1. Agenda 05 11 2020

Documents:

AGENDA 05 11 20.PDF

1.I. City Council Meeting Agenda Packet

Documents:

COUNCIL PACKET 05 11 20.PDF

AGENDA

CITY OF WESTMINSTER
Mayor and Common Council Meeting
Monday, May 11, 2020 at 7 pm
https://www.facebook.com/westminstermd/

1. CALL TO ORDER

2. APPROVAL OF MINUTES

A) Mayor and Common Council Meeting of April 27, 2020

3. PRESENTATIONS

A) Mayoral Proclamation, declaring May 17 – 23, 2020 as National Public Works Week

B) FY 2019 Financial Reports – Wanda Lynn and Ashley Hershey of Brown Schultz Sheridan & Fritz

C) Quarterly Update – Westminster Fiber Network Project – Ms. Matthews and Val Giovagnoni of Ting Internet

4. REPORT FROM THE MAYOR

5. COVID-19 PANDEMIC UPDATE

6. REPORTS FROM STANDING COMMITTEES

A) Arts Council

B) Economic and Community Development Committee

C) Finance Committee

D) Personnel Committee

E) Public Safety Committee

F) Public Works Committee

G) Recreation and Parks Committee

7. COUNCIL COMMENTS AND DISCUSSION

8. ORDINANCES & RESOLUTIONS

A) Adoption of Ordinance No. 922 – An Ordinance of the Mayor and Common Council of Westminster, Maryland Approving and Adopting a Budget for the Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021 – Ms. Palmer

B) Approval of Resolution No. 20-03 – Approving and Adopting Plan Documents for the City's Cafeteria Benefits Plan Including Its Flexible Spending Account – Ms. Childs

C) Adoption of Emergency Ordinance No. 923 – An Ordinance Deferring the Effective Date of the City's Plastic Bag Distribution Restrictions – Ms. Matthews

9. UNFINISHED BUSINESS

10. NEW BUSINESS

11. DEPARTMENTAL REPORTS

12. CITIZEN COMMENTS

Please submit comments to Shannon Visocsky, City Clerk, at Comments@westgov.com. If you would like your comments to be submitted as part of the record, please provide your full name and address. The Council President will read submitted comments that include the required information during the meeting, and they will be reflected in the meeting minutes.

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MINUTES

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CALL TO ORDER

Elected Officials Present: Councilmember Chiavacci, Councilmember Dayhoff, Mayor Dominick, Councilmember Gilbert, President Pecoraro, and Councilmember Yingling.

Staff Present: Director of Human Resources Childs, Director of Community Planning and Development Depo, Comprehensive Planner Gerhard, Director of Public Works Glass, Police Chief Ledwell, City Attorney Levan, City Administrator Matthews, Assistant Director of Recreation and Parks Mullendore, Director of Finance and Administrative Services Palmer, Director of Housing Services Valenzisi, and City Clerk Visocsky.

Guests: Graham Dodge, Executive Director of Mid-Atlantic Gigabit Innovation Collaboratory (MAGIC); and Kelly Shaffer Miller, Attorney of Shaffer & Shaffer, LLP.

APPROVAL OF MINUTES

President Pecoraro requested a motion to approve the minutes of the Mayor and Common Council Meeting of April 14, 2020.

Councilmember Chiavacci moved, seconded by Councilmember Dayhoff, to approve the minutes of April 14, 2020.

VOTE

AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

PRESENTATIONS

Mayoral Proclamations

Mayor Dominick presented Mayoral Proclamations, declaring the following:

- May as National Preservation Month;
- May 3 – 9, 2020 as Public Service Recognition Week; and,
- May 10 – 16, 2020 as National Police Week.

Quarterly Progress Report – Mid-Atlantic Gigabit Innovation Collaboratory (MAGIC)

Mr. Dodge, Executive Director of MAGIC, provided his quarterly update. A copy of Mr. Dodge's presentation is attached to these minutes and incorporated herein by reference.

President Pecoraro thanked Mr. Dodge for his presentation. Councilmember Yingling asked Mr. Dodge to elaborate on the potential grant opportunities cited during the presentation; Mr. Dodge replied that MAGIC had applied for two grants, totaling approximately $90,000.

During the presentation, Mr. Dodge stated that MAGIC envisioned Westminster to be the next technology hub to emerge in the United States, following in the footsteps of Mountain View, California, Boulder, Colorado, and Austin, Texas. MAGIC has titled its project Silicon Main Street.

In response to Councilmember Chiavacci's inquiry concerning what MAGIC needed from the City, Mr. Dodge responded an executable economic development plan. Mr. Dodge added that such a plan would include promotion of the City's existing opportunity zone and the leveraging of the Town Center Corporation, with the goal of providing a return on investment to the City.

Councilmember Chiavacci stated that he would like the City to assist in promoting MAGIC, adding that Main Street Manager Sandy Anderson regularly communicates with the downtown businesses. Councilmember Chiavacci encouraged Mr. Dodge to speak with Ms. Anderson about how the City could support MAGIC's efforts.

Mayor Dominick noted that the redesign of the City's website, which he is working on with City staff, provided an opportunity to highlight the Westminster Fiber Network more prominently. He added that the discussion of Silicon Main Street ties into a long-term discussion of the City's staffing needs and new goals. Mayor Dominick stated that the City's Main Street initiative has historically focused on restaurants and retail businesses.

Mayor Dominick noted the inclusion of his picture and the reference to his company (Gauge Digital Media) in Mr. Dodge's presentation. He clarified that his company provided support for the featured co-work space, but that the donation was unrelated to MAGIC or to his role with the City. Mayor Dominick then requested that Mr. Dodge refrain from any future use of Gauge Digital Media's logo and his picture in future MAGIC presentations to avoid any potential promotion of his company or ethical concerns.

Mayor Dominick then asked Mr. Dodge when MAGIC would learn whether its funding applications were approved, and whether the any awarded funding would be recurring. Mr. Graham responded that MAGIC should learn the status of its applications in the June/July 2020 timeframe; he added that one grant would likely provide one-time funding, but the other grant program had the potential to provide recurring funding.

Councilmember Dayhoff echoed the comments of Councilmember Chiavacci and Mayor Dominick regarding opportunities for the City to cross-promote with MAGIC. He expressed his support for the Silicon Main Street initiative, adding that having a niche was a critical component of any economic development strategy. Councilmember Dayhoff concluded his comments by thanking Mr. Dodge for his excellent presentation.

Councilmember Yingling stated that, when he joined the Common Council, he was advised that MAGIC's focus was to bring economic development to the City, providing a return on the City's investment in the organization. He advised his colleagues that he had reached out to Mr. Graham to invite him to a future meeting of the Economic and Community Development Committee so that these issues could be discussed. Councilmember Yingling stated that Mr. Dodge had accepted the invitation, and that a Committee meeting would be held in the near future.

Proposed FY 2021 Budget

Ms. Matthews presented the proposed Fiscal Year (FY) 2021 Budget. A copy of Ms. Matthew's presentation is attached to these minutes and incorporated herein by reference.

At the conclusion of Ms. Matthews' presentation, President Pecoraro noted that there would be two budget work sessions, which would allow plenty of time for the Mayor and Common Council to discuss the budget proposal.

PUBLIC HEARING

Constant Yield Tax Rate

Mayor Dominick conducted a public hearing regarding the Constant Yield Tax Rate.

Ms. Palmer stated that, pursuant to Maryland State Tax law, the constant yield tax rate is calculated by the Department of Assessment's and Taxation for each taxing authority in the State. It represents the property tax rate for the coming tax year that will generate the same amount of revenue that was generated during the current tax year. She informed the Mayor and Common Council that the Fiscal Year (FY) 2020 property tax rate was $0.56 per $100 of assessed real property. In accordance with the direction of the Mayor and members of the Common Council's Finance Committee, the City Administrator's proposed budget for FY 2021 assumes a continuation of this rate. She stated that the rate is 3% higher than the constant yield tax rate of $0.5425 per $100 of assessed real property and would generate $329,223 in new real property tax revenues.

Ms. Palmer recommended that the Mayor and Common Council hold the public hearing to receive community input regarding the City's FY 2021 real property tax rate. She added that the City adopted its tax rate as part of the overall budget, noting that Ordinance No. 922 adopting the FY 2021 budget was scheduled for introduction later in the meeting.

Mayor Dominick asked Ms. Palmer to elaborate on the increase in revenues despite the tax rate staying the same. Ms. Palmer replied that the City would realize revenue growth due to the higher property values and growth.

Councilmember Chiavacci inquired if similar advertising procedures would be required if property values decreased. Ms. Matthews stated that this had occurred during the late 200s recession, and there were no State requirements if the same tax rate yielded less revenue.

Mayor Dominick asked staff for clarification regarding comments from the public. Ms. Matthews responded that, in the public hearing advertisement, interested parties were informed to provide their written comments to Ms. Visocsky prior to the meeting. No comments were received.

President Pecoraro recommended that the public hearing record remain open until the close of business on May 1, 2020. With no further discussion by the Common Council, Mayor Dominick stated that the public hearing would remain open until May 1, 2020 to allow additional time for public comments to be submitted.

CONSENT CALENDAR

President Pecoraro requested a motion to approve the Consent Calendar consisting of the following:

- Approval of March 2020 Departmental Operating Reports;
- Approval – Deed of Easement for McDaniel College Storm Water Management Facility; and,
- Approval of Good Cause Waivers 20-01 and 20-02.

Councilmember Chiavacci moved, seconded by Councilmember Dayhoff, to approve the Consent Calendar as presented.

VOTE

AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

REPORT FROM THE MAYOR

Mayor Dominick stated that the City's website was one of the primary methods of communicating with the community. Given the City's desire to promote itself as tech forward, it was important that its website represent the City as such. Mayor Dominick stated that his goals in revamping the website were to enhance the user experience and information flow. He noted that 90% of the traffic on the City website concerned Recreation and Parks matters, such as special events information.

Mayor Dominick stated that he had participated in the recent Public Works Committee meeting regarding bulk item and yard waste collection.

Mayor Dominick shared with his colleagues that he was working with Ms. Matthews on a proposal to recognize the City staff members who continued to report to work during the COVID-19 pandemic. He anticipated having a final proposal with concrete numbers in the next 48 to 72 hours and would share the information with his colleagues at that time.

COVID-19 PANDEMIC UPDATE

Bulk Item and Yard Waste Collection during COVID-19 Pandemic

President Pecoraro noted the Mayor and Common Council's prior discussion of this matter on April 14, 2020. He then asked Mr. Glass to provide the staff report for this agenda item.

Mr. Glass stated that, in mid-March, the City modified the work schedules of many of its staff members in response to the COVID-19 pandemic. In most operational areas of Public Works, crews were divided in half to minimize potential disruption to the City's ability to provide critical services; if one crew becomes ill due to the coronavirus, the other crew would hopefully be healthy and available to work.

Mr. Glass noted that the amount of work that could be accomplished was reduced because Street Department staffing was cut in half during any given week; therefore, the decision was made to temporarily suspend bulk item and yard waste collection. The suspension impacted curbside collection of tree branches and brush, metal, yard waste, and large item collections such as furniture.

Mr. Glass stated that, as requested by the Mayor and Common Council on April 14, 2020, staff worked to develop a plan that would continue to prioritize employee safety, reduce the amount of paid administrative leave, avoid overtime costs, and allow some resumption of bulk item and yard waste collection service. As part of that effort, the Street Department staff assessed the extent of the uncollected items placed at the curb, and found that the majority of the items sitting at the curb were bags of grass clipping and leaves. Taking into account the concerns expressed at the April 14, 2020 meeting, and the data obtained through the Street Department assessment, Mr. Glass proposed the following:

- Removal of the current curbside debris on or around the last week of April, weather conditions permitting;

- A monthly collection of yard waste (grass clippings, tree limbs, etc.), with the service date advertised two weeks prior to the collection date through the City's customary communication channels;

- A quarterly collection of bulk items (furniture, mattresses, metal appliances, etc.), with the service date advertised two weeks prior to the collection date through the City's customary communication channels; and,

- A modified work schedule for Street and Utility Maintenance staff, with employees working 10 hours per day on a 3/2 split schedule to minimize employee contact and cross-contamination

from shared vehicles. This schedule would reduce paid administrative leave from 40 to 30 hours in a bi-weekly pay period and will not require the payment of overtime. Due to the 24/7 operation of the water plant and sewer plant, and the critical nature of those services, no change is proposed to the current seven days on, seven days off schedule.

Mr. Glass stated that staff would continue to monitor the latest public health guidance and Executive Orders issued by the Governor, and make adjustments in this plan as necessary.

President Pecoraro asked Mr. Glass if the Street Department had sufficient personal protective equipment to perform their work safely. Mr. Glass responded affirmatively.

Councilmember Dayhoff expressed his appreciation to everyone for working hard to pull together this proposal. He stated that this was indicative of how the Mayor and Common Council worked together to overcome differences of opinion. President Pecoraro thanked Councilmember Dayhoff for his communication with concerned citizens. Both Councilmember Gilbert and Councilmember Chiavacci stated that they were grateful for staff's efforts and were pleased that a modified pick up schedule could be put in place.

