



WESTMINSTER
COLORADO

TO: The Mayor and Members of the City Council

DATE: August 18, 2021

SUBJECT: City Council Pre/Post Briefing Meeting Agenda for August 23, 2021

PREPARED BY: Donald M. Tripp, City Manager

Please Note: Study Sessions and Pre/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:

The City Council meeting, including Pre/Post Briefing Meetings, will resume meeting in person starting June 14, 2021. Given the emergency declaration in place due to the COVID-19 public health situation and to promote social distancing, this meeting will continue to be offered virtually as well. Community members are encouraged to listen to the meeting via the traditional webcast (www.youtube.com/user/WestminsterCO/live) or by calling 914-614-3221 and typing in access code: 662-209-151.

A light dinner will be served in the City Manager's Office Conference Room at 6:30 P.M.

POST MEETING BRIEFING

PRESENTATIONS

1. Presentation of the City Manager's Annual Report

CITY COUNCIL EXECUTIVE SESSION - None at this time.

INFORMATION ONLY

1. Boards and Commissions Appointment Process Overview

Items may come up between now and Monday night. City Council will be apprised of any changes to the Pre/Post Briefing schedule.

Respectfully submitted,

Donald M. Tripp

Donald M. Tripp
City Manager

Persons needing an accommodation, such as an interpreter for another language, or who have an impairment that requires accommodation, must submit such a request to the City Clerk. Requests must be submitted no later than noon on the Thursday prior to the scheduled Council meeting to allow adequate time to make arrangements. Please call 303-658-2161/TTY711 or State Relay or write to cityclerk@cityofwestminster.us to make a reasonable accommodation request



Staff Report

City Council Pre/Post Briefing Meeting
August 23, 2021



Foster and maintain a beautiful, desirable, safe, and environmentally responsible City.



Cultivate a thriving, inclusive, and engaged community through access to opportunity and a resilient and diverse economy.



Provide visionary, effective, and collaborative government.



Advance the City's long-term sustainability to provide ongoing excellence in City services and a well-planned community that meets the needs of residents now and in the future.

Subject: Presentation of the City Manager's Annual Report

Prepared By: Dee Martin, Human Resources Director

Recommended City Council Action:

In preparation for City Council's completion of the 2021 performance appraisal for the City Manager, Donald M. Tripp will be presenting to City Council his annual report.

Summary Statement:

City Manager, Donald M. Tripp, will be presenting to City Council an overview of his annual report providing highlights of the past year's performance of the city organization.

Fiscal Impact:

\$0 in expenditures.

Source of Funds:

Not applicable.

Policy Issue(s):

None identified.

Alternative(s):

None identified.

Background Information:

Per the 2021 employment contracts with the City Manager, City Attorney, and the Presiding Municipal Court Judge, City Council will conduct an annual performance review no later than October 31, 2021.

On April 12, 2021, City Council awarded and directed Staff to enter into a contract with CPS HR Consultants to provide facilitation services to City Council in the development and implementation of the 2021 appraisals of the three Contract Employees reporting directly to City Council: City Manager, City Attorney, and Presiding Municipal Court Judge. Regina Romeo, Chief Human Resources Officer from CPS HR Consultants, met virtually with City Council on July 19 to provide an overview of municipal executive appraisal best practices. Ms. Romeo returned to City Council on Monday, August 9, to finalize the 2021 appraisal

process steps and timeline for the three Contract Employees reporting directly to City Council.

City Manager Donald M. Tripp is currently scheduled for his formal performance review with City Council in Executive Session on Monday, September 27, 2021. As part of the review process, City Manager Tripp will provide a memo and written review of the year by August 18 and will give a verbal update with a power point presentation to City Council on Monday, August 23, 2021.

The City Manager's annual presentation supports all of the City's Strategic Plan Goals - Foster and maintain a beautiful, desirable, safe, and environmentally responsible City; Cultivate a thriving, inclusive, and engaged community through access to opportunity and a resilient and diverse economy; Provide visionary, effective, and collaborative government; and Advance the City's long-term sustainability to provide ongoing excellence in City services and a well-planned community that meets the needs of residents now and in the future - by updating City Council on City efforts, operations and services.

Respectfully submitted,

Donald M. Tripp

Donald M. Tripp
City Manager



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Subject: Boards and Commissions Appointment Process Overview

Prepared By: Abby Fitch, Senior Deputy City Clerk

Summary Statement:

- This report is for City Council information only and requires no action by City Council.
- The City Council appoints members to nine different Boards and Commissions.
- Board members are appointed to two-year terms and are limited to serving four consecutive terms, or eight-years, on any given Board or Commission.
- All staggered two-year terms begin on January 1, and end on December 31 of the second year.
- The City Clerk's Office begins the recruitment process in mid-September, with final appointments being made by City Council in early December.

Fiscal Impact:

\$0 in expenditures

Source of Funds:

Not applicable

Background Information:

The City Council appoints board members to nine different Westminster Boards and Commissions. There are currently 73 Westminster residents serving as regular and alternate board members on the following Boards and Commissions:

- Election Commission;
- Environmental Advisory Board;
- Historic Landmark Board;
- Human Services Board;
- Inclusivity Board;
- Parks, Recreation, Libraries and Open Space Advisory Board;

- Personnel Board;
- Planning Commission; and
- Special Permit and License Board.

Three of these boards are created by the Westminster City Charter: the Election Commission (Section 3.10), Planning Commission (Section 4.16), and the Personnel Board (Section 6.1). All other boards were created by City Council over the years through the Westminster Municipal Code (Title II, Chapters 1-14). Attached to this memorandum for review are selected sections of the Westminster City Charter (Attachment 1), the Westminster Municipal Code (Attachment 2), and the City Council Rules and Regulations (Attachment 3) that pertain to the creation, governance, and other various procedures surrounding Boards and Commissions.

As two-year terms are staggered on most boards, recruitment for members occurs each fall for new terms that begin the following year on January 1. The City Clerk's Office begins the recruitment process in mid-September by contacting current members whose terms are set to expire December 31 to gauge interest in reappointment and continued service. After determining the number of board member vacancies, recruitment efforts begin through the City's website, social media channels, and print media outlets. Applications are accepted for approximately one month. Eligible applicants are then contacted to schedule interviews with the City Council, which normally occur over the course of two Saturdays in November. After interviewing all applicants, City Council meets in Executive Session to deliberate and make their final selections for appointment, and Staff prepares a Resolution for City Council's consideration and adoption in December.

