



TOWN BOARD WORK SESSION MEETING

August 1, 2016 – 6:00 P.M.

301 Walnut Street, Town Board Chambers
Windsor, CO 80550

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.

Members of the Public in attendance are asked to be recognized by the Mayor before participating in any discussions of the Town Board.

AGENDA

1. Ballot Question Presentation - People for a Healthier Larimer County
2. Liquor Licensing Authority - Administrative approval of applications
3. Parking Prohibitions - Review of Sections 8-2-20 through 8-2-40
4. Municipal Judge appointment process
5. Future Meetings Agenda

REVISED 3/31/2016

Recommendations for the Development of Critical Behavioral Health Services in Larimer County

Executive Summary



**Community Mental Health and Substance Abuse
Partnership of Larimer County**
An Unincorporated Non-Profit Association

February 23, 2016



**Community Mental Health and Substance Abuse
Partnership of Larimer County
An Unincorporated Non-Profit Association**

Executive Summary

**Recommendations for the Development of Critical Behavioral Health
Services in Larimer County**

February 23, 2016

Introduction

While many quality behavioral health treatment and support services are being provided in Larimer County, the current continuum of services being offered is not sufficient to meet the needs of the many people who have mental illnesses and/or substance use disorders. As a result, these people often simply can't get the level of care that they need to address their illness.

Awareness of the gaps in behavioral health services has been growing over time to the point that several major community organizations have mentioned the need for an improved behavioral healthcare system in their strategic planning, including Larimer County, the City of Fort Collins, and the Health District of Northern Larimer County. The Community Mental Health and Substance Abuse Partnership of Larimer County, a collaborative effort between over twenty organizations, consumer and family advocates, and treatment and service providers, established creating a plan for the expansion of critical behavioral health services as its highest priority in 2015. This document is the result of this priority area and the work of a sub-group of Partnership Members known as the "Plan Guidance Team" and is intended to inform the planning process.

To aid in data collection, analysis and development of recommendations, the Partnership engaged the services of the NIATx group, a multidisciplinary team of consultants with a unique blend of expertise in public policy, agency management, and systems engineering that has worked with 1000+ treatment providers and 50+ state and county governments.

The purpose of this document is to help citizens and service providers understand existing challenges, garner commitment to making changes and improvements, and stimulate significant development and expansion of critical behavioral health services in Larimer County. The ultimate goal is to guarantee Larimer County's capacity to meet the growing behavioral health needs of its citizens. This document seeks to accomplish the following:

1. Delineate what is needed for a more complete continuum of care capable of providing adequate levels of affordable care for those with behavioral health needs (focusing on the best evidence, high quality, and access to care), understand what actually exists in our community, and determine the gaps.
2. Determine a cost estimate for filling the gaps, potential revenue sources, and the remaining need for funding.

The Need

Behavioral health disorders, including mental illness and substance use disorders are serious, chronic health issues that can be potentially life-threatening, similar to other chronic health disorders such as diabetes and heart disease. These disorders of the brain are common and can affect anyone at any age or socioeconomic status. It is estimated that there are approximately 44,300 adults who have mental illness and 31,000 who are dependent on alcohol or drugs living in Larimer County, although many have both disorders and the impact of the disorders varies.

Behavioral health disorders are treatable and treatment effectiveness is improving. However, the majority of those with these disorders never receive the treatment they need to help restore their functioning. Though these conditions are treatable health disorders, consumers and families regularly report great difficulty in getting access to the recommended range of services – a situation that is quite different than access to care for other chronic illnesses such as heart disease and diabetes.

Lack of treatment is particularly true for those with substance use disorders (thus this study focused heavily on estimating unmet need for these disorders). NIATx estimated that of the approximately 31,000 people meeting the criteria for needing treatment for substance use disorders, only 2,800 people actually receive that care each year in Larimer County, leaving over 28,000 people needing, but not receiving, treatment annually. Of those 28,000, it is estimated that approximately 1,400 actually want or would seek treatment but do not receive that treatment. Providing an improved continuum of care for the 4,200 people needing and seeking treatment (2,800 who currently seek treatment and an additional 1,400 who need but don't receive that treatment) is critical to their recovery.

When people with behavioral health disorders do not receive appropriate, timely, or adequate treatment the result is often greater suffering from symptoms, poor quality of life, reduced ability to function and use of more intensive and higher cost levels of treatment. People with behavioral health disorders are also at risk for unstable employment, poverty, chronic health conditions, early death, and suicide. Many people who don't get the right treatment enter a cycle of repeated use of the highest cost services in our community such as emergency departments, law enforcement or criminal justice, including jail.

While many quality services are being provided here, **the key finding of this investigation is that Larimer County does not have a continuum of behavioral health treatment and support services that is sufficient to meet the needs of the many people with mental illnesses and/or substance use disorders.** As a result, these people often simply can't get the level of care that they need to address their illness.

Recommended Solutions to Meet the Need

Specifically, this planning process recommended that four key levels of care and a range of support services be added or expanded in order to provide adequate standards of care in Larimer County.

- A full complement of Withdrawal Management (Drug/Alcohol Detoxification) services
- Residential Treatment for Substance Use Disorders (SUDs)
- Acute Treatment Unit (ATU) for just-under-hospitalization level of care
- Intensive Outpatient Treatment Services (IOP)
- Support Services (moderately intensive to intensive care coordination, medications, and support services for those living in Permanent Supportive Housing, assessment, and client assistance funds).

The study also recommended that many of these services be provided in a 24-7 Services Center providing a new state-of-the-art model of care and enabling more seamless transitions between levels of care. Part of the new model would include a more thorough, formal, patient-centered assessment process in order to better guide transitions into and between the levels of care.