Councilmember Chiavacci asked Mr. Glass to clarify the work schedules of the Public Work staff going forward. Mr. Glass replied that water plant and sewer plant would continue to work seven days on, followed by seven days of administrative leave. The Street Department and Utility Maintenance Department staff would work ten hours per day under the new proposal, for a total of 50 hours worked and 30 hours of paid administrative leave during the bi-weekly pay period. Councilmember Chiavacci suggested that employees work on Saturdays and Sundays in order to reduce the amount of paid administrative leave. Mr. Glass noted that payment of overtime would be mandated under federal labor laws.

President Pecoraro stated that the pandemic situation was still evolving, and that adjustments would continue to be made. He noted that Mr. Chiavacci had raised an important point, and that staff understood his concern.

The Mayor and Common Council unanimously agreed to move forward with Mr. Glass' proposal.

Other Matters

Councilmember Pecoraro reminded everyone that the Westminster Flower and Jazz Festival, as well as the American Legion's Memorial Day Parade, had been canceled.

Ms. Matthews informed the elected officials that a decision to cancel the Westminster Beer and BBQ Stroll must be made by May 1, 2020 to avoid certain financial losses. Even if the Governor's Executive Order restrictions were lifted in the near future, there would not be sufficient time for the Recreation and Parks staff to make the necessary changes in the event structure to comply with anticipated requirements. For that reason, staff recommended that the City cancel the Stroll.

Mayor Dominick agreed with staff's recommendation, citing the timeline involved, the costs the City would incur by not making a decision by May 1, and the likelihood that restrictions on large gatherings would remain in place for the foreseeable future.

Councilmember Chiavacci asked Ms. Mullendore for a breakdown of the non-refundable costs the City would incur if it did not cancel the event by May 1. In response, Ms. Mullendore cited approximately $3,400 in deposits for entertainment, $366 owed to MissionTix, $1,637 in equipment rental deposits, $250 for the liquor license, and $1,500 in refunds for VIP tickets. Ms. Mullendore stated that it was unclear whether vendors would be entitled to deposits due to the unforeseen circumstances of the COVID-19 pandemic.

Ms. Matthews and Ms. Mullendore also shared their concerns regarding the City's ability to provide proper disinfection for the safety of attendees, volunteers, and City staff, even if the Governor lifted his restriction on such large scale events. Councilmember Chiavacci suggested rescheduling the event to the fall. Ms. Mullendore reminded him that the Fallfest Festival and the Oyster Stroll were already scheduled a few weeks apart in the fall, and it would be difficult for staff to manage another event in this timeframe.

President Pecoraro recognized the difficult choice that needed to be made, but felt it was the best for the City to make a decision now rather than postpone it. Councilmember Dayhoff also shared his support for canceling the event.

Councilmember Gilbert suggested that consideration be given to offering some type of virtual event. Ms. Mullendore replied that Recreation and Park staff would be happy to explore possible options. As Chair of the Recreation and Park Committee, Councilmember Dayhoff expressed his support for Councilmember Gilbert's suggestion, stating that a virtual event would provide an opportunity to promote the Recreation and Parks Department while sharing the City's appreciation to its community.

Councilmember Dayhoff shared his appreciation for how the Westminster community has come together during a difficult time.

Councilmember Dayhoff noted that the Maryland Municipal League conference, generally held in Ocean City, Maryland, during the month of June, would be held virtually due to the COVID-19 pandemic. Ms. Matthews informed the elected officials that Ms. Schlitzer had canceled the hotel reservations. Staff had not yet registered the City's attendees given the uncertainty surrounding the conference, so no refunds needed to be processed.

Chief Ledwell informed the Mayor and Common Council that the Westminster Police Department was tracking City expenses related to the COVID-19 response. Other City departments were providing their expenses to the Police Department, which would aggregate the information and submit it to Carroll County Government as part of its CARES Act, a Coronavirus Relief Fund, filing.

Chief Ledwell reported that 403 COVID-19 cases had been reported in Carroll County: 47 fatalities and 71 released from isolation after testing positive. The Mayor and Common Council asked Chief Ledwell if these cases were broken down in more geographic detail. Chief Ledwell responded that these were the cases reported to the Carroll County Health Department, and no further information was available.

Councilmember Dayhoff asked Chief Ledwell for an update on Access Carroll's medical respite site at East Middle School. Chief Ledwell replied that nine homeless individuals were utilizing the respite site, none of whom were diagnosed with the coronavirus.

President Pecoraro thanked the Westminster Police Department and Public Works Department for continuing to provide services to the community.

REPORTS FROM STANDING COMMITTEES

There were no reports from the following Standing Committees: Economic and Community Development Committee, Personnel Committee, and Recreation and Parks Committee.

Councilmember Dayhoff, on behalf of the Arts Council, reported that the virtual PEEPshow prequel would continue until May 7, 2020. For more information, he asked that everyone check out the Carroll Arts Center's newly redesigned website. Councilmember Dayhoff also reported that installation of the new HVAC system at the Carroll Arts Center was delayed due the Public Works Department provided

an update that the installation of the HVAC system was delayed due to the system manufacturer's closure as a result of the COVID-19 pandemic.

President Pecoraro, on behalf of the Finance Committee, thanked Ms. Matthews and Ms. Palmer for their hard work on preparing the budget presentation for FY 2021. He looked forward to the budget workshops on April 30 and May 4, 2020.

Councilmember Chiavacci, on behalf of the Public Safety Committee, reported that crime rates in the City were continuing to decrease since 2019. He then expressed his appreciation for the police officers reporting to work as usual and being on the front lines during the pandemic.

Councilmember Yingling, on behalf of the Public Works Committee noted the recent visit to Capitol Hill by Mr. Glass and Watek, the City's engineering consultant for the pilot project, in conjunction with representatives from the WateReuse Association; the parties met with the staffs of Senator Cardin and Senator Van Hollen to secure funding for the Alternative Water Source Grants Pilot Program. Councilmember Yingling reported that the lobbying effort was successful, as $25 million per year was allocated in the draft Senate water infrastructure bill. The WaterReuse Association reported that Maryland's senators were instrumental in securing the funding's inclusion.

COUNCIL COMMENTS AND DISCUSSION

Councilmember Dayhoff expressed his appreciation for the excellent staff report provided in the agenda packet related to the Good Cause Waiver approved earlier in the agenda. He also thanked Ms. Matthews and Ms. Palmer for their hard work on the budget for FY 2021.

Councilmember Dayhoff shared his hope that the pandemic would provide time for the elected officials and staff to make progress on pending initiatives. He understood, however, that the pandemic had created new challenges to which the City had to respond.

Mayor Dominick thanked City staff and residents for their actions during the pandemic. Many were doing things that they customarily did not do, and some were at greater risk as a result. Mayor Dominick noted the recent work of the Public Works Committee and Finance Committee. He then thanked Ms. Matthews and the other members of the City staff for their work during the pandemic. Mayor Dominick noted that, despite the challenges and losses resulting from the pandemic, there were opportunities to be creative and to identify what could be done. He was proud that the City was approaching the situation in this manner.

ORDINANCES & RESOLUTIONS

Ordinance No. 922

Ms. Palmer informed the Mayor and Common Council that Ordinance No. 922, was an ordinance to approve and adopt a budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021. She recommended that the Common Council introduce the ordinance. Ms. Palmer noted that the ordinance was scheduled for adoption on May 11, 2020.

Councilmember Chiavacci moved, seconded by Councilmember Yingling, to introduce Ordinance No. 922, approving and adopting a Budget for Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021.

VOTE

AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

UNFINISHED BUSINESS

Annual Review of Automated Enforcement Program – Year 10

Chief Ledwell noted that he presented the annual review for the Automated Enforcement Program (AEP) on April 14, 2020; at this time, the City's AEP consisted of a single red light camera located at Malcolm Drive and Nursery Road. As he noted on April 14, 2020, the Police Department was not opposed to terminating the AEP with the support of the Mayor and Common Council.

Chief Ledwell stated that, as requested by the Mayor and Common Council on April 14, 2020, he had compiled collision data for the intersection of Route 140 at Malcolm Drive, the previous location of four red light cameras that had been removed early in the history of the City's AEP. The elected body wanted to assess what happened in the wake of the removal of these cameras before making a decision on the remaining, single camera.

Councilmember Chiavacci stated that the data suggested that the AEP had reduced collisions. He noted that, since the remaining Site 505 camera was installed, a "no left turn" light was installed, which also contributed to the reduction in collisions. Councilmember Chiavacci concurred with the Police Department's recommendation to terminate the sole remaining red light camera.

Councilmember Gilbert and Mayor Dominick expressed their support for terminating Site 505. Mayor Dominick added that the data provided by Chief Ledwell supported the Police Department's recommendation to terminate the site, particularly given the program's operational impacts.

Councilmember Gilbert moved, seconded by Councilmember Chiavacci, to terminate the red light camera operation at Site 505.

VOTE

AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

NEW BUSINESS

Westminster Public Housing Agency FY 2020 Administrative Plan and 5-Year Plan

Ms. Valenzisi informed the Mayor and Common Council that the Public Housing Plan (PHA) was a comprehensive guide to PHA's policies, programs, operations, and strategies for meeting local housing needs and goals. There were two parts to the PHA Plan, The Five-Year Plan and the Annual Plan, which was submitted to the U.S. Department of Housing and Urban Development (HUD) every fifth PHA fiscal year and annually, respectively.

Ms. Valenzisi recommended certain changes to both the Five-Year Plan and the Annual Plan, as outlined in the staff report included in the agenda packet. She informed the Mayor and Common Council that the City's Advisory Board, comprised of randomly chosen participants in the City's Housing Choice Voucher Program, reviewed the proposed changes for the plans. Following their review, the board did not have any comments. If the Mayor and Common Council authorize the propped changes, staff would then submit the plans to the HUD Field Office in Baltimore.

Councilmember Gilbert referred to the proposed change in Chapter 3 – Applying for Admission. She asked Ms. Valenzisi if the waitlist was accessible on the City's website. Ms. Valenzisi replied that a family could apply online at www.westminstermd.gov to be placed on the waitlist, at which time they could create an account that would allow them to check their placement number. Councilmember Gilbert then inquired how many were on the waitlist for the City's Housing Choice Voucher Program. Ms. Valenzisi replied that the waitlist consisted of more than 900 applicants.

Councilmember Gilbert then referenced Chapter 20 – Family Self-Sufficiency Program, asking Ms. Valenzisi the reason for deleting this chapter of the draft plan. Ms. Valenzisi replied that the City no longer receives grant funding for this program, and had previously satisfied the program's requirementrs.

Councilmember Chiavacci moved, seconded by Councilmember Gilbert, to approve the Westminster Public Housing Agency's FY 2020 Administrative Plan and Five-Year Plan as presented.

VOTE
AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

Possible Additional Work for 45 West Main Work
Ms. Matthews informed the Mayor and Common Council that the City requested pricing from Warner Construction for possible additions to the contracted scope of work for 45 West Main Renovation Project. Warner Construction provided final change order pricing for three items as described in the staff memo included in the agenda packet. Ms. Matthews then addressed each of the change orders for discussion.

- Additional Telecommunications Items
  Ms. Matthews noted, that just prior to the meeting, Gant Brunnett Architects provided information on a less costly approach for the telecom items, reducing the pricing for this discretionary change order from $32,423.85 to $11,666.50. Mayor Dominick posed a technical question regarding the installation approach. Councilmember Chiavacci suggested that the Common Council move forward with a vote on this item, allowing Mayor Dominick to make the final decision after discussing the pending issue with City staff. He noted Mayor Dominick's expertise in this area.

  Councilmember Chiavacci moved, seconded by Councilmember Dayhoff, to approve the Change Order for the additional Telecommunications items and to allow Mayor Dominick to execute the necessary paperwork after completion of his review.

  VOTE
  AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
  NAYS: None.

- Additional Storefront and Curtain Walls
  Ms. Matthews noted that she had emailed pictures of the various options, which included full replacement of the windows, keeping the existing windows and painting the spandrel panels to match the standing seam roof, or no change at all. The cost for painting the spandrel panels was pending, but would be considerably less expensive than the full replacement option. Following discussion and review of these options, the Mayor and Common Council agreed that it was not worth the expense to replace the windows. They directed Ms. Matthews to bring back pricing information for painting the spandrel panels to match the standing seam roofing.

- Conduit Relocation
  Following review of the change order to relocate the electrical conduits discovered during demolition, Ms. Matthews recommended approval as presented.

  Councilmember Chiavacci moved, seconded by Councilmember Dayhoff, to approve the Change Order for conduit relocation in the amount of $2,033.90.

VOTE
AYES: President Pecoraro, Councilmember Chiavacci, Councilmember Dayhoff, Councilmember Gilbert, and Councilmember Yingling.
NAYS: None.

Ms. Matthews informed the Mayor and Common Council that, in addition to the above change orders, Warner Construction provided preliminary estimates for other proposed work at 45 West Main Street. These preliminary estimates would likely increase by 20 – 25% once all overhead and general conditions cost and fees were included. She stated that if the estimates were accepted, much of the work would be completed simultaneously and would not warrant the cumulative added workdays associated with each individual task. Ms. Matthews noted that Gant Brunnett reviewed the preliminary estimates submitted by Warner Construction for the informal request for proposals (IRFP), and found them to be reasonable as described in the agenda packet. She then presented each item for discussion by the Mayor and Common Council.