Summary of Recruitment Timeline:

- Mid Sept. City Clerk's Office contacts members with expiring terms to gauge reappointment interest
- October Applicants for new members are accepted for one month
- November In-person interviews with City Council are scheduled with applicants
- December Resolution reappointing members and appointing new members is presented for Council's consideration and adoption
- January 1 New terms begin for a period of two years

The individuals volunteering on the City's Boards and Commissions play important roles in helping the City reach its Strategic Plan goals. Reviewing the current process for recruiting and appointing these important contributing members of Boards and Commissions helps the City to Foster and maintain a beautiful, desirable, safe, and environmentally responsible City; Cultivate a thriving, inclusive, and engaged community through access to opportunity and a resilient and diverse economy; Provide visionary, effective, and collaborative government; and Advance the City's long-term sustainability to provide ongoing excellence in City services and a well-planned community that meets the needs of residents now and in the future.

Respectfully submitted,

Donald M. Tripp

Donald M. Tripp
City Manager

ATTACHMENTS:

Description	Upload Date	Type
Attachment 1: Westminster City Charter sections	8/11/2021	Attachment
Attachment 2: Westminster Municipal Code, Title II, Chapters 1-14	8/11/2021	Attachment
Attachment 3: City Council Rules and Regulations; sections related to Boards and Commissions	8/11/2021	Attachment

CITY OF WESTMINSTER – HOME RULE CHARTER Selected Sections Regarding Boards & Commissions

Section 3.10. Election Commission.

An Election Commission is hereby created, consisting of the City Clerk and four (4) qualified and registered electors of the City, who during their term of office shall not be City officers or employees or candidates or nominees for elective City office. Such four (4) members shall be appointed by the Council for a term of two (2) years at the first January Council meeting following a regular City election. They shall serve without compensation. The City Clerk shall be chairperson. The Election Commission shall appoint the Board of Election, judges and clerks for each precinct and have charge of all activities and duties required of it by statute and this Charter relating to the conduct of elections in the City. In any case where election procedure is in doubt, the Election Commission shall prescribe the procedure to be followed. The Election Commission shall provide for ballots and sample ballots, voting machines or electronic voting equipment, for determination of the winner in event of a tie vote, for canvas of returns, and for issuance of appropriate certificates. (as amended 7-29-80)

Section 4.16. Planning and Zoning.

The Council shall provide for a City Planning and Zoning Commission having all the powers and duties granted by the provisions of statutes, this Charter, or as may be provided by ordinance, relating to commissions and boards. By ordinance, the Council may establish procedures and requirements for the use, division and development of land; and use, construction, alteration and removal of structures; and the pattern location and rate of growth of the community; all for the general purpose of protecting the public health, safety and welfare. Such ordinances may authorize the Council to act by resolution, motion or order as the Council deems appropriate. As used in this section, "public health, safety and welfare" shall mean, but not be limited to:

- (1) The preservation of sound fiscal balance for the City in providing municipal services within the City limits;*
- (2) The maintenance of a sound balance between available public resources, facilities and services and the demands for such services;*
- (3) The preservation of a safe, healthy, and sound natural environment within the City.*

The Council may amend, repeal or revoke any ordinances or other action taken by it under this section, by following the same procedures used for the adoption of the ordinance or approval of any other section. (as amended 7-29-80, 11-3-87, 11-5-91)

Cross reference-Land development and public improvements, Ch. XI.V.

Section 4.17. Independent Boards and Commissions.

The Council may not create any board or commission, other than those provided for in this Charter, to administer any activity, department or agency of the City government except any activity which by statute is required to be so administered. The Council may, however, establish by ordinance (a) quasi-judicial licensing, permitting, and appeal boards and (b) other boards or commissions to serve solely in an advisory capacity. The Council shall define by ordinance the extent of the jurisdiction and authority of a board or commission created

pursuant to this section. Members of several boards and commissions shall be appointed for two (2) year terms. All persons serving a term in excess of two (2) years on the effective date of this provision establishing two-year terms shall continue to serve until the expiration of the term for which they were appointed, after which new appointments or reappointments shall be for two (2) years. (as amended 11-5-91)

Section 6.1. Personnel Board.

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:

- (a) For a professional and impartial approach to all municipal personnel problems based solely on the fitness, training and experience of the individual.
- (b) For a nonsalaried Personnel Board, hereinafter referred to as "Board" in this chapter, consisting of five (5) citizens who shall be appointed by the Council. The Board members shall hold no other municipal office or position and shall be known to be in sympathy with the intent and purpose of Chapter VI of this Charter. The Board shall develop its own rules of procedure. (As amended 7-29-80, 11-5-91)
- (c) The City Manager shall designate an administrative officer or employee to serve as secretary to the Board.
- (d) The City Manager shall develop a classification and pay plan based on the most modern and accepted principles of such plan.
- (e) The City Manager may consult with the Board on all major policy and procedural questions relating to personnel management. The powers of the Board shall be advisory and not controlling as to the personnel operations of the City.
- (f) For a system of grievances and appeals to the Board, of employees who have been suspended, demoted or discharged and who believe that their cases have not been given proper treatment by the appointing authority. The Board shall review each such appeal after receiving from an employee a statement in writing, setting forth the nature of the appeal and the reasons therefor, provided that the Board must receive the appeal within thirty (30) days following the appointing authority's action. After a full and proper hearing of the appeal, at which the employee shall have the right to be represented by counsel, the Board shall have power to decide any of the following:
 - (1) To uphold the City Manager's or the appointing authority's action;
 - (2) To require by a majority vote reconsideration of the suspensions, demotions or discharges and a new decision of reinstatement or a lesser penalty or confirmation of the original demotion or discharge to be made by the City Manager or the appointing authority.
- (g) The secretary to the Board shall be required to fully advise the Board of any disciplinary action taken as soon thereafter as is practicable.
- (h) Any employee or official who has held a position or office included in the civil service system for a period of at least one (1) year prior to the date of adoption of the said civil service ordinance shall be retained without preliminary or performance tests and shall thereafter be subject in all respects to the provisions of this chapter, the civil service system ordinance or personnel rules and regulations
- (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.
- (j) The right to appeal to the personnel board as set forth in the provisions of this Charter, the civil service system ordinance and the personnel rules and regulations shall apply to all regular, full-time employees and all classified, benefited part-time employees of the City and not to officials holding elective offices, the administrative officers, technical consultants

employed under contract by the City and members of boards and commissions of the City. (As amended 11-8-89 and 11-3-98)

Section 5.1. Eligibility for Office and Employment in City.

...

(d) At the time a candidate submits a petition for elected office, or an applicant submits an application for appointment to a Board or Commission, such person shall also submit an affidavit indicating whether he or she has been convicted of a felony under the laws of the State of Colorado or in another jurisdiction. The report of the felony shall include the type of offense, the date of the offense, and may include the circumstances and any evidence of rehabilitation. Each candidate or applicant shall also give written permission for a criminal background investigation by the Westminster Police Department. The Police Department shall report to the City Clerk any felony convictions of a candidate or applicant found in its investigation. The City Clerk shall maintain the report in a file available to the public. (Added 11-05-96)

(e) Each member of a City board or commission created by, or pursuant to, this Charter shall have been a resident of the City for at least one (1) year immediately prior to the day of appointment and shall be a qualified and registered elector of the City on such day and throughout tenure of office. (Amended 11-05-96)

(f) All officers of the City shall be United States citizens.