Specific recommendations to create and support adequate services in each of these areas include:

1. **Expand treatment capacity** to accommodate the estimated need for services for up to 4,700 adults. This includes an estimated 2,800 people currently receiving some level of treatment, plus an additional 1,400 adults estimated to need and seek treatment in Larimer County but who are currently unable to receive that treatment, plus an allowance of 500 people for anticipated growth. The total annual utilization of all services included in the recommended model is estimated at approximately 12,000 admissions (defined broadly).
2. **Create a more complete continuum of care and the ability to place patients into appropriate levels of care based on assessment and re-assessment. Provide most services in one facility, with specific services supported and provided in the community.**
3. **Create a medically monitored Withdrawal Management Center (Drug/Alcohol Detoxification) in Larimer County** with 12 beds and the capacity for up to 822 ASAM level 3.7 admissions in order to support detoxification from alcohol or drugs and transition individuals into treatment. Two additional levels of withdrawal management services would be available in the community (but are not included in the funding recommendations included in this document): Ambulatory (ASAM level 2.0) managed on an outpatient basis, and Intensive Inpatient (ASAM level 4.0) provided in a hospital setting.
4. **Create or support several levels of residential care to support up to 500 short-term and long-term supported residential admissions as follows:**
 - **Create Short-Term Intensive Residential Treatment (IRT)** designed to provide a safe therapeutic environment where clinical services and medications are available to treat patients who are medically stable and withdrawn from substances. Capacity: 11 beds, average length of stay (ALOS) of 12 days, and 305 admissions.
 - **Support Low Intensity Residential (LIR) services** designed to build and reinforce a stable routine in a safe and supportive context for residents who lack a stable living environment. Capacity: 52 beds (in the community, not part of facility), ALOS of 90 days, and 190 admissions.
 - **Encourage the development of independent, voluntary sober housing**, like “Oxford Houses” in the community to provide safe and supportive living environments for those who choose and can pay for this type of residence. No external financing is recommended for this type of housing.
5. **Encourage the development of community capacity for Intensive Outpatient Services (IOP)** for individuals who require a more structured substance use disorder outpatient treatment experience than traditional outpatient treatment. Capacity: 1,089 IOP admissions, an average of 30 visits per admission, and an average daily census of 50. (Note: Since health insurance is likely to cover these services, the only amount included in the budget recommendations in this document is client assistance for up to 218 uninsured or underinsured individuals.)

6. **Encourage the development of community capacity for Outpatient (OP) Substance Use Disorder Treatment** to provide up to 3,800 admissions, with 30 FTE providing 10 sessions per admission for people who can benefit from outpatient treatment. (Note: Since health insurance is likely to cover these services, the only amount included in budget recommendations is client assistance for up to 780 uninsured or underinsured people.)
7. **Create an Acute Treatment Unit in Larimer County** to provide short-term crisis stabilization for individuals whose symptoms and treatment can be managed in non-hospital settings. Capacity: 12 beds, ALOS of five days and capacity to provide up to 986 admissions.
8. **Provide specific behavioral health support services** to include:
 - Moderately intensive to intensive care coordination for up to 250 clients
 - Client assistance fund to help cover needs such as transportation, co-pays (including IOP and OP), medications, and personal emergencies for up to an estimated 1,620 clients
 - Approximately 7,650 patient-centered, intensive assessments to ensure placement in appropriate levels of care
 - Support services in Permanent Supportive Housing for up to 100 clients with chronic health conditions who lack family/social supports, and are disconnected from employment and other community functions. (Housing to be provided by other sources.)

Financial Resources Needed to Provide These Services

After NIATx completed a preliminary report with a first round of cost, revenue and facilities estimations, local experts in behavioral health, budgeting and facilities amended these figures to represent local circumstances and input. The annual costs to provide these services have been estimated at \$15.77 million. Available revenues from client fees and insurance are estimated at approximately \$4 million. The remaining need for funding is estimated at \$11.77 million.

Projected Overall Operating Budget	
Personnel	\$8.58 million
Client Assistance	\$2.40 million
Operational (operational costs, maintenance, equipment, contracted services, etc.)	\$4.79 million
TOTAL:	\$15.77 million
Less Revenues	\$ 4.00 million
Needed Annual Funding:	\$11.77 million

Facilities Needed and Associated Costs

Estimates for facility space and costs are currently estimated based on providing most services in one facility. Based on current estimates, a 51,000 square foot facility would be required to provide these services. The total facility and land costs are estimated at \$20.42 million. Facility costs have not been estimated for Low Intensity Residential services.

Benefits and Value to the Community

There is ample evidence to demonstrate significant value and benefits of behavioral health disorder treatment. Patients and families benefit from increased health, well-being and ability to function in their family, work, community and society (similar benefits as those seen for managing symptoms of diabetes or hypertension). Communities realize reductions in related costs. Additionally, the National Institute of Health estimates that every dollar spent on addiction treatment yields a return of between \$4 and \$7 in reduced drug-related crime, criminal justice costs, and theft. When healthcare related savings are included, total savings can exceed costs by a ratio of 12 to 1.

Summary, Estimated Increased Capacity for Critical Services To Be Developed Under Proposed Budget		
	Capacity	Utilization
Assessments		7,655 assessments
Acute Treatment Unit (ATU)	12 beds	986 admissions
Withdrawal Management (medically monitored detox)	12 beds	822 admissions
Short-term Intensive Residential Treatment (IRT)	11 beds	305 admissions
Low-intensity Residential (LIR) (funding for staff, not facility; beds to be outside of facility)	52 beds	191 admissions
Client Assistance (transportation, medication, co-pays, etc.) Includes client assistance for IOP and OP for un- & under-insured		1,620 clients
Care Coordination (moderately intensive to intensive)		250 clients
Support Services (for those in Permanent Supportive Housing (PSH))		100 clients
TOTAL		11,929

Additional Substance Use Disorder Treatment Capacity Needed and to Be Encouraged (Insurance Coverage Available)	
Intensive Outpatient (IOP) Treatment	1,089 (capacity needed; 220 clients included in client assistance, above)
Outpatient (OP)	3,800 (capacity needed; 780 clients included in client assistance, above)
TOTAL	4,889

For more information contact:
 Lin Wilder
 Community Mental Health and Substance Abuse Partnership of Larimer County
 lwilder@healthdistrict.org