- IRFP #1 – Parking Lot Paving ($36,192.45)
  The Mayor and Common Council's consideration of this matter included the most cost-efficient way to accomplish the work (by Warner Construction or by the City's street paving contractor), operational disruption if the work was undertaken following building occupancy, and the financial impact of the COVID-19 pandemic on the FY 2021 budget.

  Councilmember Yingling moved, seconded by Councilmember Gilbert, to approve Warner Construction to do the parking lot paving at the preliminary cost of $36,192.45 as presented.

  VOTE
  AYES: President Pecoraro, Councilmember Gilbert, and Councilmember Yingling.
  NAYS: Councilmember Chiavacci and Councilmember Dayhoff.

- IRFP #2 – Parking Lot Lighting ($20,219.85 + Estimated Engineering Fees of $6,000)
  During the discussion of this matter by the Mayor and Common Council, staff was asked if the parking lot lighting needed to be replaced immediately. Ms. Glass stated that he would like the opportunity to inspect the fixtures. Matthews and Mr. Glass explained that the existing posts were deteriorating. The Mayor and Common Council unanimously agreed to have Mr. Glass assess the parking lot lighting before making a decision.

- IRFP #4 – Masonry Air Shaft Walls ($13,516.65)
  Ms. Matthews informed the Mayor and Common Council that the air shaft located in the rear of the building was surrounded by glazed brick walls that were beginning to crack. The proposal was to demolish the brick walls and replace them with a louvered mechanical-screen fence, Councilmember Dayhoff noted that the height and materials of the existing walls were designed as such to prevent car exhaust from being brought into the building. The Mayor and Common Council agreed to defer consideration of this item until a future date to allow staff to research Councilmember Dayhoff's concerns. Ms. Matthews noted that this item was not time sensitive.

- IRFP #5 – Detergent Wash Building Exterior ($4,200.00)
  Due to the lateness of the hour, Ms. Matthews recommended deferring this item until a future meeting, as it was not time sensitive. The Mayor and Common Council concurred.

DEPARTMENTAL REPORTS

City Administrator

Ms. Matthews reported that, during the bi-weekly progress meeting for the 45 West Main Renovation Project on April 21, 2020, Warner Construction informed staff that it had moved to four 10-hour days for weeks when County inspections were scheduled. She explained that this was to accommodate the

restrictions put in place by the County, stipulating that the building must be vacant for 24 hours prior to the inspection. Additionally, Warner Construction reported that it had implemented a new safety precaution as of April 22, 2020, requiring all visitors to wear facemasks while on-site.

Ms. Matthews noted her report on April 14, 2020, during which she provided an update on the redevelopment of the former Stocksdale Property. Partners for Economic Solutions (PES), the firm retained by the City to assist us with marketing the property for redevelopment, reported that its initial outreach to the development community indicated an unwillingness to review new opportunities in this time of great uncertainty and financial strife. Ms. Matthews informed the Mayor and Common Council that PES recommended that the developer solicitation be delayed until the markets had a chance to recover and future prospects became clearer. After consultation with the Mayor and members of the Economic and Community Development Committee, Ms. Matthews informed PES that the developer solicitation was put on hold.

Ms. Matthews shared with the Mayor and Common Council that she had followed up with PES on the status of the preliminary Site Characterization Report. PES reported that they are in the process of refining the models and numbers, so the Report upload to the FTP site was delayed.

Westminster Volunteer Fire Department
Councilmember Dayhoff, on behalf of the Westminster Volunteer Fire Department President Daniel Plunkert, reported that the department continued to be busy. He stated that there were concerns about maintaining an adequate supply of personal protective equipment.

Community Planning and Development
Mr. Depo reported that, on May 5, 2020, the Board of Zoning Appeals would review the special exception for the Valvoline Service Station. He noted that the traffic concerns would be addressed, as raised by Councilmember Chiavacci on April 14, 2020.

On May 6, 2020, the Historic District Commission would review the following:

- Historic Tax Credit Applications;
- The Commission's Rules of Procedure for Tax Credits; and,
- The Commission's Rules of Order and Procedure.

Mr. Depo then informed the Mayor and Common Council that the Planning and Zoning Commission was tentatively scheduled to review the following at its meeting on May 14, 2020:

- Site Development Plan and Utility Easement Plan for Westminster Mission BBQ;
- Signage for Big Lots;
- Site Development Plan for Royal Farms;
- Site Development Plan for Family and Children's Services; and,
- The County's Annual report.

Westminster Police Department
Chief Ledwell reported reported that officers continued to enforce the Governor's Executive Orders prohibiting gatherings of more than ten people, operation of non-essential businesses, and face

covering not being worn. They also were periodically stopping by Access Carroll's respite site. Chief Ledwelll shared that call volume remains below average; calls for service were mostly for domestic abuse and assault complaints, disorderly conduct calls, and emergency petitions for suicidal individuals.

Finance and Administrative Services
Ms. Palmer reported that the presentation of the 2019 Audit Financial Reports would be held during the Mayor and Common Council meeting on May 11, 2020. She stated that the City's current auditing firm was very detailed and specific in its findings, adding that she welcomed their feedback and the opportunity to improve City operations in conjunction with other staff members. Ms. Palmer encouraged the Mayor and Common Council to review the Reports prior to the presentation.

Housing Services Department
Ms. Valenzisi reported that her department was conducting virtual inspections due to the pandemic. In the case of an unoccupied unit, staff would conduct an on-site inspection. Housing Services continues to process applications for the Rental Housing License Program.

CITIZEN COMMENTS
President Pecoraro read a comment submitted by Kevin Wagman, 153 East Green Street. Mr. Wagman thanked the Street Department staff for their dedication and making the City look beautiful. He commented that having yard waste and tree limb pickup allows residents to maintain their properties. Mr. Wagman also discouraged City residents from making critical comments about the City. He shared his pride in being a Westminster resident, and expressed his appreciation to the Mayor, Common Council, and City staff.

ADJOURNMENT
President Pecoraro adjourned the meeting at 10:14 pm.

Respectfully Submitted,

Shannon Visocsky, City Clerk

Full audio version is available on www.westminstermd.gov

magic

MID-ATLANTIC GIGABIT INNOVATION COLLABORATORY

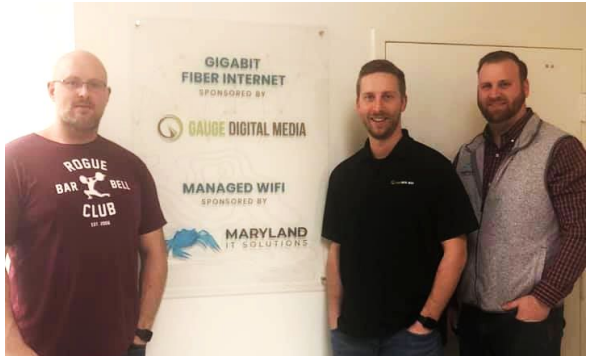
3rd Quarter Progress Report

January, February, March - 2020

PROBLEM

- MAIN STREET AMERICA IS IN DISREPAIR, NET NEGATIVE JOB GROWTH
- NO BASELINE DATA TO INFORM DECISION-MAKING
- RESIDENTS ARE COMMUTING 60-90 MIN AWAY
- LESS VISITS FROM NON-RESIDENTS
- ECONOMIC LOSSES LEADING TO ADDICTION, CRIME, TRUANCY & POOR HEALTH OUTCOMES
- **AT EVEN GREATER RISK IN PERIODS OF RECESSION AND PANDEMICS!**

‘SILICON MAIN STREET’



- A TECHNOLOGY-DRIVEN, ECONOMIC DEVELOPMENT PLAN FOR WESTMINSTER
- REVERSE FLOW OF COMMUTERS, RETENTION OF ‘GEN Z’, NET POSITIVE JOB GROWTH
- CREATES ‘SANDBOX’ INFRASTRUCTURE FOR TECHNOLOGY & INNOVATION
- **MORE RESILIENT TO RECESSIONS AND PANDEMICS**
- **STATE-LEVEL RECOGNITION AND BEYOND!**

‘SILICON MAIN STREET’

- AUTONOMOUS INFRASTRUCTURE
- MAGIC VETTED VENDOR
- MCDANIEL STUDENTS APPLYING FOR GRANT
- DDT 5-PHASE PLAN

- COGARAGE IS HERE!
- MBIA MEMBERSHIP / TEDCO GRANT APPLICATION
- STARTUP INCUBATION & ACCELERATION

- TING PARK & WIFI NOW AVAILABLE IN THE CONWAY LOT!
- EXPLORATION COMMONS COMING SOON!

COMPANY SHOWCASE

autonomous_ID

BATTLEGROUND

GARAGE

DDT
Dynamic Dimension Technologies

Dirigible

KNOWME

<Skayl>
BOLD. VISIONARY. INTEGRATED.

Startup Portal

switchbridge

ting

TOMLIN TECHNOLOGY

WHISKEY LABS

YESDi

HOW?

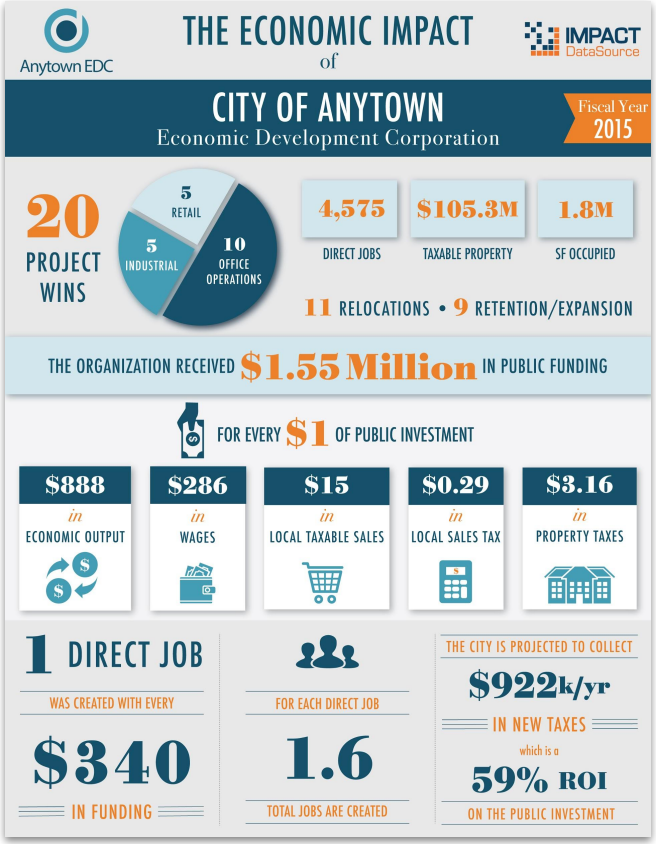
GOOD SOIL:

- LOW COST OF LIVING/ HIGH QUALITY OF LIFE
- GOVERNMENT CONTRACTORS & FEDERAL WORKERS
- INSTITUTIONS OF HIGHER LEARNING CO-INVESTED IN WORKFORCE DEVELOPMENT

STRATEGIC PLANTING:

- INFRASTRUCTURE IMPROVEMENTS
- STARTUP INVESTING
- EMPLOYER TAX INCENTIVES
- RELOCATION GRANTS
- STRATEGIC ZONING

NEXT STEPS



- CRYSTALLIZE VISION INTO EXECUTABLE PLAN THAT ENCOMPASSES FIBER, OPPORTUNITY ZONE, AND WESTMINSTER TOWN CENTER CORPORATION
- DEVELOP REPORTING TEMPLATE WITH CITY'S ECONOMIC DEVELOPMENT COMMITTEE
- IDENTIFY SOURCES OF AVAILABLE DATA
- MONITOR AND COMMUNICATE VIA QUARTERLY UPDATES

MAGIC Mission:

To build a tech ecosystem that creates and nurtures talent, entrepreneurship, and tech businesses, elevating Westminster to lead the Mid-Atlantic region.

MAGIC Vision:

For Westminster to be the next technology hub to emerge in the United States. Following in the footsteps of Mountain View, Boulder and Austin.