Section 5.3. Vacancies in Boards and Commissions.

The office of any member of any board or commission created by, or pursuant to, this Charter shall be declared vacant by the Council:

(a) For any reason specified by statute or by this Charter as creating a vacancy in office;

(b) If the officer shall be found guilty by a competent tribunal of any act constituting misconduct in office under the provisions of this Charter;

(c) If such officer shall miss four (4) consecutive regular meetings of such board or commission, or twenty-five (25) percent of such meetings in any fiscal year of the City, unless such absences shall be excused by such board or commission at the time of each absence;

(d) If the officer is removed from office by the Council in accordance with the provisions of Section 5.4.

Section 5.4. Removals From Office.

Removals by the Council of elective officers or of members of boards or commissions shall be made for either of the following reasons: (a) for any reason specified by statute for removal of city officers, (b) for any act declared by this Charter to constitute misconduct in office. Such removals by the Council shall be made only after hearing, of which such officer has been given notice in writing by the Clerk at least ten (10) days in advance, either personally or by delivering the same at his last-known place of residence. Such notice shall include a copy of the charges against such officer. The hearing shall afford an opportunity to the officer, in person or by attorney, to be heard in his defense, to cross-examine witnesses and to present testimony. If such officer shall neglect to appear at such hearing and answer such charges, his failure to do so may be deemed cause for his removal. A majority vote of the members of the Council in office at the time, exclusive of any member whose removal is being considered, shall be required for any such removal.

Section 5.5. Resignations.

Resignations of elective officers and members of boards and commissions shall be made in writing and filed with the Clerk and shall be acted upon by the Council at its next regular

meeting following receipt thereof by the Clerk. Resignations of appointive officers shall be made in writing to the appointing officer or body and shall be acted upon immediately.

Section 5.6. Filling Vacancies in Appointive Offices

Vacancies in appointive offices shall be filled in the manner provided for making the original appointment. In the case of members of boards and commissions appointed for a definite term, such appointments shall be for the unexpired term.

Section 5.8. Change in Term of Office or Compensation.

Except by procedures provided in this Charter, the terms of office of the elective officers and of members of boards and commissions appointed for definite terms shall not be shortened. The terms of elective officers of the City shall not be extended beyond the period for which any such officer was elected except that an elective officer shall, after his term has expired, continue to hold office until his successor is elected and has qualified. The Council shall not grant or authorize extra compensation to any officer or employee after the service has been rendered except under terms agreed to prior to the rendering of the service.

CITY OF WESTMINSTER – MUNICIPAL CODE
Selected Sections Regarding Boards & Commissions

TITLE II. - COMMISSIONS AND BOARDS

CHAPTER 1. - BOARDS AND COMMISSIONS—GENERAL PROVISIONS

2-1-1. - Appointment of Members; Terms.

- (A) To be eligible for appointment to a board or commission, a person shall have been a resident of the City for at least one year immediately prior to the date of appointment and shall be a registered elector of the city on that date and throughout the appointee's tenure in office.
- (B) No person appointed to a board or commission shall hold any other City of Westminster office, either appointive or elective during his term of service on the board or commission.
- (C) Each regular member and alternate member shall be appointed by majority vote of City Council for a term of two years, unless a longer or shorter term is required to satisfy the provisions of Subsection 2-1-1(E) below. Each member may serve up to four consecutive terms, after which time the member shall be required to take no less than a one-term break in service before becoming eligible for membership on that board again. All terms shall expire on December 31, unless City Council has failed to appoint or reappoint a member, in which case the member's term shall be extended until council action. Any vacancy that occurs prior to the end of a term shall be filled by the City Council within 45 days after such vacancy occurs, and the appointee shall complete the term of the member or alternate member whose term became vacant.
- (D) Each member and alternate member shall serve without compensation.
- (E) Terms shall be staggered as follows:
 - (1) For five-member boards or commissions, three members shall have terms that expire on even-numbered years and two members shall have terms that expire on odd-numbered years.
 - (2) For seven-member boards or commissions, four members shall have terms that expire on even-numbered years and three members shall have terms that expire on odd-numbered years.
 - (3) For eight-member boards or commissions, four members shall have terms that expire on even-numbered years and four members shall have terms that expire on odd-numbered years.
 - (4) For 13-member boards or commissions, seven members shall have terms that expire on even-numbered years and six members shall have terms that expire on odd-numbered years.
 - (5) Alternates shall have terms that expire on odd-numbered years.

This subsection shall not apply to the election commission.

- (F) Member emeritus: The City Council hereby creates the office of member emeritus of the various boards and commissions. City Council shall designate a member of a board or commission a member emeritus at such times and for such service as council deems appropriate. A member emeritus is welcome to continue attendance at a board or commission meeting, and the chairperson and members of the board or commission may request the opinion or information of the member emeritus during the portion of the board or commission meeting when members of the public customarily speak. The

member emeritus will not be a voting member, or an alternate member, of the board or commission.

- (G) Any personally identifying information, other than name and address, provided by a candidate for a board or commission, pursuant to charter Subsection 5.1(d) or in connection with an application for office, will be deemed as having been received in confidence and not subject to disclosure under the Colorado Open Records Act, except as may be required by an order of district court. Any such personally identifying information contained in a report, required to be maintained pursuant to charter Subsection 5.1(d), shall be redacted by the City Clerk prior to disclosure of the remainder of the report.

(2068 2402 3102 3272 3372 3633 3729 3888)

2-1-2. - Chairperson and Vice-Chairperson of Board or Commission.

Biennially, at its first regular meeting of an odd-numbered calendar year, each board or commission shall elect one of its members to be chairperson and one of its members to be Vice-Chairperson, each for a term of two years. In the event either position becomes vacant before the end of the term, the board or commission shall elect a regular member to serve as Acting Chairperson or Vice-Chairperson until the end of the term. No member shall be eligible for election as Chairperson or Vice-Chairperson unless that member has previously served at least one year as a member of the board or commission; provided, however, that if no member is so eligible, the board or commission shall elect the member it deems best qualified. This Section shall not apply to the election commission.

(2068 2402)

2-1-3. - Role of Alternates.