Services Needed: Filling Our Greatest Gaps

New 24/7 Behavioral Health Services Center



- **Thorough Assessments**

Professionals skilled in both MI and SUD
 Connection to appropriate community service
 7,600 assessments

- **Client Assistance**

Help paying for transportation, medications,
 co-pays, and deductibles
 1,600 clients

- **Acute Treatment Unit (ATU)**

Acute mental illness stabilization when
 hospitalization not required
 12 beds / 990 admissions

- **Withdrawal Management (f/k/a detox)**

Medically monitored
 12 beds / 820 admissions

- **Short Intensive Residential (SIR)**

For substance use disorder treatment
 11 beds / 300 admissions



In the Community

Encourage Others to Expand

- **Long-term Low Intensity Residential**
 90 day for Substance Use Disorders
 52 beds, 190 admissions
- **Increase Intensive Outpatient & Outpatient Services**



Provide

- **24/7 Certified Addictions Counselors**
- **Client Assistance with Costs (above)**
- **For Those with Complex Needs**
 Care Coordination (250 people)
 Support Services (100 people)
 When living in Permanent Supportive Housing

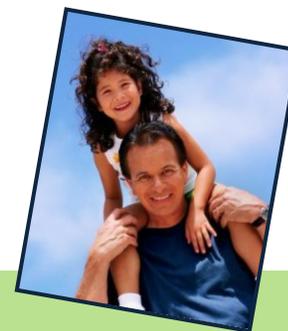
What Would It Take?

Facility Cost: \$20.4 Million

51,000 square feet

Annual Cost: \$11.8 Million

(after revenues)



Value

Save lives and families

Increase self-sufficiency

A wise economic investment

Reduces future health care and criminal justice costs
 Increases productivity

Reduce poverty and homelessness

Reduce unnecessary use of:

- Emergency Departments
- Hospitals
- Ambulance
- Health Care
- Police
- Courts
- Jails

**Change
 Nothing
 and
 Nothing
 Changes**

Development of Critical Behavioral Health Services in Larimer County: Recommendations

Study and recommendations from NIATx, February 2016 • Requested by the Mental Health and Substance Abuse Partnership of Larimer County
 Commissioned by the Health District of Northern Larimer County • Funded by the Health District, SummitStone Health Partners and Larimer County

The Issue

Behavioral Health Disorders, which include **mental illness** and **substance use disorder**, are **serious health conditions**. Much like diabetes or heart disease, they can be chronic, disabling and even life-threatening.

*“Like every other health condition, we need to be sure we have adequate services available right here in our community so that we can **give our families, friends and co-workers a fighting chance at recovery.**”*

Anne Hudgens, Partnership Chair

Key Finding

Although it has many quality services, Larimer County does **NOT** have the range of services and facilities to meet the needs of thousands of residents who need treatment for mental illness and substance use disorder

Key Recommendation

Since the effective treatment of mental health and substance use disorders, like other serious health conditions, requires specialized care, fill gaps in care with high-quality specialized treatment options. Include a 24/7 Behavioral Health Services Center providing thorough assessments, connections to existing services, and short-term live-in treatment for: acute mental health problems, withdrawal management from substances (f/k/a Detox), and intensive substance use disorder treatment. Significantly expand effectiveness of these and other community services by providing client assistance to help pay for transportation, medications, and cost of care; providing special care coordination and services for more people who have complex needs; and helping to create longer-term residential treatment for those with more severe substance use disorders. Encourage expansion of skilled outpatient and intensive outpatient services.



Nearly 90% of people view physical and mental health as equally important

American Foundation for Suicide Prevention

The Impacts of Behavioral Health Disorders in Larimer County are:

LARGE

44,300

with mental illness

(10,000 with significant mental illness)

31,200

with substance use disorder

Some people with both conditions
Acuity varies

COSTLY

HUMAN

- Impacts on Individual and family
- Unemployment/poverty
- Early death

FINANCIAL

- Lost productivity
- Health care costs
- Law enforcement
- Criminal justice
- Disability

PERSONAL

Friends



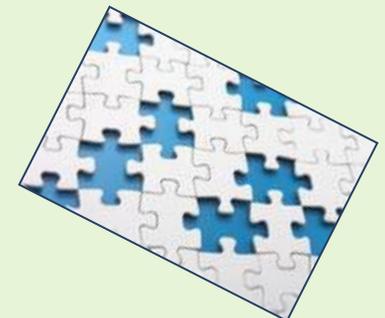
Co-workers



Family



Many face challenges in finding care



Recommendations for Critical Behavioral Health Services in Larimer County
Estimates of Services to be Provided
April 2016

Paid for With Projected Budget, in 24/7 Behavioral Services Facility:

- 1) **Thorough Assessments:** 7,600 assessments
Clinically strong, evidence-based, assess both mental illness and substance use disorder
Provided by psychiatrists, licensed therapists, CACs with differential diagnosis expertise
- 2) **Acute Treatment Unit:** 12 Beds, 990 admissions, average LOS 5 days
Acute mental illness stabilization when hospitalization not required; more than crisis stabilization center but less than inpatient hospitalization
- 3) **Medically Monitored Withdrawal Management (f/k/a detox):**
12 beds, 820 admissions, average LOS 5 days
Includes adequate medical staff to be able to administer person's personal meds, meds for initial withdrawal if needed, and start medication-assisted treatment for opioid withdrawal
- 4) **Short Term Intensive Residential (SIR):** 11 beds, 300 admissions, average LOS 12 days
Short term intensive treatment for substance use disorder
- 5) **Client Assistance For Treatment Costs:** Assist 1,600 individuals
Flexible funding to assist with medications, transportation, deductibles/co-pays, etc.