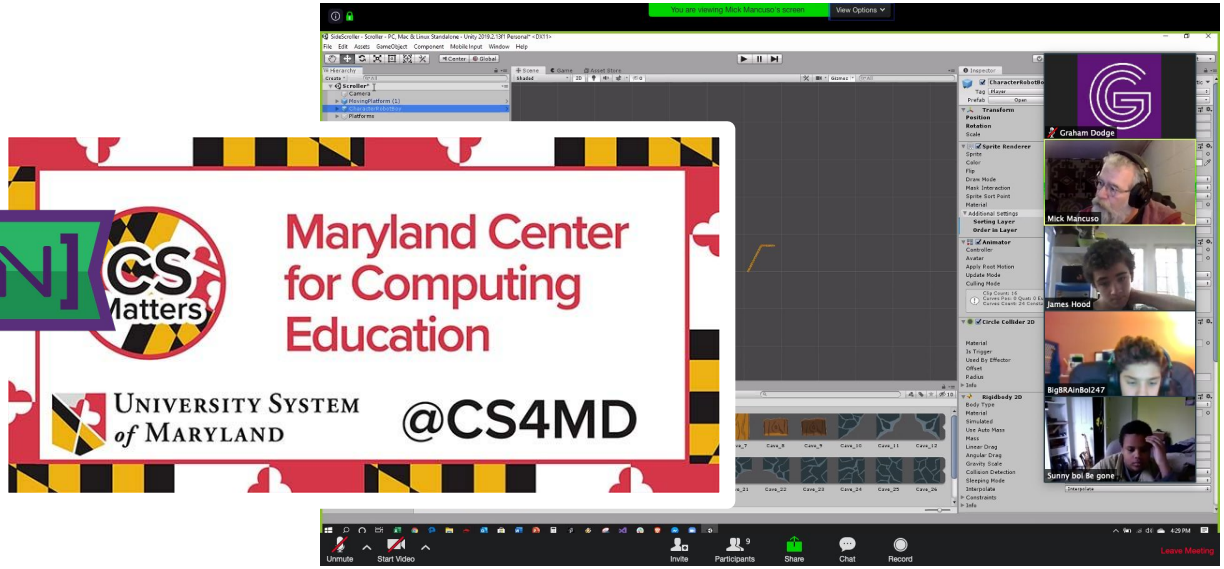
#SiliconMainStreet

magic
MID-ATLANTIC GIGABIT INNOVATION COLLABORATORY

QUARTERLY KPIs

Measurement/Activity	Q1	Q2	Q3	Q4	Total
Number of sponsors participating in special events	0	29	8		
Amount of sponsor revenue received	0	$15.8k	$7,875		
Number of grant applications submitted	2	2	4		
Number of volunteers from venture capitalists, startups, and tech companies	6	10	17		
Jobs placed/facilitated within the City of Westminster	2	0	3		
Jobs placed/facilitated outside the City of Westminster	0	1	0		
Number of conferences/events attended or hosted	6	7	3		
Number of conferences/business events attended at which the Westminster Fiber Network was promoted	2	4	1		
Coverage in local and regional news publications	4	8	5		

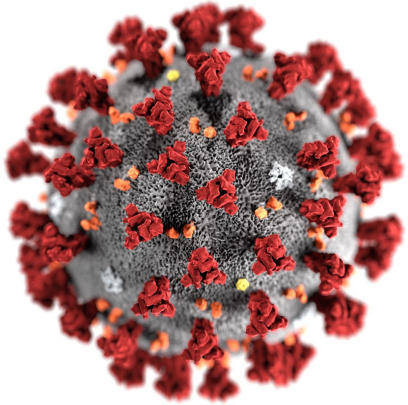
ACCOMPLISHMENTS THIS PAST QUARTER



- MAGIC HACKATHON 2020 - Over 150 attendees! Attracted non-residents from as far as Charles and Anne Arundel Counties
- AWARDED MCCE GRANT - $2,500 will support our new “CTF For Teachers” program to educate teachers about Cybersecurity and how to host their own classroom competitions.
- LAUNCHED ‘INTRO TO GAME DEVELOPMENT’ - First paid course. Successfully moved to 100% virtual program via Zoom.

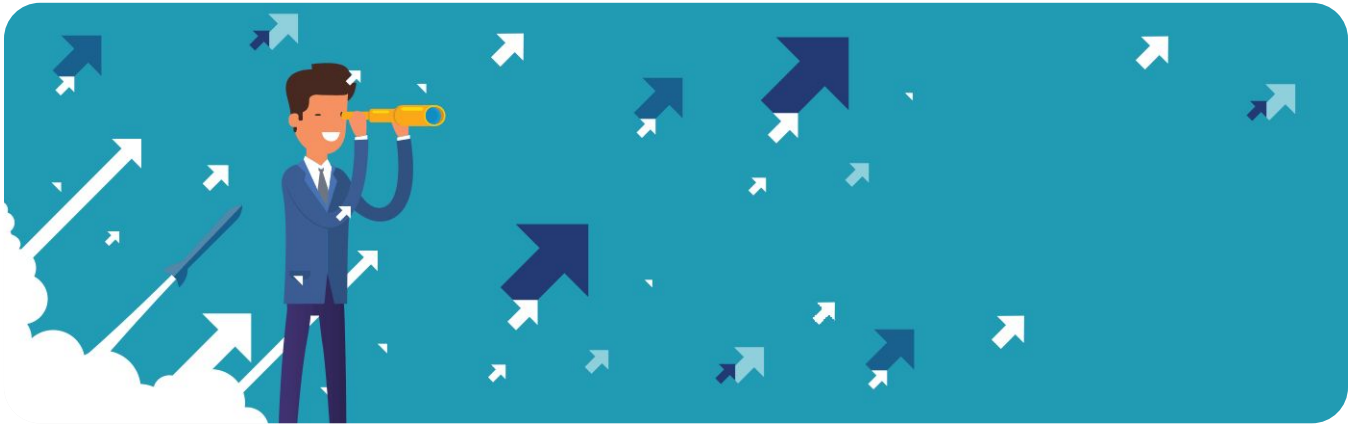
MID-ATLANTIC GIGABIT INNOVATION COLLABORATORY

LOSSES & DELAYS DUE TO COVID-19



- Capture The Flag 009 - Planned for April 18th - CANCELLED (~$5k loss for Q4)
- CTF For Teachers - 3 events for May and June - CANCELLED (~$1k loss for Q4)
- Business Risks 2020 Cybersecurity Conference- Planned for May 8th - RESCHEDULED for October 16th, 2020 (~$10k loss for Q4)
- 2 Job Placements within Westminster - DELAYED
- Hackathon Winning Team - Professional introductions
- Donor Dinner Event - TENTATIVE
- GoodGame Healthy Gaming Festival - Planned for September 25th-26th - TENTATIVE

WHAT'S AHEAD NEXT QUARTER



- VIRTUAL PROGRAMS! - Highlights value of gigabit fiber connectivity:
  - LAUNCH VIRTUAL ACCELERATOR - 45 Day program, circling angel investors to build syndicate
  - LAUNCH VIRTUAL CTF PROGRAMS - May 16th!
  - EXPAND PAID COURSE OFFERINGS - More Game Development, New Web/App Development
- GRANT NOTIFICATIONS - We've applied for grants from Kahlert Foundation, Trumpower Foundation, USDA and AARP.

BAG OF TRICKS

- REMOTE WORKING TAX CREDITS 🔴
- RELOCATION GRANTS 🔴
- CROSS PROMOTION WITH CITY 🔴
- BASELINE DATA ANALYSIS 🔴
- CITY FUNDING FOR STARTUPS 🟡
- KAUFFMAN FOUNDATION PARTNERSHIPS 🟡
- $1M PERKS PROGRAM 🟢
- TECH JOBS BOARD 🟢
- FACADE GRANT, OPPORTUNITY ZONE, AND MORE ZONES! 🟢
- CROSS PROMOTION WITH COUNTY 🟢

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MID-ATLANTIC GIGABIT INNOVATION COLLABORATORY

Proposed FY 2021Budget

MAYOR AND COMMON COUNCIL PRESENTATION

APRIL 27, 2020

Budget Drivers

- No change in tax rates
  - Increased revenues due to higher assessed values
- Water and sewer rates as adopted in May 2018
- Economic impact of COVID-19 pandemic
- Continued implementation of Comp and Class Study results
- Insufficient fiber revenues to cover debt service costs

Budget Structure

3

- General Fund
- Water Fund
- Sewer Fund
- Fiber Fund
- Capital Projects Fund

Budget Overview

- Combined revenues (all funds) = $62.2 million
- Combined expenditures = $65.5 million
- Variance = $3.3 million
  - Reserve allocation from multiple funds

Personnel Costs

- Employee wage adjustments (all funds)
  - 2% across-the-board adjustment for eligible staff ($160,000)
  - Phase 3 Comp & Class Study implementation ($78,000)
- Employee health insurance
  - 9.9% increase
- MSRA rates
  - Pension – 9.38% to 10.24%
  - LEOPS – 32.22% to 34.93%

Personnel Costs

- FY 2020 Police "over-hire" position made permanent
  - No budgetary impact
- New Special Projects Manager position
  - Allocated across General, Water, and Sewer Funds
- Addition of one Equipment Operator (Streets)
  - General Fund

Personnel Costs

- Addition of one Equipment Operator (Utility Maintenance)
  - Allocated across Water, Sewer, and Fiber
- Addition of one Mechanic
  - Water Fund

General Fund Overview

- Real property tax revenue = 49% of fund revenues
- Other fund revenue sources
  - Personal property and utility taxes
  - Income tax receipts
  - County/Town agreement
  - Charges for services
- Projected decline in certain revenue sources
- Reduced investment income

General Fund Overview

- Major cost driver is personnel costs
  - 48% of fund expenditures
- Community Planning & Development
  - Zoning Code update = $60,000
  - Partners for Economic Solutions contract = $38,800
- Outside agency funding
  - Westminster Volunteer Fire Department ($250,000)
  - Westminster Municipal Band ($5,000)

Family Fitness Center

Westminster Family Center Revenue and Expenditure History FY 2014 - FY 2020

	2014	2015	2016	2017	2018	2019	FY 2020 through 4/1/20
Revenue	176,917	194,058	167,813	179,128	230,523	265,105	192,062
Expense	391,022	466,384	453,428	466,087	508,528	509,813	307,474
Loss/Gain	(214,105)	(272,326)	(285,615)	(286,959)	(278,005)	(244,708)	(115,412)

Family Fitness Center

- Projected FY 2021 operating deficit = $209,437
- FY 2021 capital projects ($90,000)
  - Equipment replacement
  - Shower room renovation
- Majority of members are non-residents

Water Fund Overview

- Previously approved rate increase = 3.5%
  - Multi-year rate structure established in May 2018
- Reduced consumption by large users
  - Rate structure may need to be re-evaluated
- Reserve allocation = $302,209
  - Re-appropriation of FY 2020 funding

Water Fund Overview

- Route 27 Water Main Project = $325,000
- New Water Supply Source Development = $250,000
- GIS Engineering Work = $100,000

Sewer Fund Overview

- Previously approved rate increase = 5%
  - Multi-year rate structure established in May 2018
- Reduced consumption by large users
  - Rate structure may need to be re-evaluated
- Reserve allocation = $269,970
  - Re-appropriation of FY 2020 funding

Sewer Fund Overview

- ENR/Biosolids Project = $22.4 million
- County Septage Facility Upgrade = $1.74 million
  - Fully funded by County
- Inflow and Infiltration Project = $1.6 million
- Clarifier Feed Gate/Drive Replacement = $300,000
- GIS Engineering Work = $100,000

Fiber Fund Overview

- State loan drawdown = $503,215
- FY 2021 revenues insufficient to cover debt service
  - State loan proceeds cannot be used for debt service
  - General Fund operating transfer required = $203,025
- Grant to MAGIC = $80,000

Capital Projects Fund Overview

- Fund revenue sources
  - Dedicated property tax revenues
  - HUR funding
  - Special benefit assessment fees
  - Grant funding
  - Reserve allocation ($0.71 million)
  - General Fund transfer ($1.98 million)
- Bond financing assumed for any pool improvements

Capital Projects Fund Overview

- Community Pool improvements
- 45 West Main Street Renovation Project
- Road paving
- Vehicles/equipment
- Debt service

FY 2021 Budget Calendar

- April 30, 2020 at 7:00 p.m.
  - Budget Public Hearing #1
  - Budget Work Session
- May 4, 2020 at 5:30 p.m.
  - Budget Public Hearing #2
  - Budget Work Session
- May 11, 2020 at 7:00 p.m.
  - Adoption of Budget Ordinance

Mayoral Proclamation

Recognizing National Public Works Week 2020

Whereas, public works services provided in the City of Westminster are an integral part of our residents' everyday lives; and,

Whereas, the services provided the Westminster Public Works Department staff include utility maintenance, snow plowing, water treatment and distribution, sewage treatment, street repairs, facility maintenance, and repair of City equipment; and,

Whereas, the health, safety, comfort, and quality of life of the Westminster community greatly depends on these services; and,

Whereas, the quality and effectiveness of these services, as well as their planning, design, and implementation, is vitally dependent upon the efforts and skill of the City's public works employees; and,

Whereas, the Mayor and Common Council wish to publicly salute the service and contributions of the employees of the Westminster Public Works Department.

Now, THEREFORE, I, Joe Dominick, Mayor of the City of Westminster, in conjunction with the Common Council, do hereby proclaim May 17 – 23, 2020, as National Public Works Week in the City of Westminster; and

BE IT FURTHER PROCLAIMED THAT all residents are encouraged to join the Mayor and Common Council in commemorating this observance by thanking the members of the Public Works Department, past and present, for their dedicated service to the City of Westminster and for their efforts to maintain and enhance the quality of life in the Westminster community.

Adopted this 11th day of May, 2020.