The alternate members of the board or commission shall endeavor to follow the same rules of conduct as regular members. The alternate members of the board or commission shall attend the meetings of the board or commission and shall have all of the rights and powers of the regular members; except that, the alternate member shall not vote or otherwise participate in a matter before the board or commission, unless fewer than all regular members are in attendance at the meeting. If the alternate member attends a meeting in a voting capacity, and the public hearing on a matter is continued, the alternate member shall vote on the matter, unless the regular member whose place was taken by the alternate listens to the tape of the prior public hearing, reviews the exhibits, and has become familiar with the matter before the board or commission. If a different regular member is absent at the hearing to which the public meeting has been continued, the alternate may vote on the matter in the absent member's place. The alternate may not vote on a matter in which the public hearing has been continued, unless the alternate has listened to the tape of the prior public hearing, reviews the exhibits, and has become familiar with the matter before the board or commission.

(2068 2402)

2-1-4. - Vacancies of Office.

The office of any member of any board or commission shall be declared vacant by the City Council:

- (A) For any reason specified by statute or by City Charter as creating a vacancy in office.
- (B) If the officer shall be found guilty by a competent tribunal of any act constituting misconduct in office under the provisions of the City Charter.

- (C) If such officer shall miss four consecutive regular meetings of such board or commission, or 25 percent of such meetings in any fiscal year of the city, unless such absences shall be excused by such board or commission at the time of each absence.
- (D) If the officer is removed from office by the City Council in accordance with the provisions of Section 2-1-5.

(2068)

2-1-5. - Removal of Members.

Members of any board or commission may be removed from office for any reason specified by statute for removal of city officers or for any act declared by the City Charter to constitute misconduct in office or to create a vacancy. Alternate members may be removed from office without cause.

(2068)

2-1-6. - Conduct of Meetings.

- (A) The boards and commissions of the City shall conduct closed executive sessions pursuant to the standards adopted in Subsections 1-11-3(C), (D), (E), and (F) of this Code, and only for the purposes stated therein. No final action may be taken in a closed executive session.
- (B) Unless otherwise provided for in this Code, notice to the public of the meetings of boards and commissions shall be given as may be required by the individual by-laws adopted by each board or commission.
- (C) Any board or commission that conducts a public hearing shall record such hearing stenographically or electronically. The board or commission may choose stenographic or electronic recording at its sole discretion. A written transcription of the record shall be made upon the request of any person and payment in advance of the estimated cost of production of the transcript. The action of a board or commission shall not be invalidated by any mechanical or other malfunction in the recording process.
- (D) No member of a board or commission shall vote on any question in which he has a conflict of interest, other than the common public interest. On all other questions put to vote, each member who is present shall vote either "yes" or "no," unless excused by the unanimous consent of the remaining members present. Application to be excused from voting must be made before the vote is called by the presiding officer. The member shall briefly state the reason for his request to be excused and the decision thereon shall be made without debate.

(2068 2734 3599)

2-1-7. - Legal Advisor.

Any board or commission may, upon request, be represented by the City Attorney's office.

(2068)

2-1-8. - Attendance.

- (A) *Definition:* For the purposes of City Charter Section 5.3 concerning vacancies in board and commission offices, whether an absence is "excused" or "unexcused" shall be determined as follows:

Excused absence shall mean an absence in instances of family emergency, work-related commitments, medical necessity or vacation outside of the Denver metropolitan area involving the board/commission member.

Unexcused absence shall mean an absence when no prior notification is provided to the chairperson or staff liaison. An absence can also be deemed unexcused when notification is provided to the chairperson or staff liaison, but the reason for absence does not meet the requirements of an excused absence. An absence is unexcused when it is not related to the instances of family emergency, work-related commitments, medical necessity or vacation outside of the Denver metropolitan area involving the board or commission member.

- (B) In order for an absence from a meeting to be termed "excused," the member shall provide notification to the chairperson or staff liaison, by telephone or in written form, at least 24 hours in advance of any regular or special meeting. Such notification may be excused by the chairperson only in extenuating circumstances, which shall be considered on a case-by-case basis. The member will be required to provide a reason for the requested absence, which will be reviewed by the chairperson and declared at the meeting as an excused or unexcused absence by the chairperson. Upon motion by any unaffected member of the board or commission at the same or next following meeting, the decision of the chairperson as to whether the absence is excused or unexcused may be reviewed and either sustained or overturned by a vote of the entire board or commission. A record of this decision shall be made in the minutes of the meeting.

(2772)

CHAPTER 2. - PLANNING AND ZONING COMMISSION

2-2-1. - Creation.

There is hereby created a Planning and Zoning Commission, hereinafter referred to as the "planning commission" or "commission," consisting of seven regular members and two alternate members.

(319 374 1588 1741 2068 2300)

2-2-2. - Powers and Duties.

The powers and duties of the planning commission shall include, but not be limited to, the following:

- (A) The review and approval of a planning document regarding the future growth and development of the City considering the following, as applicable: population distribution and growth; local resources and finances; circulation and transportation; existing and future land usage; park, recreation and school requirements; location and capacity of public and private utilities; subdivision regulations; zoning regulations for the control of the height, area, bulk, location and use of buildings, structures and premises and the minimum areas, width and depth of lots; existing and proposed county and regional comprehensive plans; and any other factors specified by City Council.
- (B) The review of proposed development plans within the boundaries of the City to determine their compliance with applicable ordinances and resolutions, the City's planning document and their conformance with good planning practices. Preliminary plats, official development plans and amended preliminary plats and official development plans not approved administratively by the city manager shall be decided by the planning commission in accordance with Title XI, Chapter 5, Section 13 of this Code.

- (C) The review of all proposed annexations to the city to determine their compliance with applicable ordinances, resolutions, plans and policies of the City, and their conformance with good planning practices, and the subsequent submittal of the annexation proposals to the City Council, together with the planning commission's recommendations for approval or rejection and any recommendations regarding the terms of an annexation agreement between the petitioners and the City.
- (D) The review of all zoning and rezoning requests to determine compliance with existing ordinances, resolutions, plans and policies of the City and their conformance with good planning practices.
- (E) The review of requests for variances from the following provisions of Title XI, land development and growth management procedures, W.M.C.:
 - (1) Section 11-7-4, W.M.C., regarding off-street parking standards;
 - (2) Those portions of Chapter 11 specified in Section 11-11-8, W.M.C., regarding sign regulations;
 - (3) Section 11-4-5, W.M.C., regarding density schedule and Section 11-4-6, W.M.C., regarding special regulations;
 - (4) Section 11-4-11, W.M.C., regarding antennas, towers and telecommunications facilities;
 - (5) Those portions of Section 11-4-12, W.M.C., specified in Subsection 11-4-12(i), W.M.C., regarding satellite earth stations;
 - (6) Section 11-4-15, W.M.C., as it applies to nonconforming structures; and
 - (7) Subsection 11-4-6(p), W.M.C., regarding fences.
- (F) The review and determination of appeals from the planning manager's interpretation of the zoning map and the zoning district boundary lines thereon, under Section 11-4-2, W.M.C.
- (G) The review and determination of all special use permit applications.
- (H) The review of a request from one individual lot owner in a detached single-family housing development for a variance from an ODP requirement affecting said lot, as provided in Subsection 11-5-10(a)(1), W.M.C.