Paid for With Projected Budget, in the COMMUNITY:

- 6) **Moderately Intensive to Intensive Care Coordination:** 250 caseload
Provides higher level care coordination for those with most complex needs, more significant behavioral health disease
- 7) **Supportive Services for those in Permanent Supportive Housing:** 100 caseload
Provides behavioral supportive services for those whose level of functional impairment are appropriate for permanent supportive housing

Partially Supported With Projected Budget, in the COMMUNITY:

- 8) **24/7 Certified Addictions Counselors (CACs) (only)** for Long Term Low Intensity Residential Care (LIR):
52 beds, 190 admissions, average LOS 90 days
While other organizations would provide the LIR, projected funding would cover the cost of CACs 24/7
- 9) **Client Assistance Funds** (see above) to provide **limited help** with Intensive Outpatient and Outpatient Services. IOP: average LOS 30 visits; 1089 admissions total capacity needed.
OP: average LOS 10 visits; 3800 admissions total capacity needed.
The project would encourage existing providers to expand IOP and OP services for substance use disorders. While **insurance is anticipated to pay for most of the cost of IOP and OP**, some of the client assistance funds, above, are anticipated to be needed to assist with deductibles/copays for IOP and OP services for substance use disorders.



MEMORANDUM

Date: August 1, 2016
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Teresa Ablao, Licensing Authority and Patti Garcia, Town Clerk
Re: Administrative processing and issuance of Liquor Licenses
Item #: WKS - 2

Background / Discussion:

Currently, all local liquor licensing applications are reviewed by the Town Clerk for completeness and then reviewed and placed on the Authority agenda for public hearing prior to approval by the local Liquor Licensing Authority ("Authority") under contract with the Town.

Some license applications are required by the State Liquor Code to be set for a public hearing in order for the local Authority to make specific findings of moral character of an applicant, determine the needs and desires of the neighborhood and ensure that an applicant will conduct its business in accordance with state and local law. The review and public hearing ensures that the local health, safety and welfare interests of the Town and its citizens are properly considered prior to issuing a license or permit to new applicants and allows members of the public to comment upon the fitness of a particular applicant and its business to sell or serve liquor within the Town.

Other licensing applications are routine and do not necessarily need to be reviewed and approved by the Authority. These include license renewals, reports of change of corporate structure, name changes and manager changes, tasting permits, temporary transfer permits and repeat special event permits.

The Town Clerk has polled licensing clerks in other jurisdictions and found that there are quite a few that process and issue such routine liquor licensing matters administratively. Most of those jurisdictions have specific provisions in their municipal codes allowing such administrative approval by the clerk's office.

Administrative approval of certain licenses and permits would save repeat applicants from having to appear at a local licensing meeting. In addition, such approvals would save the Town the cost of having the contracted Authority review each and every license application and permit.

If there are issues with a particular application that would otherwise be administratively approved, the Town Clerk can set those applications on the next Authority agenda to be reviewed and heard at a public meeting. Issues that would move an application from administrative to appearance before the Authority include liquor code violation by the applicant, failure to provide necessary information, or other circumstance that may be indicative of a lack of fitness to conduct its business in accordance with state or local law.

Financial Impact:

The administrative processing and issuance of routine liquor licenses and permits by the Town Clerk would have a positive financial impact to the Town because it would reduce the number of applications to be reviewed by the contracted Liquor Authority and could reduce the number of Local Licensing Authority meetings set each year.

Relationship to Strategic Plan:

Goal 3.A.

Recommendation:

Town staff recommends that the Town Board consider a municipal code change to delegate the authority to process and issue routine liquor licensing matters to the Town Clerk.

Attachments:

2015 Licensing matters
Proposed Code amendment
Survey of other jurisdictions

2015 Liquor Licensing matters:

Show cause hearings	6
New applications	8
Renewals with appearance of applicants	7
New SEPs	2
License transfers	1
Change of location	1
TOTAL	25
Temporary permit	1
Renewals on consent	25
Repeat SEPs	3
Tastings permits	1
Change of corporate structure report	1
Change in manager Report	1
Change in tradename Report	0
TOTAL	32

Blue area indicates those types of license applications that would continue to be reviewed and approved/denied by the Authority. Green area indicates the types of license or permit applications that would be processed and approved administratively by the Town Clerk.

Using 2015 numbers for illustration, the total number of applications that would be issued by the Town Clerk would be 32 and the total number of applications that would be reviewed and issued by the Authority is 25.

DRAFT - PROPOSED AMENDMENT

Sec. 6-1-10. - Delegation of Local Licensing Authority duties to Town Board appointee.

The Town of Windsor Local Licensing Authority, for all purposes under the Colorado Liquor Code, Section 12-47-101, et seq., C.R.S., shall be appointed by resolution of the Town Board from time to time.

(Ord. 2013-1456)

Sec. 6-1-10.1 Delegation of authority to town clerk.

(a) Subject to the applicants right of appeal to the Authority, the Town Clerk shall decide all administrative applications under this article and state liquor laws. The Town Clerk is authorized to act as the Local Licensing Authority process and issue the following administrative applications:

1. Special events permits to applicants who have not previously been granted a special event permit pursuant to Article 48 of Title 12, C.R.S., provided that there are no persons filing a written objection to said permit;

2. Annual Colorado Liquor Code and Colorado Beer Code license renewals, provided that the licensee has not violated any provisions of the Colorado Liquor or Beer Codes and associated regulations or local ordinances during the preceding year;

3. Changes in shareholders, officers, directors or trade names of a licensee, provided that any investigation conducted by the Town does not reveal information that may reasonably form the basis of a determination that the applicant is not qualified to hold the respective license;

4. Changes in registered manager of a licensee, provided that any investigation conducted by the Town does not reveal information that may reasonably form the basis of a determination that the proposed manager is not qualified to hold the position;

5. The issuance of temporary permits pursuant to and in compliance with the provisions of Section 12-47-303, C.R.S.;

6. The issuance and renewal of tastings permits as authorized by and pursuant to Article 47, Title 12, C.R.S .

(b) The Town Clerk may, nevertheless, refer any licensing decision authorized under this section to the Local Licensing Authority if, in the Clerk's discretion, the matter should be presented to the Local Licensing Authority.

Sec. 6-1-20. - Definitions.