_____

Joe Dominick
Mayor

To: Mayor and Common Council

From: Tammy Palmer, Director of Finance and Administrative Services

Date: May 7, 2020

Re: Presentation – FY 2019 Audited Financial Reports

Background

In accordance with §4-12.B of the City Code, an audited statement of the finances of the City is prepared on an annual basis as of the end of the preceding fiscal year. As is required by Generally Accepted Accounting Principles (GAAP), the audit is performed by a firm of independent Certified Public Accounts (CPA's) and the auditor's opinion is included in the financial statements. An independent audit is essential to demonstrate the accountability of government officials' use of public resources and provides a basis for user acceptance of the audited financial statements. The City has contracted with Brown, Shultz, Sheridan, Fritz, CPAs to perform an outside audit and to prepare the City's annual Financial Reports.

The Mayor and members of the Common Council have received a printed copy of the Financial Reports for fiscal year 2019.

Discussion

The City's audit was conducted in conformity with Generally Accepted Auditing Standards (GAAS). These are the standards that a CPA must follow when auditing financial statements. In an independent audit, the CPA expresses an opinion as to whether the financial statements present fairly the financial position and results of operations for the year ended. The fiscal year 2019 audit report includes this unqualified opinion. The report includes the Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards; the Independent Auditor's Report on Compliance for Each Major Program; and on Internal Control over Compliance required by the Uniform Guidance.

There were eight findings on the fiscal year 2019 financial statements. A brief summary of the eight findings is provided below:

- Finding 2019-001 concerns transactions not recorded in the period of benefit.
- Finding 2019-002 relates to the number of post-year adjustments.
- Finding 2019-003 involves Capital Assets being posted in the wrong period.
- Finding 2019-004 addresses inventory not correctly reflected on invoices.
- Finding 2019-005 relates to deposits not made to City accounts.

- Finding 2019-006 involves not allocating expenses to the Public Housing Agency consistently.

- Finding 2019-007 concerns the Public Housing Agency deposit agreement not being up to date.

- Finding 2019-008 addresses the Public Housing Agency Voucher Management System not being updated in a timely manner.

The Financial Reports reflect the reporting format (GASB 34) and classifications of fund balance (GASB 54), which are required for all government entities. The overall goal of the GASB 34 format is to answer the question of whether a government as a whole is in better or worse financial condition than the preceding year. In fiscal year 2019, the City of Westminster's government-wide change in financial position was a net increase of $8,289,660. Net position is a term that most closely resembles equity in private sector financial statements, and represents the difference between the City's assets, deferred inflows of resources, deferred outflows of resources and liabilities.

The classifications of fund balance, required in governmental funds in accordance with GASB 54, serve to further clarify the constraints on the uses of funds by the level of authority where such constraints are placed. At June 30, 2019, the City's unassigned General Fund balance was $16,038,737. All governmental funds ended the year with positive net positions.

Recommendation
Staff recommends acceptance of the Annual Financial Reports, as presented.

Attachment
- FY 2019 Audited Financial Statements

cc: Barbara B. Matthews, City Administrator

CITY OF
WESTMINSTER,
MARYLAND

2019

ANNUAL FINANCIAL REPORT
for the FISCAL YEAR ENDED JUNE 30, 2019

CITY OF WESTMINSTER

YEAR ENDED JUNE 30, 2019

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CITY OF WESTMINSTER
56 West Main Street
Westminster, Maryland 21157

TELEPHONE:
(410) 848-9000
(410) 876-1313
www.westminstermd.gov

April 9, 2020

The Honorable Mayor and Common Council
and the Citizens of the City of Westminster:

State law requires that all general-purpose local governments publish a complete set of audited financial statements within six months of the close of each fiscal year. After receiving an extension, we hereby issue the comprehensive annual financial report for the City of Westminster, Maryland for the fiscal year ended June 30, 2019.

This report consists of management's representations concerning the finances of the City of Westminster. Consequently, management assumes full responsibility for the completeness and reliability of all of the information presented in this report, based upon a comprehensive framework of internal control that it has established for this purpose. Because the cost of internal controls should not outweigh their benefits, the City of Westminster's comprehensive framework of internal controls has been designed to provide reasonable rather than absolute assurance that the financial statements will be free from material misstatement. As management, we assert that, to the best of our knowledge and belief, this financial report is complete and reliable in all material respects.

The City of Westminster's financial statements have been audited by Brown Schultz Sheridan & Fritz (BSSF), a firm of licensed certified public accountants. Based on this audit, the independent auditor concluded that there was a reasonable basis for rendering an unmodified opinion that the City of Westminster's financial statements for the fiscal year ended June 30, 2019 are fairly presented in conformity with Generally Accepted Accounting Principles (GAAP). The independent auditor's report is presented as the first component of the financial section of this report.

The independent audit of the financial statements of City of Westminster was part of a broader, federally mandated "Single Audit" designed to meet the special needs of federal grantor agencies. The standards governing Single Audit engagements require the independent auditor to report not only on the fair presentation of the financial statements, but also on the audited government's internal controls and compliance with legal requirements, with special emphasis on internal controls and legal requirements involving the administration of federal awards.

Management's discussion and analysis (MD&A) immediately follows the independent auditor's report and provides a narrative introduction, overview, and analysis of the basic financial statements. The MD&A complements this letter of transmittal and should be read in conjunction with it.

Profile of the Government

Westminster was founded in 1764 by William Winchester of England. Winchester originally named his planned community "Winchester's Town." The community changed its name to Westminster in 1768 because mail was frequently mistakenly delivered to nearby Winchester, Virginia.

In 1764, Winchester located Westminster on one of the three main western-bound routes in what is now known as Carroll County. Today, these routes are known as Route 30, Route 140, and Route 26. These roadways were critical for the economic expansion of the fledgling colony of Maryland. Winchester established Westminster ten miles - one day's travel - between Reisterstown and Taneytown, Maryland. This resulted in Westminster quickly establishing hotels, eating establishments, and provisioning stores.

Westminster's first settlers were predominately Germans and Scotch-Irish, who moved to the Westminster area from southern Pennsylvania. Much of the early industry was agriculture, tanning, banking, and a wide variety of merchants and craftsmen. Hotels and restaurants were also an important part of local commerce, catering to westward bound travelers well into the late 1800s.

According to "What Ever Happened to our Hotels," written by former Historical Society curator Lillian Shipley in September 1971, as late as "around the turn of the (20th) century Westminster had 7 churches, 7 hotels, and 18 saloons." "The hotels (were the) Eastern or East End, the Main Court, the Central, the Westminster (Charles Carroll Hotel,) the Albion, the Montour House, and the Anchor."

Originally, Westminster sat on the boundary line between Frederick and Baltimore Counties. In 1837, Carroll County was created from portions of Frederick and Baltimore Counties.

Until a formal organized municipal government was adopted in 1818, the Union Meeting House, and its board of trustees, was utilized as a "governing body" for the early settlers. Westminster was originally incorporated in 1818 and provided for the community to be governed by a burgess and six commissioners elected annually. The 1818 incorporation also consolidated three adjoining towns into one town called Westminster: Westminster, New London, and Winter's Addition to Westminster. From the initial incorporation passed by the Maryland General Assembly in Chapter 128, Acts of 1818, through a subsequent incorporation in 1830, until 1856, Westminster had a Burgess and Commissioner form of government. The first "Mayor" of the City of Westminster was Francis Shriver, who served from 1856 to 1858.

Of note is that Westminster was not recognized as a "city" until the 1838 charter - incorporation was amended by Chapter 335 of the Acts of the Maryland General Assembly of 1856. This action re-characterized the municipality as a "city" and changed the titles of the elected officials to the Mayor and Common Council of Westminster.

The year after Carroll County was formed in 1837, Westminster was re-incorporated and made the county seat because of the aggressive advocacy of its citizens and because of Westminster's central location. Carroll County is the birthplace of Methodism in America and is near the home of Francis Scott Key, the author of our national anthem. The first countywide rural free delivery of mail started in Westminster in the late 1890s.

Today, Westminster is an exciting community of approximately 19,000 citizens. It has grown from its humble beginnings of 0.745 square miles to its current size of 6.55 square miles. It is located strategically in the rolling countryside foothills of the Blue Ridge Mountains, 30 miles northwest of Baltimore, Maryland and 60 miles north of Washington, D.C. Westminster is the county seat of Carroll County and is located in the middle of the county.

Westminster is governed by a Mayor and a five-member Common Council. The Mayor and Common Councilmembers are elected at large and serve staggered elected terms of four years each. The City Administrator oversees the day-to-day operations of the City government, assisted by the directors of each department. Westminster has a full-time equivalent staff of approximately 160 employees.

Westminster residents enjoy a high quality of life, with easy access to parks, recreational activities, places of religious worship, and meaningful employment. The community has a low crime rate. The Carroll County Public School System consistently ranks as one of the best in Maryland.

Local Economy

Westminster is steeped in tradition and history, but progressive when it comes to technology and business development. As the county seat of Carroll County, Westminster is the center of fast growing commercial and industrial sectors, with a strong manufacturing base located in the industrially zoned parcels near the County's only airport.

The City's retail spaces include large box retail along major thoroughfares and a mall. Downtown Westminster provides a unique shopping, dining, and cultural experience in a small town atmosphere; the Main Street area is pedestrian friendly, with wide sidewalks, mature shade trees, and brick crosswalks. The City hosts numerous downtown events, including Fallfest, the Miracle on Main holiday parade, the Celtic Canter, the Flower and Jazz Festival, a summer concert series, and numerous 5k runs. The City's renovation of the historic Carroll Theater into the Carroll Arts Center established Westminster as an emerging cultural heritage and arts destination.

During FY 2019, Westminster Technology Park Lot 5A was approved for 80,000 square feet of spec warehouse space; Westminster Technology Park is one of the City's two premier business/industrial parks. The estimated construction cost of the Lot 5A spec warehouse space is $2,600,000.

The non-profit and government sectors of the economy saw growth as well in FY 2019. The Boys and Girls Club received approval to construct a 3,154 square-foot gymnasium addition to its building in the heart of Downtown Westminster; the estimated construction cost of the addition is $500,000.

Westminster also continues to experience growth in residential construction. The City has seen approximately 50-100 new housing starts annually, since the availability of a new water source in 2015. Most new houses are in the middle range of value from $400,000 to $600,000.

In FY 2020, the Westminster Library, located in the heart of Downtown Westminster, is expected to break ground on the *Exploration Commons at 50 East Main Street.* This project entails renovation of approximately 13,600 square feet of unfinished basement area into various community uses, including a commercial kitchen, meeting rooms, a new maker space, and restrooms. In addition, the City will be undertaking renovation of its recently purchased building at 45 West Main Street, a key intersection in Downtown Westminster. Upon completion of the renovation project, the City will

relocate its administrative offices from its present leased space to 45 West Main. The renovation project is estimated to cost $4,435,000.

Three of the City's largest employers are public sector agencies – Carroll County government, Carroll County Public Schools, and the City itself.

Westminster is also home to McDaniel College, formerly known as Western Maryland College. This nationally ranked liberal arts college was chartered in 1868.

Long-term Financial Planning

Real Property Tax Rate
The real property tax rate is set by the Mayor and Common Council annually during the adoption of the budget. For fiscal year 2019, the Mayor and Common Council adopted a real property tax rate of $0.56 per $100 of assessed value, unchanged from the prior year. This rate is split into two rates – one for operations and one for capital improvements. All tax revenues collected for capital improvements are restricted for use in the capital improvement budget in the General Fund.

Personal Property Tax Rate
The personal property tax rate is also set annually by the Mayor and Common Council during adoption of the budget. For fiscal year 2019, the Mayor and Council adopted a personal property tax rate of $1.10 per $100 of assessed value, unchanged from the prior year.

Utility Personal Property Tax Rate
The utility personal property tax rate is also set annually by the Mayor and Common Council during adoption of the budget. For fiscal year 2019, the Mayor and Common Council adopted a tax rate of $1.40 per $100 of assessed value, unchanged from the prior year.

Operating Budget
The City maintains a balanced Operating Plan and a six-year Capital Improvement Plan (CIP) for expenditures based on projected revenues. The development of these plans requires the City to evaluate the impact of current decisions on the long-term financial position of the City.

Capital Projects
The City's six-year Capital Improvement Plan (CIP) is focused on maintaining existing infrastructure, and improving and expanding economic development opportunities. The CIP projects include renovation of the City's future administrative office building located at 45 West Main Street, road improvements, an upgrade to the wastewater treatment plant for enhanced nutrient removal and improved biosolids processing and equipment, sewer main rehabilitation to reduce inflow and infiltration of extraneous water into the system, and continuation of the Gesell Well project to increase the City's available water capacity. Additional projects include replacement of aging technology equipment, water mains, and vehicles and equipment.

Debt Administration
The City plans long and short-term debt issuance to finance its capital budget based on cash flow needs, sources of revenue, available financing instruments, trends in bond market structures, and trends in interest rates. A financial advisory firm and bond counsel assist in developing a bond issuance strategy, preparing bond documents, and marketing bonds to investors.

Users of this document, as well as others interested in the programs and services offered by the City, are encouraged to read the City's Adopted Fiscal Year 2019-2020 Budget. The budget document details the City's long-term goals and financial policies; describes departmental activities, accomplishments, and initiatives; and provides more detail concerning the City's Capital Improvement Program. The budget document is available on the City of Westminster's website at www.westminstermd.gov.