(319 1741 1970 2068 3495 3497 3599 3634)

2-2-3. - Policy from Council.

The City Council shall establish the policies to be followed by the planning commission regarding developments, the growth management plan, annexation, zoning, public hearings, and similar matters affecting the commission, and shall from time to time review and reaffirm or revise said policies.

(1741 2068)

2-2-4. - Rules and Regulations.

- (A) The planning commission shall meet at least once each month if there are matters pending and such other times as it may deem necessary. Each member of the commission shall be required to vote on each item before the commission unless a conflict of interest has been determined to exist. A member of the commission may vote on items where they were absent if the hearing is continued, provided they have reviewed the electronic recording of the previous testimony prior to the continuation of the hearing. If the recording is not reviewed, then this affected member is to be excused from voting on the matter, due to having not heard the entire testimony presentation.

Members may be excused from voting on previous meetings' minutes if they were absent from that respective meeting. Being excused from voting must be recognized by the chairperson and duly noted in the minutes of the present meeting.

- (B) The commission shall make and adopt its own bylaws, subject to the approval of the City Council, which shall include, but not be limited to, the following procedures:
 - (1) The election of officers and establishment of the duties of such officers.
 - (2) The scheduling and conduct of regular and special meetings and public hearings.
 - (3) The submittal of applications and petitions for annexations, development plan approvals, amendments to development plans, zonings and rezonings, variances, special use permits and any matter within the jurisdiction of the planning commission.
 - (4) The exercise of any of the duties of the planning commission set forth in this Code.

(319 2068 2768 3495 3497)

2-2-5. - Referrals to Planning Commission.

Unless otherwise provided for in this Code, all applications and petitions for annexations, subdivision development plan approvals, amendments to preliminary and official development plans, zonings and rezonings, plat approvals, and such other matters as the City Council or City Manager may deem pertinent shall be referred to the planning commission for its review and action in accordance with the provisions of Chapter 5, Section 13 of Title XI of this Code.

(319 1741 1970 2068 3599)

2-2-6. - Commission Recommendations.

- (A) When the planning commission is required to submit recommendations to the council, such recommendations shall be substantially in one of the following forms:
 - (1) Approval;
 - (2) Approval subject to specified conditions; or
 - (3) Rejection because of specified findings.
- (B) Each recommendation shall be accompanied by findings of fact sufficient to support the recommendation.

(319 1741 2068)

2-2-7. - Acting Chairperson; Quorum; Procedure.

In the absence of the elected chairperson, the Vice-Chairperson shall assume the duties of the chairperson for that respective meeting. A quorum shall consist of four members, and a decision of a majority of the members present shall control. Any absent member may join in a pending decision of the commission subject to Section 2-1-3, W.M.C.

(2768 3495)

2-2-8. - Variance Procedure and Standards.

- (A) In addition to any procedural hearing requirements the commission may adopt by rule, the commission shall conduct hearings and make decisions in accordance with the following requirements:

- (1) The public, the applicant and the planning commission shall be given notice, as provided in Section 11-5-13, W.M.C., of all variance hearings and, except as provided by Subsection 2-1-6(a), W.M.C., all hearings shall be open to the public.
 - (2) The commission shall render written decisions, accompanied by findings of fact and conclusions based thereon. Conclusions based on any provision of this Chapter, code, or any city rules or regulations shall contain a reference to such provision, rule or regulation and shall also contain the reason the conclusion is deemed appropriate in light of the facts found.
 - (3) All witnesses shall be sworn or shall affirm their testimony in the manner required in courts of record.
 - (4) The commission shall decide on any matter within 35 days after date of hearing thereon. Decision in favor of any applicant shall be approval of the matter requested and shall be an order to the chief building inspector to carry out such action, subject to any conditions imposed by the commission.
- (B) The commission may grant a variance if it finds that all of the following requirements are satisfied, where applicable:
- (1) That the strict application of the provisions of Title XI of this Code would result in practical difficulties or unnecessary hardship that is inconsistent with the general purpose and intent of this Code.
 - (2) That there are unique physical circumstances or conditions, such as irregularity, narrowness or shallowness of the lot, or exceptional topographical or other physical conditions peculiar to the affected property.
 - (3) That these unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located.
 - (4) That because of such physical circumstances or conditions, the property cannot be reasonably developed in conformity with the provisions of this Code.
 - (5) That the special conditions and circumstances do not result from the present or prior actions of the applicant.
 - (6) That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property.

Any application not meeting such criteria shall be denied. In approving an application meeting the above criteria, the commission may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of Title XI or the various adopted codes.

- (C) Decisions of the commission are final subject only to an appeal to district court.

(3495 3634)

CHAPTER 3. - PERSONNEL BOARD

2-3-1. - Creation.

There is hereby created a personnel board, hereinafter referred to as "the board," consisting of five regular members and two alternate members to be appointed by majority vote of council. Such members shall be known to be in sympathy with the intent and purpose of Chapter VI of the City Charter.

(854 1741 2068)

2-3-2. - Powers and Duties.

The board shall hear appeals brought by employees on matters of suspension, demotion, or dismissal pursuant to the requirements of Chapter VI of the City Charter and Chapter 24 of Title I of this Code.

(854 1741 2068)

2-3-3. - General Rules.

Regular meetings of the board shall be established by the board. The board shall adopt its own rules and procedures consistent with Chapter VI of the City Charter, and any applicable ordinances or resolutions enacted by City Council.

(854 1741 2068)

2-3-4. - Legal Counsel.

Subject to the provisions of Chapter 24 of Title I of this Code, on all contested legal matters coming before the board, the board and the City Manager shall have separate legal counsel retained by the City to represent their separate interests.

(854 1013 1741 2068)

CHAPTER 4. - PARKS, RECREATION, LIBRARIES AND OPEN SPACE ADVISORY BOARD

2-4-1. - Creation.

There is hereby created a parks, recreation, libraries and open space advisory board, hereinafter referred to as "the board," comprised of the seven regular members of the parks, recreation and libraries board, the six current regular members of the open space advisory board seated at the time of creation of this board. At the time of creation, in order to comply with Section 2-1-1, W.M.C., all members shall start new terms. However, based on length of service, four of the seven members coming from the parks, recreation and libraries board and three of the six members coming from the open space advisory board shall serve terms that expire on even-numbered years. The other members' terms shall expire on odd-numbered years. Through attrition, the Board will eventually be comprised of 11 regular members.

(3272 3729 3838)

2-4-2. - Advisory Members.