As used in this Article, the following words or phrases shall have the following meanings, respectively:

Administrative application means an application for a local liquor license or permit that may be granted or denied administratively by the Town Clerk.

Malt liquor includes beer and shall be construed to mean any beverage obtained by the alcoholic fermentation of any infusion or decoction of barley, malt, hops or any other similar products or any combination thereof in water, containing more than three point two percent (3.2%) alcohol by weight.

Medicinal liquor means any liquor sold by a duly licensed pharmacist or drugstore solely on a bona fide doctor's prescription.

Operator means a person licensed by law to sell three point two (3.2) beer and malt, vinous and spirituous liquors, other than medicinal liquors, for beverage purposes at retail and who is engaged at any time during the calendar year in such operation within the Town.

Person includes persons, partnerships, associations, organizations or corporations.

Special Event Permit means a permit authorizing the sale, by the drink only of fermented malt beverages, or of malt, spirituous or vinous liquors to qualified organizations and political candidates at a location and for the duration of time specified on the issued permit.

Spirituous liquor means any alcoholic beverage obtained by distillation, mixed with water and other substances in solution, and includes among other things: brandy, rum, whiskey, gin

and every liquid or solid, patented or not, containing alcohol and which are fit for use for beverage purposes. Any liquid or solid containing beer or wine in combination with any other liquor except as above provided shall not be construed to be malt or vinous liquors but shall be construed to be spirituous liquor.

Three point two (3.2) beer means malt liquor as herein defined as containing not more than three point two percent (3.2%) alcohol by weight.

Town Clerk means the Town Clerk for the Town of Windsor or such person as may be designated by the Town Clerk to perform functions and duties required by this Article.

Vinous liquor includes wine and fortified wines not exceeding twenty-one percent (21%) alcohol by volume and shall be construed to mean an alcoholic beverage obtained by the fermentation of the natural sugar contents of fruits or other agricultural produce containing sugar.

(Ord. 2013-1456)

- **Sec. 6-1-30. - Applicability.**

In addition to any of the rules or laws which may be applicable, these rules shall govern all proceedings before the Town Board. If any of the rules contained herein shall conflict with any provisions of the laws of the State or the rules of the State Licensing Authority pertaining to the Colorado Liquor Code or to rules pertaining to the licensing or sale of fermented malt beverages, the provisions of state law or the rules of the State Licensing Authority shall govern.

(Ord. 2013-1456)

- **Sec. 6-1-30.1 Adoption of administrative procedures.**

The Authority, with the assistance of the Town Clerk, may adopt such administrative procedures, rules and regulations as necessary or convenient to implement the provisions of this Article. All such procedures, rules and regulations shall be consistent with state liquor laws

	Renewals	Special Event	Change of Corp Structure/Ownership	Change of Manager	Modification of Premise	Temporary Permits	Tasting Permits	Transfer of Ownership
Foxfield	x	x						
Nederland		x						
Granby	x		x	x	x	x		
Palisade		x						
Grand Lake	x		x	x	x	x		
CO Springs	x	x	x				x	
Idaho Springs	x	x				x		x
Montrose	x	x						
Basalt	x	x	x	x	x			x
Gunnison	x	x						
Buena Vista	x	x		x				
Northglenn	x		x	x	x	x		x
Westminster	x	x			x			x
Brighton								
Golden	x	x	x	x	x	x		x
Manitou Springs	x	x	x	x	x	x	x	x
Edgewater	x	x				x		x
Mountain Village	x	x			x			x
Lafayette	x	x	x	x	x	x	x	x
Morrison	x	x	x	x	x	x		x
Fort Morgan		x	x	x	x	x	x	x
Steamboat Springs	x	x	x	x	x	x	x	x
Frisco	x	x		x				x
Eagle	x	x	x	x		x		x
Centennial	x	x	x	x	x	x	x	x
Fort Collins	x	x	x	x	x	x	x	
Greeley	x	x	x	x	x	x	x	
Greenwood Village	x		x	x	x	x	x	x
Mead	x	x			x			x
Salida	x		x	x				x
Crestone		x						
Lone Tree	x	x	x	x	x			



MEMORANDUM

Date: August 1, 2016
To: Mayor and Town Board
Via: Ian D. McCargar, Town Attorney
From: Kimberly A. Emil, Asst. Town Attorney, Rick Klimek, Chief of Police
Re: Parking Prohibitions - Review of Sections 8-2-20 through 8-2-40
Item #: WKS - 3

Background / Discussion:

This ordinance cleans up existing parking regulations that are either no longer enforced, no longer viable and/ or no longer compatible with current needs. This review was initiated by a request from the Downtown Development Association, ("DDA") to review the parking regulations for Main Street that prohibited parking during certain timeframes overnight; and on other streets after a certain level of snow fall accumulated. There were other streets in the Town that had specific no parking zones that were reviewed as well. It was determined that most of these restrictions are no longer enforced, and the need for them is no longer viable as the streets and lanes have changed eliminating the need for the restrictions.

Therefore, after review with the Director of Public Works and the Chief of Police, it was determined to repeal *Windsor Municipal Code* ("WMC") sections 8-2-20 (prohibiting parking on Main Street between Third and Seventh Streets between 3:00 am and 5:00 am) and 8-2-40 (parking prohibited after snowfall accumulation) in their entirety. Additionally, section 8-2-30 is repealed, amended and readopted eliminating certain parking restrictions and reinforcing parking restrictions on 11th Street between Main Street and Sagewood Drive, and restricting parking in fire lanes. The attached ordinance cleans up these discrepancies, and harmonizes the Municipal Code with current practices and needs.