Financial Policies and Practices

General

1. The City of Westminster's departments will carry out the Mayor and Common Council's goals, objectives, and policies through a service delivery system funded by the City's operating and capital budgets.

2. The City will take positive steps to improve the productivity of its programs and employees, and will seek ways to eliminate duplicative functions within the City government and between the City of Westminster and other public agencies in the community. Specifically, intensive reviews of the efficiency and effectiveness of certain City services will be periodically undertaken.

3. Whenever feasible, City activities will be considered enterprises if they will increase efficiency of service delivery or recover the cost of providing the service from the benefiting entity by user fees.

4. Adequate reserves will be maintained for all known liabilities.

5. Efforts will be coordinated with neighboring governmental agencies to achieve common policy objectives, share the cost of providing governmental services on an equitable basis, and support favorable legislation at the State and Federal level.

6. The City will seek out, apply for, and effectively administer federal, state, and foundation grants that address the City's current priorities and policy objectives.

7. The City will initiate, encourage, and participate in economic development efforts to create job opportunities and strengthen the local economy.

8. The City's Finance Department staff will carry out all policies responsibly, ethically, and professionally for the betterment of the City of Westminster.

Budget

1. The City Administrator, on behalf of the Mayor, will develop a recommended budget in conjunction with the City's department directors. The Finance Director will coordinate all aspects of the City's budget process. The recommended budget will be presented to the Common Council for its consideration and adoption.

2. The recommended budget will be developed based on the Government Finance Officer Association (GFOA) budget document development guidelines as a planning document, and will present key economic issues for public discussion.

3. As required by State law, the Common Council shall adopt a balanced budget by an ordinance appropriating funds prior to the beginning of the fiscal year.

4. All governmental fund budgets presented to the Mayor and Common Council for adoption will be balanced, with projected expenditures equal or less than projected revenues and applied fund balance.

5. The relationship between the operating and capital budgets will be explicitly recognized and incorporated into the budget process. Funding for these budgets shall be sufficient to provide municipal operating services, as well as maintenance or enhancement of capital assets needed to support public demand for City services.

6. Common Council approval is required to transfer balances from one department to any other department.

7. These financial policies will be included as part of the budget document.

Revenue Policies

1. Budgeted revenue estimates will be based on reasonably conservative and realistic expectations.

2. Non-recurring revenues and financing sources will not be used to finance continuing operations per City Code requirements.

3. Long-term financial commitments for continuing outlays will be avoided unless sustained revenue growth is assured.

4. The City will be aggressive in collecting revenues owed to it.

5. The City will establish all user charges fees at a level related to the full costs of providing the service. The City will review fees/charges periodically.

6. The City will consider market rates and charges levied by other area municipalities of similar size for like services in establishing rates, fees, and charges. The fee structure will be reviewed during the budget process and will be included in the budget document.

7. Enterprise operations will be self-supporting.

8. For the FY 2010 - 2011 budget year, the Common Council approved an increase in the real estate property tax rate for the intent of funding capital projects. Any and all revenue received above the FY 2009 - 2010 tax rate is hereby directed into a Capital Projects account to be used only in support of Common Council appropriated capital projects.

9. The City bills for services provided. These may include, but are not limited to, fees associated with levies authorized by legislation, fines issued for violations of City Code provisions, and charges for utility usage. Each receivable is booked when billed, and is associated with a customer account that represents an obligation to the City. It is assumed that charges incurred will be paid according to the terms and conditions of the obligation; however, not all receivables are honored in full and it may not be cost effective for the City to pursue in collection. As a result, a receivable may need to be written-off and bad debt expense recorded. A receivable should be written-off to

loss when cost-effective means to collect monies due have been performed and further effort would be more costly than the proceeds received. Cost-effective means include, but are not limited to, using City resources to provide notice to the obligor as provided for by City policy and Code, and filing liens as the laws of the State of Maryland provide. Each action taken is documented in accordance with internal control procedures, and is utilized to support the write-off decision.

Expenditure Accounts

1. The City shall operate on a current funding basis. Expenditures shall be budgeted and controlled so as not to exceed current revenues plus the planned use of fund balance accumulated through prior years.

2. The City shall take immediate corrective actions if at any time during the fiscal year expenditure and revenue re-estimates are such that an operating deficit is projected at year-end. Corrective actions may include a hiring freeze, expenditure reductions, fee increases, or use of contingencies. Expenditure deferrals into the following fiscal year, short-term loans, or use of one-time revenue sources shall be avoided.

3. The City Administrator shall undertake periodic staff and third-party reviews of City programs for both efficiency and effectiveness. Privatization and contracting with other governmental agencies will be evaluated as alternatives to service delivery. Programs that are determined to be inefficient and/or ineffective shall be reduced in scope or eliminated.

4. The City shall make every effort to maximize any discounts offered by creditors/vendors, and partnering with other governmental agencies for resource purchasing shall be encouraged.

5. If budgeted funds are not available, the Director of Finance shall be contacted to assist in identifying a funding source prior to the purchase occurring.

6. A department director is able to make transfers up to $10,000. Any transfers over $10,000 require the Common Council's approval, even if involving a reallocation of funds within the same department. Common Council approval is required for all transfers between departments.

Capital Improvement Policies

1. The City will develop a multi-year plan for capital improvements, which will be updated annually. The Capital Improvement Plan (CIP) will include a description of each project, its cost, and its funding source(s). All capital improvements during the year will be made in accordance with the CIP and City Code procurement requirements.

2. The City will maintain its physical assets at a level adequate to protect the City's capital investment and to minimize future maintenance and replacement costs. The budget will provide for adequate maintenance and orderly replacement of capital assets from current revenues whenever possible.

3. The capital budget process works in conjunction with the regular operating budget process. CIP projects are noted as funded or unfunded depending on whether or not the forecasted operating

budget can support or fund the project. All funded CIP projects are included in the adopted budget for the current fiscal year.

4. Carryover or multi-year projects will be included in the CIP.

Capital Asset Management Policy

1. Capital (fixed) assets are tangible items that are acquired by procurement, transfer, capital lease, donation, or other method that transfers ownership and have the following characteristics

   a) Have an estimated useful life of five or more years;

   b) Are not intended for sale in the ordinary course of operations; and,

   c) Are acquired or constructed with the intention of being used, or being available for use, by the entity to conduct business.

2. The capitalization threshold used in determining if a given asset qualifies for capitalization is $10,000 and a useful life of five years.

3. Adequate insurance shall be maintained on all capital assets consistent with the results of the annual physical count/inspection.

Accounting, Auditing and Financial Reporting Policies

1. The Director of Finance prepares and presents regular reports to the City Administrator and the Mayor and Common Council that analyze, evaluate, and forecast the City's financial performance, position, and economic conditions.

2. The Finance Committee of the Common Council and the State of Maryland require an independent audit to be performed annually. The audit results are available to the public on the City's website.

3. The City will issue annual financial reports in accordance with generally accepted accounting principles (GAAP) as outlined in the Governmental Accounting, Auditing, and Financial Reporting (GAAFR) publication.

Purchasing Policy

1. The City shall ensure that all purchasing actions are fair and impartial with no impropriety or appearance of impropriety. All qualified buyers and sellers will have equal access to City business and no individual or firm shall be arbitrarily excluded.

2. To the maximum extent possible, purchasing actions will be conducted in a competitive environment.

3. Purchases will be made by the Director of Finance. Responsibility for certain purchasing actions may be delegated to other senior City officials by the Director of Finance.

4. All budgeted purchase requisitions are subject to the following approvals:

   a) Purchases up to $25,000 are approved by the Mayor, City Administrator, or department director.

b) Purchases above $25,000 are approved by the Common Council.

c) Purchases of budgeted capital items and vehicles may be authorized by the City Administrator to take advantage of state, county, or other local purchasing options. The Common Council will be notified of such purchases.

5. Purchases up to $100 may be made through petty cash.

6. The City will maintain yearly open purchase orders to cover purchases from vendors that supply the City with a high volume of the same or similar goods or services during the year.

Investment Policy

1. Public funds will be invested in a manner consistent with the greatest safety and protection for the City's investments. This investing of funds will, while protecting the safety of the City's investments, produce the highest investment return for meeting the cash flow requirements of the City and conform to all Maryland State statutes, City ordinances, and policies governing the investment of public funds.

2. The standard of prudence to be applied by the Director of Finance in managing the City's overall portfolio shall be the "Prudent Person Rule" which states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

3. The Director of Finance, acting in accordance with the City's Investment Policy and exercising due diligence, shall be relieved of personal responsibility for an individual security's risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

4. All investments will be governed by the following objectives:

   a) Safety of principal is the primary objective of the City's investment program. Investments of the City shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To achieve this objective, some diversification may be required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

   b) The City's investment portfolio shall be designed with the goal of attaining a market rate of return throughout budgetary and economic cycles, taking into account the City's investment risk constraints and the cash flow characteristics of the portfolio.

5. The Common Council will annually review the overall Investment Policy during budget deliberations as it relates to the City's financial objectives and make any necessary modifications to the Policy.

6. Officials and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make unbiased investment decisions.

7. The Director of Finance will maintain a list of financial institutions and security dealers authorized to provide banking and investment services to the City.

Debt Management Policy

1. The City will ensure that future debt service payments can be made without jeopardizing the provision of essential services.

2. There will be an acceptable degree of flexibility to meet unanticipated expenditures.

3. Outstanding debt obligations will not threaten long-term financial stability.

4. The amount of outstanding debt will not place undue burden on community residents and businesses.

5. Debt issuance is subject to the City of Westminster's Charter and State of Maryland requirements.

Awards and Acknowledgements

The Government Finance Association of the United States of America and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Westminster, Maryland, for its comprehensive financial report for the fiscal year ended June 30, 2018. The Certificate of Achievement is a prestigious national award recognizing conformance with the highest standards for the preparation of state and local government financial reports.

In addition, the City also received the GFOA's Popular Annual Financial Reporting Award for its published Popular Annual Financial Report for fiscal year 2018.

The City also received the GFOA's Distinguished Budget Presentation Award for its fiscal year 2018 adopted budget document. In order to qualify for the Distinguished Budget Presentation Award, the government's budget document had to be judged proficient as a policy document, a financial plan, an operations guide, and a communications device.

The preparation of the comprehensive annual financial report was made possible by the dedicated service of the entire staff in the Department of Finance and the cooperation of the entire City of Westminster organization. In closing, I would like to thank the Mayor and Common Council for their continuing support in planning and conducting the financial operations of the City in a responsible and progressive manner.

Respectfully submitted,

Tammy Palmer

Tammy Palmer
Director of Finance and Administrative Services

City of Westminster, Maryland

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Mayor

Mr. Joe Dominick

Common Council

Mr. Gregory Pecoraro, Council President
Mr. Tony Chiavacci, Councilmember
Mr. Kevin Dayhoff, Councilmember
Ms. Ann Gilbert, Councilmember
Mr. Benjamin Yingling, Councilmember

Management Team

Title	Name
City Administrator	Barbara B. Matthews
Chief of Police	Tom Ledwell
Director of Finance and Administrative Services	Tammy Palmer
Director of Housing and Preservation	Cindy Valenzisi
Director of Planning and Development	Mark Depo
Director of Public Works	Jeff Glass
Director of Recreation and Parks	Abby Gruber

