~1.~~ — An employee shall not:

(a) ~~(a)~~ — Use any City facility or resource or the authority of any City office in support of or in opposition to any issue or candidate;

(b) ~~(b)~~ — Campaign for any issue or candidate in any manner calculated to exert the influence of City employment;

(b) ~~(c)~~ (e) — Distribute or display political stickers, buttons or similar materials while in City uniform, -during working hours or at City facilities;

(c) ~~(d)~~ (d) — Actively cCampaign for or against any issue or candidate during working hours or at City facilities;

(d) ~~(e)~~ (e) — Actively cCampaign for or against any issue or candidate while wearing a uniform that identifies the employee as a City employee;

(e) ~~(f)~~ (f) — Serve as an officer of any organization which has the primary purpose of promoting the candidacy of any person for City office;

(g) ~~(g)~~ — Organize a political organization or political club which has the main purpose of promoting the candidacy of any person for City office;

(f) ~~(h)~~ (h) — Directly or indirectly solicit, receive, collect, handle, disburse, contribute, or account for assessments, contributions, or other funds in support of the candidacy of any person for City office;

(g) ~~(i)~~ (i) — Organize, sell tickets to, promote, or a Actively participate in a fund-raising activity of a candidate for City office;

(h) ~~(j)~~ (j) — Actively organize or Mmanage the political campaign of a candidate for City office;

~~(k)~~ (k) — Become a candidate for, or campaign for an elective City office, unless the employee is on formally authorized unpaid leave from City employment;

(i) ~~(l)~~ (l) — Solicit votes in support of or in opposition to a candidate for City office;

(j) ~~(m)~~—Drive voters to the polls on behalf of a candidate for City office;

(k) ~~(n)~~—Endorse or oppose a candidate for City office in a political advertisement, broadcast, campaign literature, or similar material; ~~or~~;

(l) ~~(o)~~—Address a convention, caucus, rally, or similar gathering in support of or in opposition to a candidate for City office; or;

(m) ~~(p)~~—The foregoing restrictions shall not be construed as limiting the political activity of a spouse or any family member of an employee.

(n) The foregoing restrictions shall be enforced exclusively as administrative regulations in accordance with the provisions of this Chapter 24.

(2) 2.—All employees are free to engage in political activity to the widest extent consistent with the restrictions imposed by law and this subsection, so long as any such activity is done in the employee's capacity as a private citizen and not in the capacity of a City employee. Subject to the limitations of subsection one (1) of this section, each employee retains the right to:

(a) ~~(a)~~—Register and vote in any election;

(b) ~~(b)~~—Display a political yard sign, picture, sticker, badge, or button;

(c) ~~(c)~~—Participate in the nonpartisan activities of a civic, community, social, labor, or professional organization;

(d) ~~(d)~~—Be a member of a political party or other political organization and participate in its activities to the extent consistent with law;

(e) ~~(e)~~—Attend a political convention, rally, fund-raising function, or other political gathering, including those of candidates for City Office;

(f) ~~(f)~~—Sign a political petition as an individual;

(g) ~~(g)~~—Expend personal funds, make contributions in kind, and use personal time to urge electors to vote in favor of or against any issue or candidate before the electorate, except any candidate for City office;

(h) ~~(h)~~—Seek election to City office, provided that the employee resigns or takes formally authorized unpaid leave from City employment prior to any campaign activities being undertaken on his or her behalf or filing a nomination petition;

(i) ~~(i)~~—Run for nomination or election as a candidate in any election not involving City government; or

(j) ~~Be politically active in connection with a charter or constitutional amendment, referendum, approval of a municipal ordinance or any other question or issue of a similar character;~~

~~(k) Participate, at the direction of the City Council, in any political activity in which the City is authorized by state law to participate, subject to the instructions of the City Council, provided, however, an employee may choose not to participate; or,~~

(j) ~~(4)~~—Otherwise participate fully in public affairs, except as prohibited by law, in a manner which does not materially compromise his/her efficiency or integrity as an employee ~~or the public's confidence in the neutrality, efficiency, or integrity of the employee or the City government.~~

(C) SUPERVISORS: No supervisor shall in any way coerce an employee to campaign for or against any candidate or issue. (*Existing Administrative Policy*)

(D) SOLICITATION: It shall be unlawful for a candidate for the office of City Councillor or Mayor to solicit knowingly, directly or indirectly, a City employee to contribute money or campaign for or against any candidate for the office of City Councillor or Mayor. This provision shall not prohibit coincidental contacts with City employees through mass mailings or distribution of literature. (*Existing Administrative Policy*)

Section 2. This ordinance shall take effect upon its passage after second reading.

Section 3. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

(F) Political Activity:

1. An employee shall not:
 - (a) Use any City facility or resource or the authority of any City office in support of any issue or candidate;
 - (b) Campaign for any issue or candidate in any manner calculated to exert the influence of City employment;
 - (c) Distribute political stickers, buttons or similar materials during working hours or at City facilities;
 - (d) Campaign for any issue or candidate during working hours or at City facilities;
 - (e) Campaign for any issue or candidate while wearing a uniform that identifies the employee as a City employee;
 - (f) Serve as an officer of any organization which has the primary purpose of promoting the candidacy of any person for City office;
 - (g) Organize a political organization or political club which has the main purpose of promoting the candidacy of any person for City office;
 - (h) Directly or indirectly solicit, receive, collect, handle, disburse, contribute, or account for assessments, contributions, or other funds in support of the candidacy of any person for City office;
 - (i) Organize, sell tickets to, promote, or actively participate in a fund-raising activity of a candidate for City office;
 - (j) Manage the political campaign of a candidate for City office;
 - (k) Become a candidate for, or campaign for an elective City office, unless the employee is on formally authorized unpaid leave from City employment;
 - (l) Solicit votes in support of or in opposition to a candidate for City office;
 - (m) Drive voters to the polls on behalf of a candidate for City office;
 - (n) Endorse or oppose a candidate for City office in a political advertisement, broadcast, campaign literature, or similar material; or,
 - (o) Address a convention, caucus, rally, or similar gathering in support of or in opposition to a candidate for City office.
2. All employees are free to engage in political activity to the widest extent consistent with the restrictions imposed by law and this subsection, so long as any such activity is done in the employee's capacity as a private citizen and not in the capacity of a City employee. Subject to the limitations of subsection one (1) of this section, each employee retains the right to:

- (a) Register and vote in any election;
 - (b) Display a political picture, sticker, badge, or button;
 - (c) Participate in the nonpartisan activities of a civic, community, social, labor, or professional organization;
 - (d) Be a member of a political party or other political organization and participate in its activities to the extent consistent with law;
 - (e) Attend a political convention, rally, fund-raising function, or other political gathering;
 - (f) Sign a political petition as an individual;
 - (g) Expend personal funds, make contributions in kind, and use personal time to urge electors to vote in favor of or against any issue or candidate before the electorate, except any candidate for City office;
 - (h) Seek election to City office, provided that the employee resigns or takes formally authorized unpaid leave from City employment prior to any campaign activities being undertaken on his or her behalf or filing a nomination petition;
 - (i) Run for nomination or election as a candidate in any election not involving City government;
 - (j) Be politically active in connection with a charter or constitutional amendment, referendum, approval of a municipal ordinance or any other question or issue of a similar character;
 - (k) Participate, at the direction of the City Council, in any political activity in which the City is authorized by state law to participate, subject to the instructions of the City Council, provided, however, an employee may choose not to participate; or,
 - (l) Otherwise participate fully in public affairs, except as prohibited by law, in a manner which does not materially compromise his/her efficiency or integrity as an employee or the neutrality, efficiency, or integrity of City government.
3. No supervisor shall in any way coerce an employee to campaign for or against any candidate or issue.
4. It shall be unlawful for a candidate for the office of City Councillor or Mayor to solicit knowingly, directly or indirectly, a City employee to contribute money or campaign for or against any candidate for the office of City Councillor or Mayor. This provision shall not prohibit coincidental contacts with City employees through mass mailings or distribution of literature.



WESTMINSTER

Information Only Staff Report
February 24, 2014



SUBJECT: Monthly Residential Development Report

PREPARED BY: Walter G. Patrick, Planner

Summary Statement

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

- The following report updates 2014 residential development activity per subdivision (please see attachment) and compares 2014 year-to-date totals with 2013 year-to-date totals.
- The table below shows an increase in new residential construction for 2014 year-to-date totals when compared to 2013 year-to-date totals (2 units in 2014 vs. 0 units in 2013).
- Residential development activity for the month of January 2014 versus January 2013 reflects an increase in single-family detached (2 units in 2014 versus 0 units in 2013), and no change in single-family attached, multiple-family, or senior housing (0 units in both years).

NEW RESIDENTIAL UNITS (2013 AND 2014)

<u>UNIT TYPE</u>	<u>JANUARY</u>		<u>% CHG</u>	<u>YEAR-TO-DATE</u>		<u>% CHG</u>
	2013	2014		2013	2014	
Single-Family Detached	0	2	-	0	2	-
Single-Family Attached	0	0	-	0	0	-
Multiple-Family	0	0	-	0	0	-
Senior Housing	0	0	-	0	0	-
TOTAL	0	2		0	2	

Background Information

In January 2014, there were 2 Service Commitments issued for new housing units.

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

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

This report supports the City Council Strategic Plan goals of Strong Balanced Local Economy, Financially Sustainable City Government Providing Exceptional Services, and Vibrant Neighborhoods in one Livable Community.

Respectfully submitted,

J. Brent McFall
City Manager

Attachment – Active Residential Development Table

ACTIVE RESIDENTIAL DEVELOPMENT

Single-Family Detached Projects:

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

Dec-13	Jan-14	2013 YTD	2014 YTD	# Rem.*	2013 TOTAL
0	0	0	0	0	6
0	0	0	0	3	0
1	2	0	2	68	8
0	0	0	0	9	0
1	0	0	0	23	10
0	0	0	0	105	0
0	0	0	0	0	1
1	0	0	0	2	1
2	0	0	0	8	7
0	0	0	0	8	0
0	0	0	0	10	0
5	2	0	2	236	33

SUBTOTAL

Single-Family Attached Projects:

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

0	0	0	0	84	0
0	0	0	0	62	0
0	0	0	0	117	0
0	0	0	0	58	0
0	0	0	0	153	0
16	0	0	0	30	24
0	0	0	0	53	0
0	0	0	0	8	0
0	0	0	0	58	0
0	0	0	0	10	4
16	0	0	0	633	28

SUBTOTAL

Multiple-Family Projects:

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

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

SUBTOTAL

Senior Housing Projects:

Crystal Lakes (San Marino)
Mandalay Gardens (Anthem)

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

SUBTOTAL

TOTAL (all housing types)

281	2	0	2	1182	321
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* This column refers to the number of approved units remaining to be built in each subdivision.