Financial Impact: None

Relationship to Strategic Plan:

Diversify, Grow and Strengthen the Local Economy by supporting the Downtown Development Authority

Recommendation:

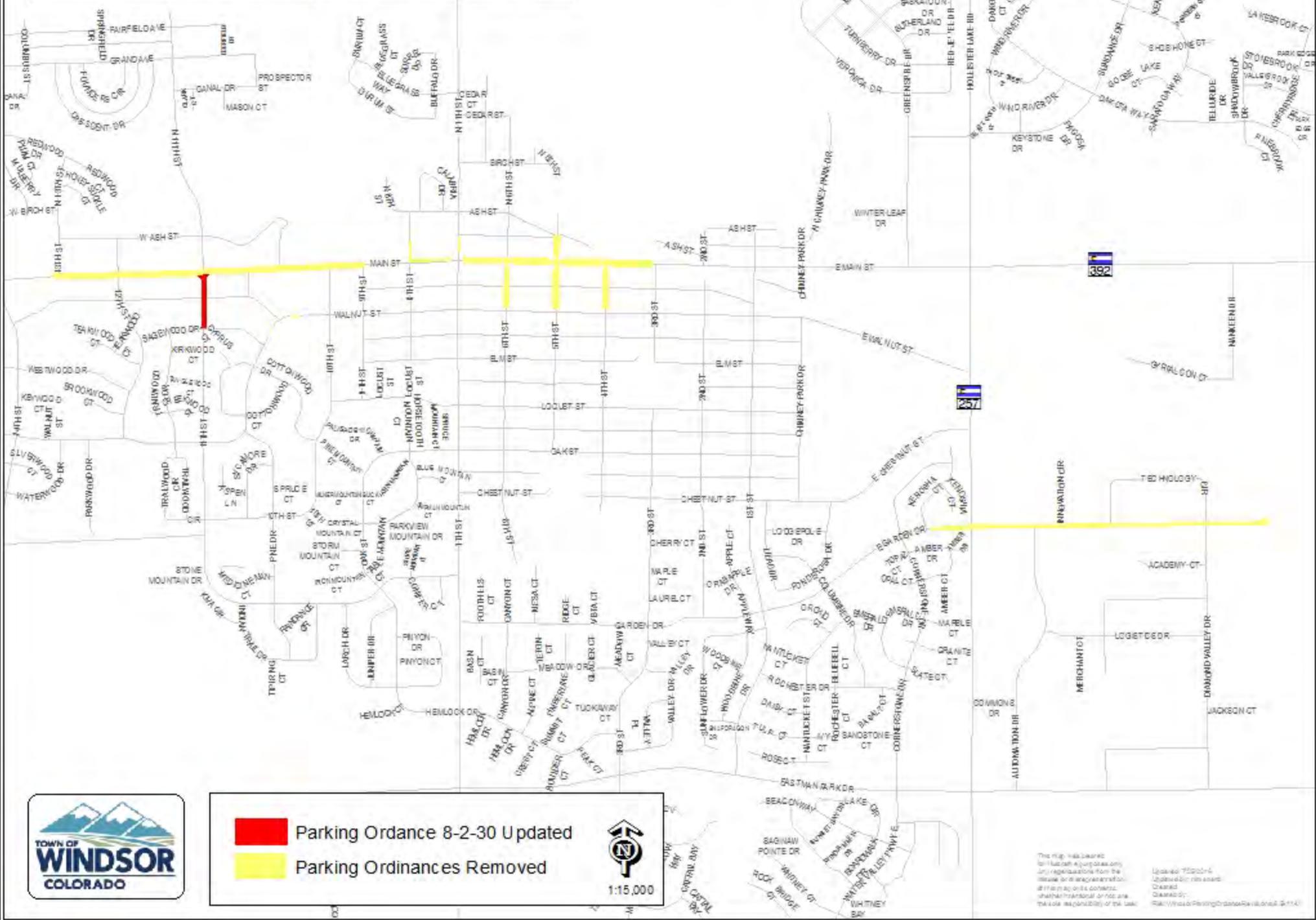
Town staff recommends the Town Board consider an ordinance repealing sections 8-2-20 and 8-2-40, repealing, amending and re-adopting section 8-2-30 of the Windsor Municipal Code concerning Parking Regulations

Attachments:

Draft Ordinance Repealing Sections 8-2-20 and 8-2-40, Repealing, Amending and Re-Adopting Section 8-2-30 of the Windsor Municipal Code concerning Parking Regulations

Maps

Windsor Parking Ordinances



- Parking Ordinance 8-2-30 Updated
- Parking Ordinances Removed



1:15,000

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Updated 12/2014
 Prepared by: [unreadable]
 Checked: [unreadable]
 Drawn by: [unreadable]
 Title: Windsor Parking Ordinances Updated 8-2-30

Windsor Parking Ordinances



-  Parking Ordinance 8-2-30 Updated
-  Parking Ordinances Removed



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Updated: 7/22/2014
Updated by: mmw@windsorco.gov
Created:
Created by:
File: WindsorParkingOrdinanceMap.mxd 2/11/14