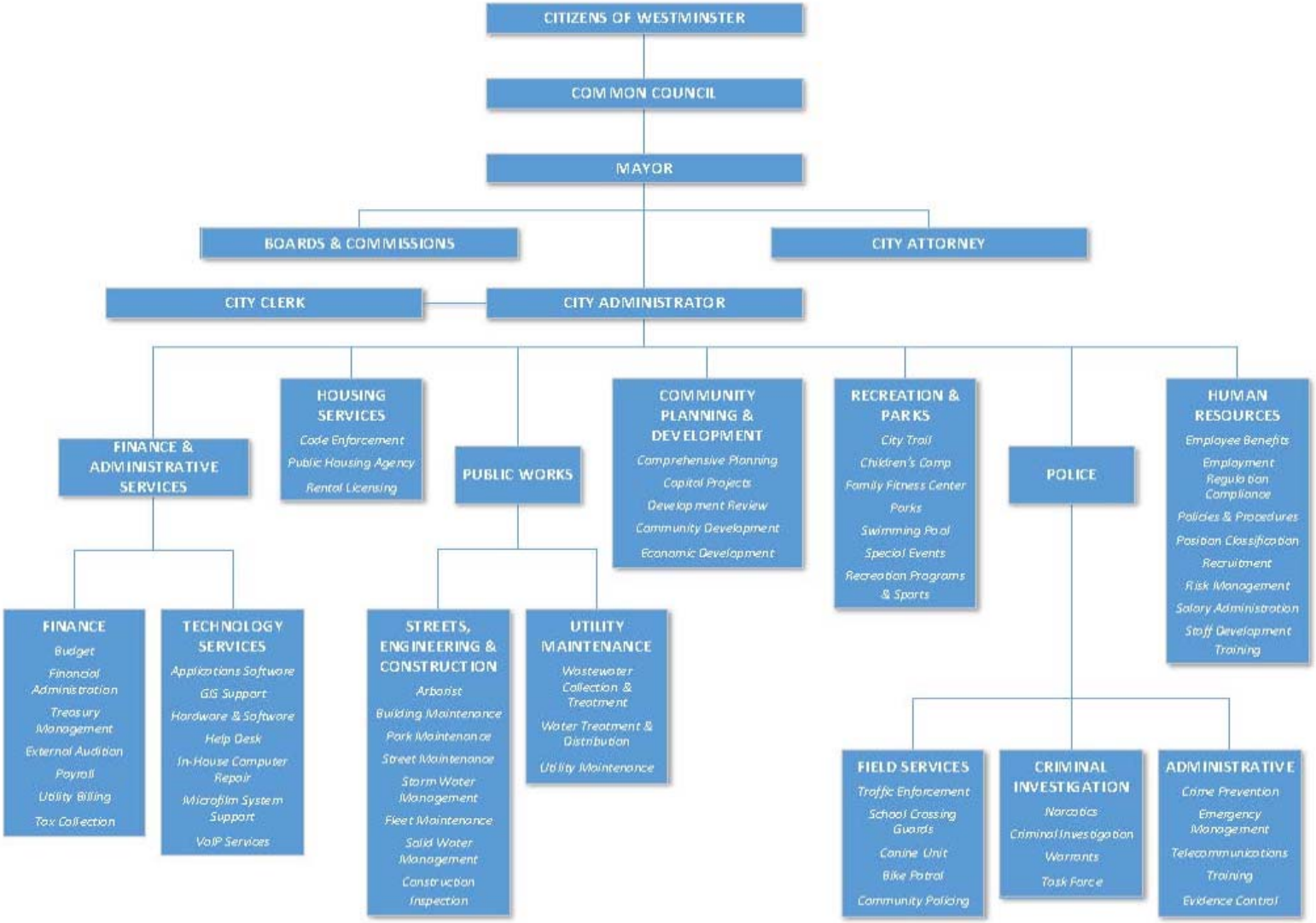
Independent Auditor

Brown Schultz Sheridan & Fritz, CPAs
Westminster, Maryland

Bond Counsel

Funk & Bolton, P.A.
Baltimore, Maryland

CITY OF WESTMINSTER



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Westminster

Maryland

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

June 30, 2018

Christopher P. Morrill

Executive Director/CEO

Independent Auditors' Report

Mayor and Common Council
City of Westminster
Westminster, Maryland

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities and each major fund of the City of Westminster, Maryland, as of and for the year ended June 30, 2019 and the related notes to the financial statements, which collectively comprise the City of Westminster's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

The City of Westminster's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditors consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities and each major fund of the City of Westminster, Maryland, as of June 30, 2019, and the respective changes in financial position, and where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that Management's Discussion and Analysis, budgetary comparison information, Schedule of Changes in the Total Other Postemployment Benefits Liability and Related Ratios, Schedule of the City's Proportionate Share of the Net Pension Liability and Schedule of the City's Pension Plan Contributions on pages 17 through 30 and pages 94 through 98 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquires of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Westminster, Maryland's basic financial statements. The introductory section, schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and the Program Balance Sheet Summary and Program Revenue and Expense summary, as required by the U.S. Department of Housing and Urban Development, are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The schedule of expenditures of federal awards and the Program Balance Sheet and Program Revenue and Expense Summary are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing

standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards and the Program Balance Sheet and Program Revenue and Expense summary are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated April 9, 2020 on our consideration of the City of Westminster, Maryland's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Westminster's internal control over financial reporting and compliance.

Correction of Errors

As described in Note 22 to the financial statements, the beginning General Fund fund balance and governmental activities net position have been restated to correct an error regarding the overstatement of income taxes receivable. Additionally, beginning sewer fund, water fund, fiber fund, governmental activities and business-type activities net position have been restated to correct pension expense from the prior year. Our opinion is not modified with respect to this matter.

Brown Schultz Sheridan & Fritz

Westminster, Maryland
April 9, 2020

CITY OF WESTMINSTER, MARYLAND
MANAGEMENT'S DISCUSSION AND ANALYSIS - UNAUDITED
YEARS ENDED JUNE 30, 2019 AND 2018

As management of the City of Westminster, Maryland, we offer readers of the accompanying financial statements this narrative overview and analysis of the financial activities of the City of Westminster for the fiscal year ended June 30, 2019. The objective of this discussion and analysis of the City's financial statements is to provide an overview of its financial activities for the past fiscal year.

Financial Highlights

- The assets of the City exceeded its liabilities at the close of the most recent fiscal year by $127,769,324 (net position). Of this amount, $50,024,270 was for governmental activities and $77,745,054 was for business-type activities. The amount of net position that was unrestricted at year end was $4,028,818 for governmental activities and $17,462,528 for business-type activities. The total net investment in capital assets was $100,047,449 at June 30, 2019 compared to $94,303,656 at June 30, 2018.

- Total net position increased by $8,289,774, or 7%, over fiscal year 2018's restated net position. Governmental activities increased by $1,574,657 while business-type activities increased by $6,715,117. The increases are attributed to capital grants received for improvement projects.

- As of June 30, 2019, the City's governmental funds reported combined fund balances of $16,038,737 - an increase of $800,504 from the prior year. Approximately 44% of the combined fund balance is available to meet the City's current and future needs *(*unassigned*)*, 8% is restricted or committed for future use, 46% is assigned for items for which the City intends to use the funds and 2% is non-spendable, meaning it is in the form of receivables and inventory.

- At the end of fiscal year 2019, the unassigned fund balance of the general fund was $7,048,923. This amount is available to meet the City's current and future needs.

- The City's real property tax rate remained unchanged at $0.56 per $100 of assessed value. The real property tax base increased by 3.2% from the prior year.

- A compensation and classification study of the City's salary and benefit structure was completed. As warranted, employee salaries were brought up to the minimum of the new pay range for their position's classification based on the study results. In addition, all employees received a 2% across-the-board salary increase. Total salary and benefit adjustments had an associated cost of approximately $400,000. One full-time employee was added to the Fiber Fund.

- The City purchased real property located at 1117 Old New Windsor Road during fiscal year 2019, at a cost of $822,000 using Sewer Fund reserves. The property adjoins the current Sewer Treatment Plant and can be utilized for future expansion of the Plant. It is currently being leased by the construction firm completing the ENR/Biosolids Upgrade Project.

- On June 27, 2019, the City refunded the Taxable General Obligation Bonds, Series 2015 A & B with SunTrust Bank used for construction of the Westminster Fiber Network. The City issued Taxable General Obligation Bonds Series 2019 A-1 & A-2 through the Maryland Department of Housing and Community Development Administration in the amount of $16,215,000 to refinance the Westminster Fiber Network bonds. Additionally, the City entered into a Note in the amount of $1,300,000 with the Governor's Office of Rural Broadband for operating expenses of the Fiber Fund. The Note is zero percent and is payable on demand in 30 years. None of the loan funds were disbursed as of June 30, 2019.

- Following completion of a comprehensive rate study, new water and sewer utility rates were set according to Ordinance 893; the ordinance established rates for a five-year period, with fiscal year 2019 being the first year.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The basic financial statements are comprised of three components:

1) Government-wide financial statements,
2) Fund financial statements and
3) Notes to the financial statements.

This report also contains other required supplementary information in addition to the basic financial statements themselves.

Government-Wide Financial Statements: The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private sector business.

The *statement of net position* presents information on all of the City's assets and deferred outflow of resources, and liabilities with the difference between them reported as *net position*. Over time, changes in net position may serve as a useful indicator of whether the financial position and condition of the City is improving or deteriorating.

The *statement of activities* presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported when the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will result in cash flows in future fiscal periods (for example, earned but unused annual leave).

Both of the government-wide financial statements referenced above distinguish functions of the City that are principally supported by taxes and intergovernmental revenues *(governmental activities)* from other functions that are intended to recover all or a significant portion of their costs through user fees and charges *(business-type activities).* The governmental activities of the City include general government, public safety (police), public works (streets and sanitation), recreation and parks and community development (including the Public Housing Agency). The business-type activities of the City include the sewer, water and fiber services.

Fund Financial Statements: A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state or local governments, uses fund accounting to ensure and demonstrate compliance with finance related legal requirements. All of the funds of the City can be divided into two different categories: governmental funds and proprietary funds.

***Governmental Funds*:** *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources,* as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near term financial requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financial decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances provide a reconciliation to facilitate this comparison.

The City maintains two governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures and changes in fund balances for:

1) The General Fund and
2) The Public Housing Agency Fund (PHA)

The City appropriates annual budgets for its governmental funds.

***Proprietary Funds*:** The City maintains only one type of proprietary fund: *enterprise funds*. Enterprise funds are used to report the same functions presented in *business-type activities* in the government-wide financial statements. The City uses enterprise funds to account for its sewer and water services, as well as its recently created fiber services.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the Sewer, Water and Fiber Funds, which are considered to be major funds of the City.

Notes to the Financial Statements: The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Required Supplementary Information: In addition to the basic financial statements and accompanying notes, this report presents certain required supplementary information concerning the City. A budgetary comparison schedule has been provided for the General Fund and Public Housing Fund.

Financial Analysis of the City as a Whole

As noted earlier, net position may serve over time as a useful indicator of a government's financial condition and position. In the case of the City, assets and deferred outflow of resources exceeded liabilities and deferred inflow of resources by $127,769,324 at the close of fiscal year 2019. The City's net position is divided into three categories: net investment in capital assets, restricted net position and unrestricted net position. The largest portion is the City's net investment in capital assets (e.g., buildings, improvements, streets, bridges, equipment, vehicles, sewer and water systems and furniture and fixtures, less any related debt used to acquire those assets that is still outstanding, and accumulated depreciation). These net capital assets represent 78% of the total net position reported. The City uses these capital assets to provide services to citizens; consequently, these capital assets are not available for future spending. Although the City's investment in its capital assets is reported net of debt, it should be noted that the resources needed to repay this debt must be provided from operating revenue since the capital assets themselves cannot be used to liquidate these liabilities.

Restricted net position of $6,230,529 represents 5% of total net position. Restricted net position is resources that are subject to external restrictions or enabling legislation on how they may be used. Unrestricted net position of $21,491,346 represents 17% of total net position and may be used to meet the government's on-going obligations to citizens and creditors.

At the end of fiscal year 2019, the City is able to report positive balances in all three categories of net position, for the government as a whole, as well as for its separate governmental and business-type activities, except for the Fiber Fund. The City continues to grow fiber network subscribers through Ting Network, the operator of the Westminster Fiber Network.

The following condensed presentation of the City's net position and changes in net position includes a restatement as of June 30, 2018 and for the fiscal year then ended. The restatement is based on prior period adjustments to eliminate an estimate related to income tax receivable and revenue in the governmental activities, and to correct the amortization of deferred inflows and outflows related to the pension plans in the governmental and business-type activities.

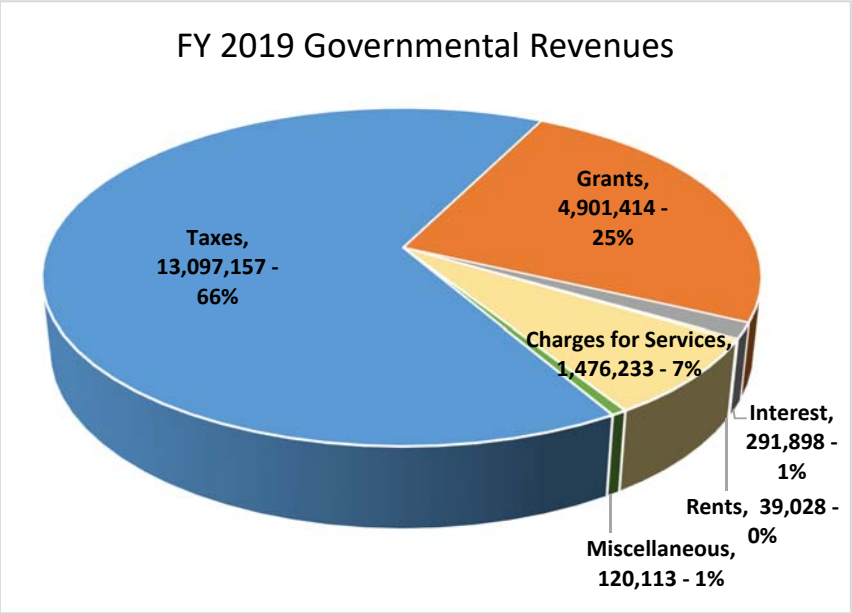
City of Westminster, Maryland
Condensed Statements of Net Position
June 30, 2019 and 2018