An employee appointed by the director of parks, recreation and libraries, an employee appointed by the director of community development, and one member of the City Council, to be appointed by the mayor, shall be advisory members of the parks, recreation, libraries and open space advisory board and shall have the right to participate in all meetings of the board; except that they shall not have the right to vote.

(3272 3729)

2-4-3. - Powers and Duties.

The powers of the parks, recreation, libraries and open space advisory board shall be advisory only, and the board shall have the following duties:

- (A) To assist staff and council in the promotion of parks, recreation libraries and open space and their services to the community, as well as to assist in the evaluation of the related missions, roles and services in response to community needs;
- (B) To obtain feedback from the community and make recommendations to the Director of Parks, recreation and libraries regarding the City's long-range plan for the development, maintenance and improvements of parks, recreation and library facilities, programs and services;
- (C) To obtain feedback from the community and make recommendations based on such input to City Council regarding management of open space and prospective open space acquisitions;
- (D) In consultation with appropriate city staff, to identify and prioritize potential open space acquisitions by the City and to submit the board's recommendations about such acquisitions to City Council;
- (E) To advise staff, with council's approval, on the administration of such gifts of money, property, or endowments as may be granted to and accepted by the council for parks, recreation, library or open space purposes, and to take such steps as the board may deem feasible to encourage gifts in support of the City's parks, recreation, library and open space programs, and to administer a grant-in-aid program directed at individuals who would be unable, due to financial considerations, to participate in parks, recreation, library and open space programs;
- (F) When asked by the director, to evaluate applications for special need passes to city recreation facilities by the public and to recommend approval or denial;
- (G) To review requests by the public for the removal of library materials; materials will be removed from the libraries' collections upon unanimous approval of the board;
- (H) Upon request by the director, to review and make recommendations on any parks, recreation and libraries' fee or charge in an amount that exceeds the approval authority of the City Manager;
- (I) To administer the City's neighborhood enhancement program in any and all aspects as may be necessary to meet the goals and objectives of the program;
- (J) When asked by the director, to review complaints, suggestions and other communications by the public regarding parks, recreation, libraries and open space programs and facilities, and to make recommendations to the director regarding said communications;
- (K) To conduct a secret shopper program to visit all city parks, recreation, libraries and open space facilities for feedback to the director on customer service issues;
- (L) To advise the director on such policies, rules and regulations and other matters as the board believes necessary and proper for the management and development of the parks, recreation, libraries and open space programs and facilities; and
- (M) To perform any other related duties as assigned by council.

(3272 3729 3838)

2-4-4. - Meetings.

The board shall decide on a meeting day and time. The board shall meet at least six times per year, as the chairperson of the board requests. A record of the minutes of each meeting shall be kept and placed in the office of the City Clerk for public inspection. Except as provided by Subsection 2-1-6(a), W.M.C., all meetings of the board shall be open to the public.

(3272 3729)

2-4-5. - Bylaws.

The board shall make and adopt its own bylaws, subject to approval by the City Council, in conformity with applicable statutes and ordinances.

(3272)

2-4-6. - Acting Chairperson; Quorum.

The Vice-Chairperson of the board shall assume the duties of the Chairperson in the absence of the Chairperson. In the absence of both the Chairperson and Vice-Chairperson, the board shall designate an acting Chairperson, if necessary. A quorum shall consist of a majority of those members entitled to act, and a decision of a majority of the quorum of such members shall control.

(3272)

CHAPTER 5. - SPECIAL PERMIT AND LICENSE BOARD

2-5-1. - Creation.

There is hereby created a special permit and license board, hereinafter referred to as "the board," consisting of seven regular members and one alternate member.

(908 1741 2068)

2-5-2. - Powers and Duties.

The special permit and license board, acting as the local licensing authority pursuant to Title V of this Code, shall conduct public hearings, approve or deny applications for licenses, renew or deny renewal of licenses, suspend or revoke licenses, hear appeals of adverse actions taken against city-issued licenses, and carry out all other functions authorized by Title V of this Code and Colorado beer, liquor and special event codes. All decisions of the board are final, subject only to appeal to a court of competent jurisdiction.

(1741 2037 2068 2229 2251 2769 2984 3398 3497 3578)

2-5-3. - Bylaws.

The board shall make and adopt by resolution its own bylaws, in conformity with applicable statutes and ordinances. Bylaws shall be reviewed annually for necessary updating.

(908 2068 2229 2769)

2-5-4. - Acting Chairperson; Quorum; Procedure.

In the absence of the elected Chairperson, the Vice-Chairperson shall assume the duties of the Chairperson for that respective meeting. A quorum shall consist of four members, and a decision of a majority of the members present shall control. Any absent member may join in a pending decision of the board subject to Section 2-1-3, W.M.C. All public hearings shall, at a minimum, be recorded electronically, or, as deemed necessary by the Chairperson, may be stenographically recorded by a court reporter engaged by the City and paid out of fees paid by the applicant.

(908 1741 2068 2229 2769)

2-5-5. - Meetings.

The board shall meet at least twice a month, unless there is no business to conduct. Each member of the board shall be required to vote on each item before the board, unless a conflict of interest has been determined to exist. A member of the board may vote on items where they were absent if the hearing is continued, provided they have reviewed the electronic recording of the previous testimony prior to the continuation of the hearing. If the recording is not reviewed, then this affected member is to be excused from voting on the matter, due to having not heard the entire testimony presentation.

Members may be excused from voting on previous meetings' minutes if they were absent from that respective meeting. Being excused from voting must be recognized by the Chairperson and duly noted in the minutes of the present meeting.

(908 2068 2769)

CHAPTER 8. - HUMAN SERVICES BOARD

2-8-1. - Creation.

There is hereby created a Human Services Board, hereinafter referred to as "the board," consisting of five regular members and one alternate member.

(1698 2068 3294)

2-8-2. - Powers and Duties.

The board shall review, evaluate and recommend to City Council funding levels for the budget year based on submittals to the City Council by outside human services agencies and other outside organizations. The board shall also perform such other duties as may be assigned to it by the City Council.

(1698 2068)

2-8-3. - Membership of Board.

It is the intent of City Council that selection of the board be made so that, to the extent possible, the board members represent expertise in the following areas: (1) health services; (2) housing; (3) community services; (4) senior citizens; and (5) education or cultural services.

(1698 2068)

2-8-4. - Level of Funding; Criteria.

- (A) The City Council shall notify the board by July 18th of each year the estimate of funds that may be available for appropriation to outside human services and other related agencies in the subsequent calendar year. The board shall review and evaluate requests received by outside human services and other related agencies for funding for the subsequent calendar year, and shall make a report to the City Council by August 1st each year recommending which requests should be funded and the level of funding within the total estimate of funds available for this type of activity. The board's recommendations shall be advisory only.