Windsor Parking Ordinances

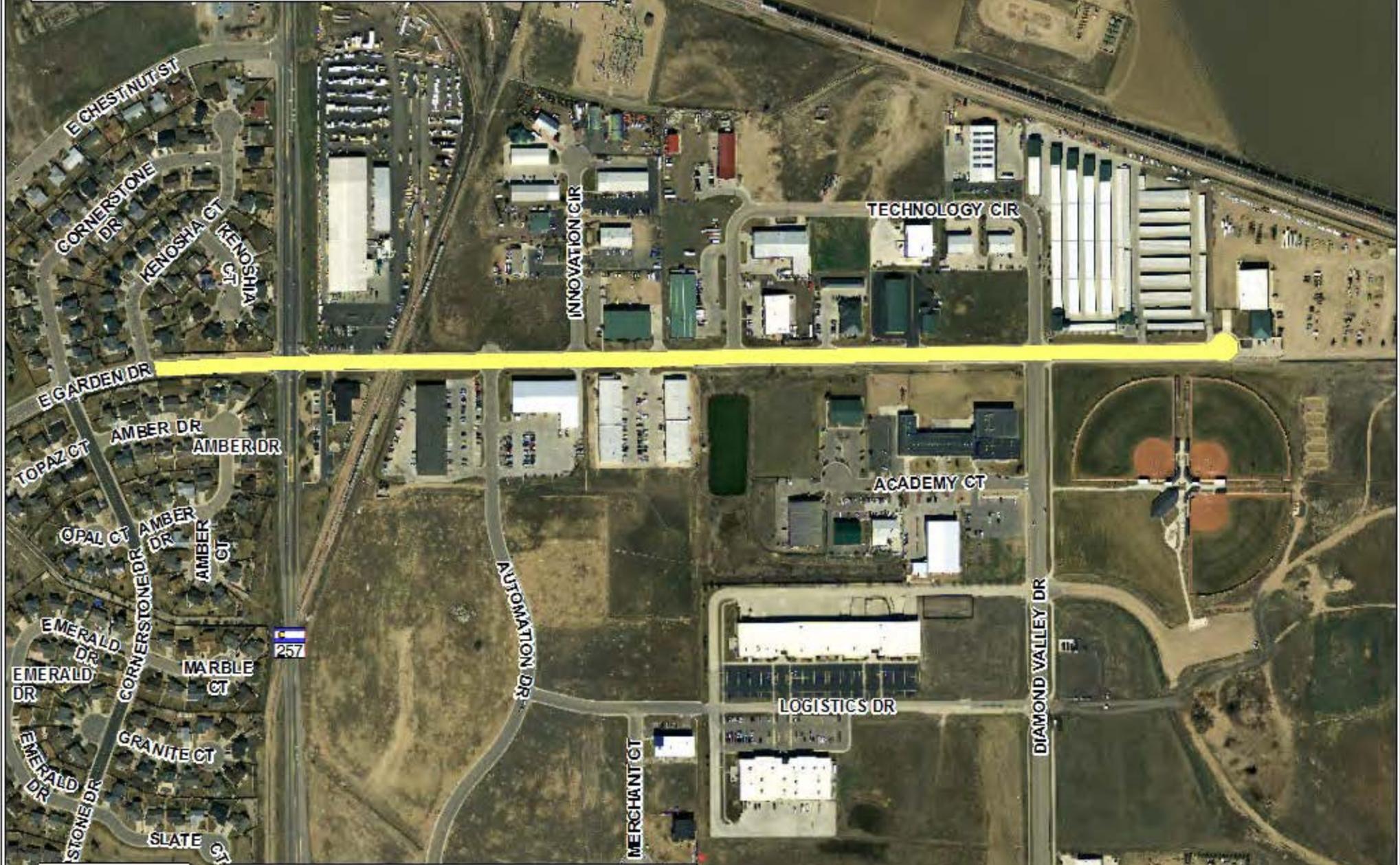


 Parking Ordinances Removed



This map was created for illustrative purposes only. No representation is made as to the accuracy of the information shown on this map or its contents. The user assumes all responsibility for the use of this map. Windsor Parking Ordinance Review & 2014 Update

Windsor Parking Ordinances



 Parking Ordinances Removed



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Windsor Parking Ordinances



 Parking Ordinance 8-2-30 Updated



1:15,000



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Windsor Parking Ordinances



Parking Ordinance 8-2-30 Updated



1:4,500

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Updated: 7/22/2014
Updated by: mmmwmd
Created:
Created by:
File: WindsorParkingOrdinanceAerialMap2014.rvt

TOWN OF WINDSOR

ORDINANCE NO. 2016 -

AN ORDINANCE REPEALING SECTIONS 8-2-20 AND 8-2-40, REPEALING, AMENDING AND RE-ADOPTING SECTION 8-2-30 OF THE *WINDSOR MUNICIPAL CODE* CONCERNING PARKING REGULATIONS

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority vested under Colorado law; and

WHEREAS, the Town has deemed it to be in the best interests of the health, safety and welfare of the residents of Windsor to keep the content of the *Windsor Municipal Code* current by making certain corrections and amendments from time to time; and

WHEREAS, the Town relies upon the Town Manager for the protection of the public streets and right of ways, and has delegated regulation of these, including the ability to authorize and designate parking regulations pertaining to all Town streets and rights of way to the Town Manager.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. Sections 8-2-20 and 8-2-40 of the *Windsor Municipal Code* are hereby repealed in their entirety.
2. Section 8-2-30 of Chapter 8 of the *Windsor Municipal Code* is hereby repealed, amended and re-adopted as follows:

Section 8-2-30. Parking Prohibited at Certain Locations.

- (a) The parking of motor vehicles on 11th Street between Main Street and Sagewood Drive shall be prohibited at all times.
- (b) The parking of motor vehicles in designated fire lanes shall be prohibited, without exception.
- (c) The Town Manager is hereby authorized and instructed to erect appropriate signs and make appropriate street and curb markings to designate the restricted parking areas established hereby.

Introduced, passed on first reading, and ordered published this _____ day of _____, 2016.

TOWN OF WINDSOR, COLORADO

By _____
Kristie Melendez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this _____ day of _____, 2016.

TOWN OF WINDSOR, COLORADO

By _____
Kristie Melendez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: August 1, 2016
To: Mayor and Town Board
Via: Work Session materials, August 1, 2016
From: Ian D. McCargar, Town Attorney
Re: Appointment of Municipal Court Judge (Manning retirement)
Item #: WKS 4

Background / Discussion:

Longtime Presiding Municipal Judge Michael E. Manning has submitted his resignation letter, effective January 1, 2017. In order to assure the continued functioning of the Municipal Court, a successor must be appointed and available to serve by the first court session on January 12, 2017. We recommend the appointment be completed by November 21, 2016.

I. Home Rule Charter requirements.

CHARTER § 9.2 - Municipal Court; Municipal Judge

- A. There shall be a Municipal Court vested with jurisdiction over matters arising under the Charter and ordinances of the Town.
- B. The Town Board shall appoint, by the affirmative vote of two-thirds (2/3) of the members of the Town Board in office at the time, a presiding Municipal Judge and such Deputy Municipal Judges as the Town Board deems necessary.
- C. The presiding Municipal Judge and each Deputy Municipal Judge shall be, at all times while serving as judge, an attorney at law admitted to practice in Colorado.
- D. The Town Board shall establish the compensation for the presiding Municipal Judge and each Deputy Municipal Judge. The compensation shall not be dependent upon the outcome of the matters to be decided by the Judge.
- E. The removal of any Municipal Judge during a term of office shall require a majority vote of all members of the Town Board. Any such removal shall be only for cause as specified in the State Statutes applicable to the removal of Municipal Judges or for any other conduct that would constitute a violation of the Colorado Code of Judicial Conduct, as from time to time amended, if committed by a judge subject to such code.

II. Current Municipal Court operations.

A. Judges. The Town Board has appointed Judge Manning to serve as Presiding Municipal Court Judge, and Teresa Ablao to serve as Associate Municipal Court Judge. As Associate Municipal Judge, Ms. Ablao serves as back-up to the Presiding Judge. Current terms will expire on December 31, 2016. Judge Manning has tendered his resignation letter.

B. Duties, generally. The Municipal Court convenes three (3) evenings per calendar month, the second and third Thursday of each month, plus the third Tuesday. The Municipal Court is primarily responsible for adjudicating citations issued by the Windsor Police Department. Secondly, the Municipal Court presides over certain due process aspects of nuisance abatement and impounded vehicles. Lastly, the Presiding Municipal Judge has some responsibility for administration of the Charter's Ethics Code.

C. "Court of Record". The Windsor Municipal Court is a statutory *Qualified Municipal Court of Record*, which means that certain statutory requirements must be met to assure that appeals from Windsor's Municipal Court are addressed in the State courts based solely on the Municipal Court record. Before conversion to "court of record" status, appeals from the Windsor Municipal Court required a new trial on appeal, rather than a decision based on the Municipal Court record alone. Court of record status requires:

- The establishment of a Municipal Court Clerk's Office, whose duties are by statute "... delegated ... by law, court rule, or the presiding municipal judge."
- Compensation of Municipal Court Judge(s) and Municipal Court Clerk(s) fixed by ordinance.
- A term of office not to exceed two (2) years for each Municipal Court Judge.

III. Suggested appointment process.

To assure timely appointment and availability, we suggest the appointment of Judge Manning's successor be finalized by no later than November 21, 2016. The process should take the following sequential steps:

A. Publicize the position opening through a Request for Qualifications ("RFQ") circulated in legal and judicial circles on or before September 1, 2016. Place a September 15 deadline on submissions.

- B. Within one (1) week after submission deadline, Town Attorney review of applicants to assure minimum qualifications and summarize candidate qualifications.
- C. At September 26, 2016, Town Board work session, Town Board review of candidates, narrow the list to a manageable number for interviews. Schedule interviews for October 17, 2016.
- D. Conduct interviews in public setting on October 17, 2016, coordinated by the Town Clerk's Office. Discuss candidate qualifications, strengths/weaknesses following interviews. Explore consensus. Complete evaluation by November 7, 2016.
- E. Direct Town Attorney to prepare Resolution of Appointment for Town Board official action on or before November 21, 2016.
- F. Take official action on appointment no later than November 21, 2016. Five (5) affirmative votes required, *per* Charter Section 9.2.B. 2017 Annual Budget contains Municipal Judge compensation as a line item.
- G. *NOTE:* if Ms. Ablao is appointed as Presiding Judge, the Town Board should appoint a Deputy/Associate Judge from the candidate pool. If Ms. Ablao is not appointed as Presiding Judge, she should be considered for another 2-year term as Associate Municipal Judge.
- H. Appointed Presiding Municipal Judge takes the oath of office on or before January 1, 2017. Appointee takes the bench for his/her first court session on January 12, 2017.

Financial Impact: Municipal Court Judge compensation is established by the annual budget, and reaffirmed each year by ordinance as required by state law.

Relationship to Strategic Plan: Safe community

Recommendation: Consider the foregoing, discuss in work session, give staff direction.



FUTURE TOWN BOARD MEETINGS

Work Sessions & Regular Meetings will be held in the Board Chambers unless otherwise noted.

August 8, 2016 5:30 p.m./1 st floor conference room	Board/Manager/Attorney Monthly Meeting Retail Study Report
August 8, 2016 7:00 p.m.	Town Board Meeting
August 15, 2016 6:00 p.m.	Town Board Work Session 2017 Revenue and CIP discussion Public Works project update
August 22, 2016 6:00 p.m.	Town Board Work Session PVREA update
August 22, 2016 7:00 p.m.	Town Board Meeting
August 29, 2016	Fifth Monday
September 5, 2016 6:00 p.m.	Labor Day holiday
September 12, 2016 5:30 p.m./1 st floor conference room	Board/Manager/Attorney Monthly Meeting School District bond update (tentative)
September 12, 2016 7:00 p.m.	Town Board Meeting Kern Board Meeting
September 19, 2016 5:00 p.m./CRC	Town Board Work Session NISP work session and tour
September 26, 2016 6:00 p.m.	Town Board Work Session
September 26, 2016 7:00 p.m.	Town Board Meeting
October 3, 2016 6:00 p.m.	Town Board Work Session
October 10, 2016 5:30 p.m./1 st floor conference room	Board/Manager/Attorney Monthly Meeting
October 10, 2016 7:00 p.m.	Town Board Meeting

October 17, 2016 Town Board Work Session
6:00 p.m. Budget follow up discussion

October 24, 2016 Town Board Work Session
6:00 p.m.

October 24, 2016 Town Board Meeting
7:00 p.m.

October 31, 2016 Fifth Monday

Additional Events

October 8, 2016 Town Board Budget work session

Future Work Session Topics

Continuation of Water Discussion
Water Rights Dedication Policy
Broadband discussion
CIP Parks Master plan
Economic Development Incentive Program review
Review of current Intergovernmental Agreements
Road Impact Fee review/update
Code Update kick off – Chapter 15-17 code update (September)
Overview of Police Operations
Greeley Loveland Water Irrigation Company follow up (September)
Weld County CPA Design Standards