- (B) The criteria to be used by the board in evaluating requests for funding shall include, but not be limited to, the following:
 - (1) Programs shall benefit Westminster citizens and shall provide a needed service to the community.
 - (2) Programs shall be independently organized and managed.
 - (3) Programs shall have obtained not-for-profit status under Section 501(c)(3) of the Federal Internal Revenue Code.
 - (4) Programs must have documented proof that they have unsuccessfully applied for funds from other sources or that there is a compelling reason for requesting funds from the City.
 - (5) Programs shall be efficiently and effectively managed.
 - (6) Programs shall use conventional accounting methods and be able to provide a means for the board to track the use of funds obtained from the City.
 - (7) Program requests shall include an updated annual financial report, a report of Westminster residents served annually, and the percentage of clientele that are Westminster residents.
- (C) Any program that fails to meet all of the criteria listed in subsection (B) of this Section shall not be recommended for funding.
- (D) The board shall annually evaluate each request for funding, even if the program was funded in the prior year.

(1698 2068)

2-8-5. - Acting Chairperson; Quorum; Procedure.

The Chairperson may designate a member of the board to assume the Chairperson's duties in the Chairperson's absence. A quorum shall consist of three members, and a decision of a majority of the members of the entire board shall control.

(1698 2068)

2-8-6. - Bylaws.

The board shall adopt its own bylaws to establish the time, frequency and procedures of meetings. These bylaws shall be consistent with applicable statutes and ordinances and shall not be effective until approved by the City Council.

(1698 2068)

CHAPTER 9. - ELECTION COMMISSION

2-9-1. - Creation.

There is hereby created an election commission, hereinafter referred to as "the commission," consisting of the City Clerk and four regular members.

(1741 2068)

2-9-2. - Powers and Duties.

The commission shall oversee all elections conducted by the City and, in cases where election procedures are in doubt, the election commission shall prescribe the procedures to be followed.

(1741 2068)

2-9-3. - Appointment; Chairperson.

Members of the commission shall be appointed at the first meeting of the City Council in January following a regular city election. The City Clerk shall serve as chairperson of the commission.

(1741 2068)

CHAPTER 13. - ENVIRONMENTAL ADVISORY BOARD

2-13-1. - Creation.

There is hereby created an environmental advisory board, hereinafter referred to as "the board," consisting of seven regular members and one alternate member.

(2290)

2-13-2. - Advisory Members.

One City staff member, and one member of the City Council, to be appointed by the Mayor, shall be advisory members of the board and shall have the right to participate in all meetings of the board; except that, they shall not have the right to vote.

(2290)

2-13-3. - Powers and Duties.

The powers of the board shall be advisory only, and the board shall have the following duties:

- (A) To advise City Council and staff on matters in the community pertaining to solid waste disposal, yard waste recycling, air quality enhancements, hazardous waste management, and storm water quality;
- (B) To make recommendations to City Council and staff regarding the development of City-wide community and/or neighborhood programs to address long-range recycling and solid waste disposal issues; programs to address grass, tree limb, and leaf recycling; programs to address air quality enhancement, such as ground-level ozone programs; to address hazardous waste recycling and/or disposal; and to educate the community and serve in an advisory capacity regarding storm water quality programs;
- (C) To encourage citizen participation in community recycling efforts and promote public education on the environmental benefits of various community programs, including curbside recycling, Christmas tree recycling, composting, ground-level ozone action alerts, wood burning bans, and household hazardous waste disposal opportunities;
- (D) To adopt, subject to approval of the council, rules and regulations for the conduct of meetings of the board;

- (E) The board shall not make recommendations or advise on matters pertaining to land use, wildlife, water quality, transportation issues, or internal city organization policies or programs relating to environmental issues, including anything related to staffing or other personnel-type matters; and
- (F) To recommend to or advise City Council on other environmental related items as assigned by Council.

(2290 2810)

2-13-4. - Meetings.

The board shall be convened as agreed upon by a majority of members, at least four times per year, and as the Chairperson of the board requests. A record of the minutes of each meeting shall be kept and placed in the office of the city clerk for public inspection. Except as provided by Subsection 2-1-6(a), W.M.C., all meetings of the board shall be open to the public.

(2290 2810)

CHAPTER 14. - INCLUSIVITY BOARD

2-14-1. - Creation.

There is hereby created the inclusivity board, hereinafter referred to as "the board," consisting of up to 13 regular members with two alternate members. Each member may serve up to four consecutive terms, after which time the member shall be required to take at least a one-term break in service before being eligible for membership again.

(3806 3888)

2-14-2. - Advisory Members.

An employee appointed by the City Manager's office, and one member of the City Council, to be appointed by the Mayor, shall be advisory members of the board and shall have the right to participate in all meetings of the board; except that they shall not have the right to vote.

(3806)

2-14-3. - Powers and Duties.

The powers of the board shall be advisory only and shall be as follows:

- (A) To proactively advise and respond, as requested, to City Council and staff on issues of inclusivity.
- (B) To advocate for the entire community and collaborate to promote and encourage a climate of inclusion.
- (C) To obtain feedback on matters of inclusivity from the community proactively or at the request of City Council or staff, and recommend appropriate courses of action.
- (D) To provide advice on creating a climate of inclusion and increasing cultural competency within the Westminster organization.
- (E) To research, proactively advise and respond to requests from City Council and staff about ways other cities optimize participation by all residents in the civic, economic, cultural and social life of the community.

- (F) To proactively advise and to respond to requests from City Council and staff on ways to educate, encourage and engage citizen participation, including but not limited to reaching out to faith communities, schools and community organizations.
- (G) To proactively advise and to respond to requests from City Council and staff on ways to attract people from a wide range of cultures, beliefs, orientations, ages, physical capacities and socio-economic levels to live, work and play in Westminster.
- (H) To facilitate and ensure the regular collection of comprehensive demographic information about the entire Westminster population using a variety of methods to ensure input from all types of people, regardless of location, physical limitations, or variety of languages.
- (I) To facilitate communication in order to proactively connect underserved or excluded populations with appropriate city services and resources and with services provided in the private/non-profit sectors, while also encouraging collaboration among affected communities, and private and public sectors.
- (J) To actively pursue continuing education in the various areas of inclusivity for the benefit of the inclusivity board, City Council and staff, with sufficient revenue available to seek, as needed, outside counsel and experts in the field.
- (K) To work with city staff to obtain feedback from the community and recommend ways to improve communication between diverse communities within the City, while fostering relationships among people and organizations by sharing cultures and ideas.
- (L) To perform any other related duties as may be assigned by City Council.

(3806)

2-14-4. - Meetings:

The board shall decide on a meeting day and time. The board shall meet monthly unless there is no business to discuss, as the Chairperson of the board requests. A record of the minutes of each meeting shall be kept and placed in the office of the City Clerk for public inspection. Except as provided by Subsection 2-1-6(a), W.M.C., all meetings of the board shall be open to the public. Each member of the board shall be required to vote on each item before the board, unless a conflict of interest has been determined to exist.

(3806)

2-14-5. - Bylaws.

The board shall make and adopt its own bylaws in conformity with applicable statutes and ordinances, and the board shall review its bylaws annually for necessary updating.

(3806)

2-14-6. - Acting Chairperson; Quorum.

The Vice-Chairperson of the board shall assume the duties of the Chairperson in the absence of the Chairperson. In the absence of both the Chairperson and Vice-Chairperson, the board shall designate an acting Chairperson, if necessary. A quorum shall consist of a majority of those members entitled to act, and a decision of a majority of the quorum of such members shall control.

(3806)

11-13-3. - Historic Landmark Board Created.

- (A) There is hereby created a Historic Landmark Board, which shall have the principal responsibility for matters involving historic landmarks as set forth in this chapter. The City Council may act as the board pursuant to this chapter until it appoints a qualified citizen board as provided herein.
- (B) The board shall consist of five to seven members, appointed by the city council, who have a demonstrated interest, competence or knowledge in historic preservation. The City Council may appoint up to two alternate members, who shall attend meetings and participate fully in the activities, programs, and duties of the board. An alternate shall serve as a voting member of the board in the absence of a regular member, including the abstention of a member due to a conflict of interest. The board shall be composed of both professional and lay members and at least 40 percent shall be professionals in preservation-related disciplines, such as architecture, landscape architecture, architectural history, archaeology, history, and planning, or related disciplines, such as building trades, real estate, law, cultural geography or cultural anthropology.
- (C) Initial appointments shall be made for one- and two-year terms, in order to stagger the expiration of terms, and thereafter members shall be appointed for two-year terms.
- (D) From among its regular members, the board shall select a chair and vice-chair at the first meeting of each calendar year.
- (E) The board shall meet at least quarterly, unless applications or other requests for action are pending, in which case, the board shall meet at least monthly. All board meetings shall be open to the public with exceptions for executive sessions, as provided for the City Council in this Code and as provided by any preservation-related state and federal law.
- (F) A majority of the number of currently appointed regular board members shall constitute a quorum. An alternate may substitute for a regular board member to create a quorum. If a quorum is not present, then the Chair of the Board may set a new date for a special hearing or the matters scheduled for that hearing shall be heard on the next regularly scheduled hearing date.
- (G) The board shall adopt bylaws and other administrative guidelines to govern the conduct of its meetings, which shall be made available to the public.

(3015)

11-13-4. - Powers and Duties of the Historic Landmark Board.

Within available staff, volunteer and financial resources, the Historic Landmark Board shall:

- (A) Adopt criteria for review of historic resources and for review of proposals to alter, demolish, or move designated resources that are in addition to and consistent with the criteria set forth in this chapter.
- (B) Review properties nominated for designation as a historic landmark or a historic landmark district, and make recommendations to the City Council regarding historic designation.
- (C) Encourage owners of historic properties to maintain them in good repair, and advise and assist owners of historic properties concerning physical and financial aspects of preservation, renovation, rehabilitation, and restoration, including nomination to the National and State registers of Historic Places.

- (D) Develop and assist in public education programs, including, but not limited to, school programs, walking tours, brochures, a marker program for historic properties, interpretive sites and programs, lectures, and conferences about the history of the local and regional community, the value of preserving historic properties, and the materials and methods of preservation.
- (E) Review applications for and issue certificates of historic appropriateness pursuant to this chapter.
- (F) Conduct surveys of historic properties, structures and areas, in order to define those of historic significance for the purpose of creating a preservation plan of historic properties and districts.
- (G) Pursue financial assistance for preservation and history-related programs.
- (H) Maintain records and files on all board actions and provide documentation as necessary to the state historical fund.
- (I) Develop and modify as needed a checklist of activities critical to the maintenance of a historic landmark to be completed as a requirement for receiving a tax rebate.
- (J) Identify and implement other incentives for owners of historic properties.
- (K) Authorize and implement such steps as it deems desirable to recognize the merit of and to encourage the protection, enhancement, perpetuation, and use of any historic landmark or historic landmark district by, without limitation, issuing certificates of recognition and authorizing plaques to be affixed to the exteriors of such structures.
- (L) Pursue these duties and any others required by state and federal law, in order to qualify the City as a certified local government under applicable historic preservation laws.
- (M) Foster civic pride and awareness of the unique heritage of the City.

(3015)

PART VI - COMMITTEES

1. **COMMITTEES - HOW APPOINTED:** The Council shall appoint from time to time such representatives as it deems appropriate to any Boards, Committees, task force, commissions, intergovernmental organizations or other bodies, including liaisons to the City's Boards and Commissions, to represent the City Council's position as may be required. No person shall act or serve as a representative of the City without Council approval. The Council may, consistent with the City Charter, establish from time to time such special or select committees as may be desired by the Council to assist or expedite the handling of the business and affairs of the City. The Council shall appoint the member who is to serve as Chairperson of the committee. The clerk or a designated assistant shall act as secretary to such special or select committees as directed by the Council.

PART VII - MISCELLANEOUS

2. **BOARDS AND COMMISSIONS:** The City Council shall receive copies of the minutes of all meetings of City Boards and Commissions upon request. (Res. 84, 1997)

25. PROCEDURES TO FILL VACANCIES ON CITY ADVISORY BOARDS AND COMMISSIONS:

- A. City Council shall from time to time schedule interviews of all interested Westminster citizens who are eligible and interested in serving on the various City Advisory Boards and Commissions. Interested citizens are to complete a standard application form provided by the City with the citizen indicating his/her top three preference(s) of boards and commissions he/she wishes to be considered for appointment. (Res 84, 1997)
- B. City Council shall set a deadline for receiving said applications with said deadline to be published in the appropriate newspapers and City publications. An interview schedule will be established with the Council conducting individual interviews. The interview schedule will be formulated to provide for an efficient approach to achieving the desired interviews.
- C. Said applications will be placed on file with the City Clerk and will be considered for a period of one year. These applications will provide a "pool" of applicants for City Council's consideration whenever a vacancy takes place on the Advisory Boards and Commissions.
- D. All applicants will be contacted at the end of each cycle to determine if they are interested in having their name considered for vacancies, which might occur during the next cycle period. (Res 8, 1986, 41, 1990)
- E. The City Council may use a rotation plan involving appointed Board and Commission members to assure a variety of perspectives and allow as many interested citizens to participate in serving on City advisory boards/commissions. (Res. 84, 1997; 28, 2015)
- F. Board and Commission members currently serving on a Board or Commission, may submit an application to the City Clerk's Office to move to another Board or Commission. Board and Commission members may not serve on more than one Board at one time. (Res. 100, 1999)