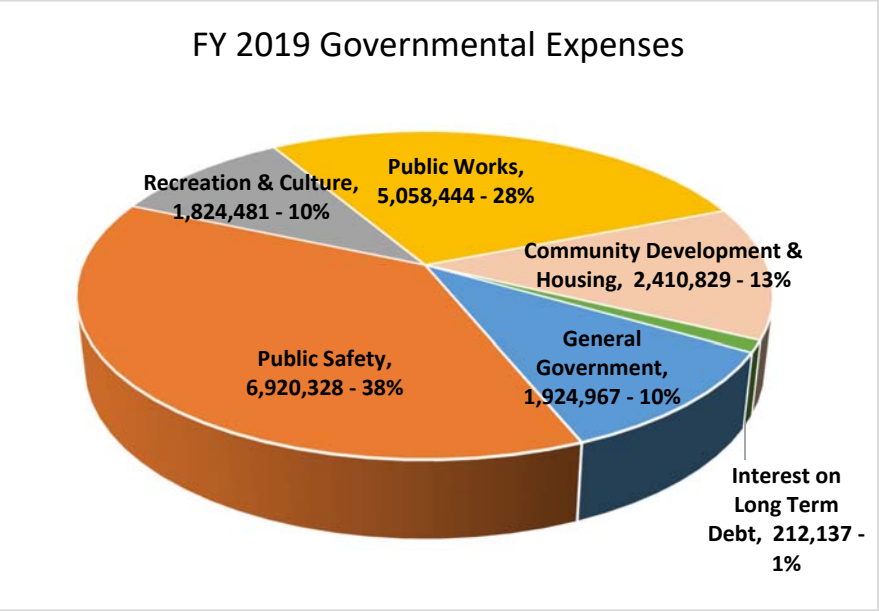
	Governmental Activities		Business-Type Activities		Government-Wide Totals	
	2019	2018 (as restated)	2019	2018 (as restated)	2019	2018 (as restated)
Assets:						
Current and Other Assets	$ 19,112,079	$ 18,673,263	$ 30,723,481	$ 26,343,328	$ 49,835,560	$ 45,016,591
Noncurrent Assets	194,583	15,350	32,374	14,850	226,957	30,200
Capital Assets Net	51,135,749	51,412,557	81,021,469	68,569,413	132,157,218	119,981,970
Total Assets	70,442,411	70,101,170	111,777,324	94,927,591	182,219,735	165,028,761
Deferred Outflows of Resources	2,660,507	2,217,155	793,450	594,441	3,453,957	2,811,596
Total Assets and Deferred Outflows of Resources	**$ 73,102,918**	**$ 72,318,325**	**$ 112,570,774**	**$ 95,522,032**	**$ 185,673,692**	**$ 167,840,357**
Liabilities:						
Current Liabilities	$ 3,824,537	$ 3,914,364	$ 6,300,082	$ 2,583,086	$ 10,124,619	$ 6,497,450
Noncurrent Liabilities	18,281,800	19,036,466	28,117,962	21,481,124	46,399,762	40,517,590
Total Liabilities	22,106,337	22,950,830	34,418,044	24,064,210	56,524,381	47,015,040
Deferred Inflows of Resources	972,311	917,882	407,676	427,885	1,379,987	1,345,767
Net Position:						
Net Investment in Capital Assets	44,808,049	43,785,857	55,239,400	50,517,799	100,047,449	94,303,656
Restricted	1,187,403	2,017,150	5,043,126	6,187,745	6,230,529	8,204,895
Unrestricted	4,028,818	2,646,606	17,462,528	14,324,393	21,491,346	16,970,999
Total Net Position	50,024,270	48,449,613	77,745,054	71,029,937	127,769,324	119,479,550
Total Liabilities, Deferred Inflows of Resources and Net Position	**$ 73,102,918**	**$ 72,318,325**	**$ 112,570,774**	**$ 95,522,032**	**$ 185,673,692**	**$ 167,840,357**

City of Westminster, Maryland
Condensed Statements of Activities
For the Years Ended June 30, 2019 and 2018

	Governmental Activities		Business-Type Activities		Government-Wide Totals	
	2019	2018 (as restated)	2019	2018 (as restated)	2019	2018 (as restated)
Program Revenues:						
Charges for Services	$ 1,476,233	$ 1,263,710	$ 12,266,531	$ 12,294,917	$ 13,742,764	$ 13,558,627
Operating Grants & Contributions	2,715,367	3,430,500			2,715,367	3,430,500
Capital Grants & Contributions	619,458	968,402	5,439,362	1,173,556	6,058,820	2,141,958
General Revenues:						
Taxes:						
Real Estate Taxes	9,731,588	9,233,258			9,731,588	9,233,258
Personal Property Taxes	844,440	574,156			844,440	574,156
Income Taxes	2,285,989	2,098,975			2,285,989	2,098,975
Admissions and Amusement Taxes	235,140	213,480			235,140	213,480
Grants and Contributions Not Restricted to Specific Programs	1,317,454	1,008,409			1,317,454	1,008,409
Franchise Taxes	249,135	254,897			249,135	254,897
Interest and Investment Earnings	291,898	52,048	312,722	101,906	604,620	153,954
Gain on Disposal of Capital Asset	20,213	34,736	10,357	8,710	30,570	43,446
Miscellaneous	138,928		402,773	283,790	541,701	283,790
Total Revenues	19,925,843	19,132,571	18,431,745	13,862,879	38,357,588	32,995,450
Expenses						
Governmental Activities:						
General Government	1,924,967	1,804,080			1,924,967	1,804,080
Public Safety	6,920,328	6,644,535			6,920,328	6,644,535
Public Works	5,058,444	5,070,629			5,058,444	5,070,629
Recreation & Parks	1,824,481	1,620,594			1,824,481	1,620,594
Community Dev. & Housing	2,410,829	2,471,793			2,410,829	2,471,793
Interest on Long-Term Debt	212,137	376,477			212,137	376,477
Business-Type Activities:						
Sewer Services			5,518,913	5,157,060	5,518,913	5,157,060
Water Services			4,793,870	4,829,937	4,793,870	4,829,937
Fiber Services			1,403,845	630,455	1,403,845	630,455
Total Expenses	18,351,186	17,988,108	11,716,628	10,617,452	30,067,814	28,605,560
Excess of Revenues over Expenses	1,574,657	1,144,463	6,715,117	3,245,427	8,289,774	4,389,890
Transfer (Out) In		(110,000)		110,000		-
Change in Net Position	1,574,657	1,034,463	6,715,117	3,355,427	8,289,774	4,389,890
Net Position - Beginning (as restated)	48,449,613	47,415,150	71,029,937	67,674,510	119,479,550	115,089,660
Net Position - Ending	$ 50,024,270	$ 48,449,613	$ 77,745,054	$ 71,029,937	$ 127,769,324	$ 119,479,550

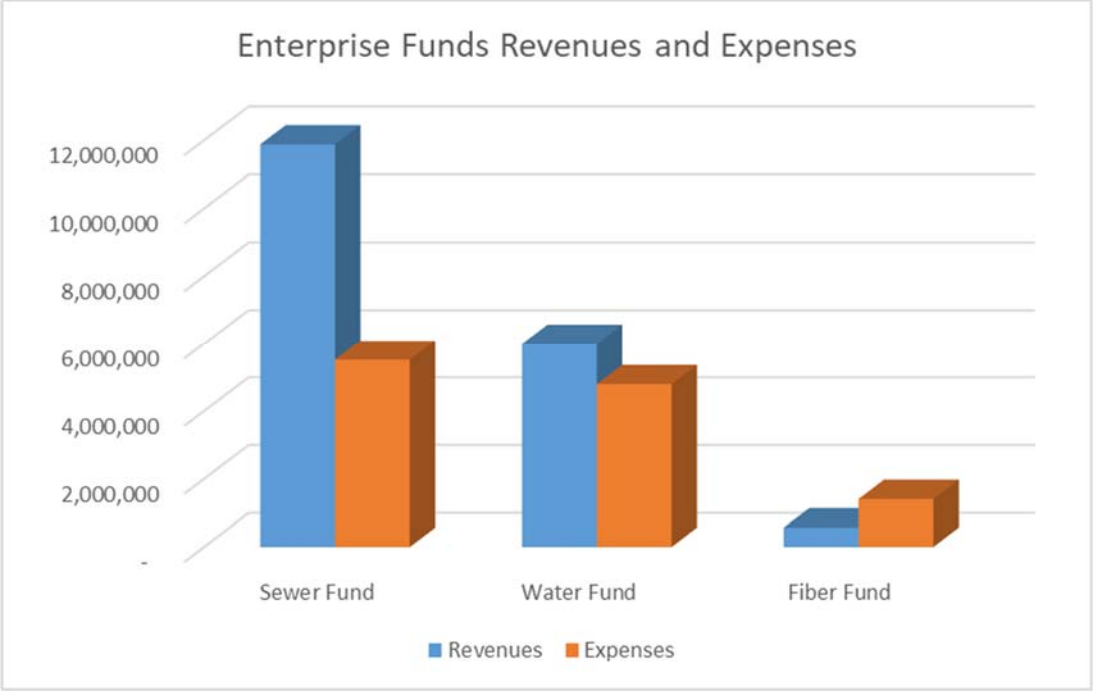
- **Governmental Activities:** A graphic representation of the City's Governmental Activities Revenues and Expenses is shown below. Each component is accompanied by the percentage of the total it represents.





- **Business-type activities:** A graphic representation of the City's Business-Type Activity Revenues and Expenses is shown below.

FY 2019 Enterprise Funds



Financial Analysis of the Government's Funds:

As noted earlier, the City of Westminster, Maryland, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

***Governmental Funds*:** The focus of the analysis of the City's governmental funds is to provide information on near-term inflows, outflows and balances of spendable resources. Such information is useful in assessing the City's financial requirements. In particular, unreserved fund balance may serve as a measure of a government's net resources available for appropriation as revenue in the subsequent fiscal year.

As of June 30, 2019, the City's governmental funds reported combined ending fund balance of $16,038,737. Approximately 2% of the fund balance ($240,806) is restricted for the Public Housing Agency. An additional 8% has been restricted as follows:

- $791,806 is restricted for future growth projects funded by benefit assessments; and,
- $154,791 is restricted for forfeited proceeds awarded to the City by the judicial process.

Approximately 46% of the City's governmental fund balances ($7,431,384) has been assigned by the City to the following items:

- $475,953 for community development;
- $1,467,321 as an emergency reserve, and
- $5,488,110 to be used to offset fiscal year 2020's budgeted deficit, due largely for renovations at 45 West Main Street.

The total General Fund balance increased $743,764 during fiscal year 2019, as a result of being under budget in expenditures. The Public Housing Agency fund balance increased $56,740 due to moderate funding increases from the U.S. Department of Housing and Urban Development (HUD).

***Proprietary Funds*:** The City's proprietary funds analysis provides the same type of information found in the governmental activities financial statements, but in more detail.

The Sewer, Water and Fiber Funds are the City's three enterprise operations. In the Water and Sewer Funds, there was an overall operating revenue decrease of $214,207 from fiscal year 2018. This is primarily a result of conservation efforts of Carroll Hospital Center and Carroll Lutheran Village, two of the largest consumers of water. These conservation efforts negatively impacted the operating revenue in both the Water and Sewer Funds despite an increase in rates. Additionally, the sewer fund recognized a bay restoration grant in the amount of $4,443,590 for construction of the Wastewater Treatment Plant ENR/Biosolids Upgrade Project. The Fiber Fund increased revenue $248,821 due to more subscribers to the system.

General Fund Budgetary Highlights

The budgetary statement for the General Fund shows actual revenues of $17,631,950 compared to the budgeted amount of $18,451,302, an overall shortfall of $819,352. The major differences between the final budgeted amounts and the actual revenues are summarized below:

- A shortfall in intergovernmental revenues was primarily due to $820,897 of project grants that have not yet been approved, or have been delayed, thereby reducing the need to seek grant reimbursement.
- A budget revision in the amount of $628,487 for Insurance Rebates was subsequently found to be unnecessary, as the rebate was posted as a credit against expense.

Actual General Fund expenditures were less than budget by $5,023,239, primarily driven by:

- $2,896,680 of Capital Improvement Projects that were either delayed or adjusted downwards in scope. Funding for some of these capital outlay items were re-appropriated during the fiscal year 2020 budget process.
- $750,000 in grant-related expenses where the grant was not expended or delayed.
- $488,262 in personnel-related expenses due to vacancies in Public Safety.

Capital Asset and Debt Administration

Capital Assets: The City of Westminster's investment in capital assets for its governmental and business-type activities as of June 30, 2019, amounted to $132,157,218 (net of accumulated depreciation). This investment in capital assets includes land, buildings, improvements, streets, bridges, equipment, vehicles, sewer and water systems, furniture and fixtures and construction in progress.

	Governmental Activities		Business-Type Activities		Total	
	2019	2018	2019	2018	2019	2018
Land & Land Rights	$ 2,470,906	$ 1,744,172	$ 542,455	$ 190,915	$ 3,013,361	$ 1,935,087
Construction in Progress	268,455	2,318,934	11,891,828	16,027,654	12,160,283	18,346,588
Buildings	16,417,136	14,967,771	605,717	121,075	17,022,853	15,088,846
Equipment	4,068,069	3,953,376	4,520,586	4,474,483	8,588,655	8,427,859
Furniture & Fixtures	233,606	221,986	-	6,414	233,606	228,400
Improvements Other than Buildins	10,205,632	10,469,578	-	38,774	10,205,632	10,508,352
Infrastructure	58,272,878	55,865,240	68,208,185	51,814,766	126,481,063	107,680,006
Utility Plant & Equipment	-	-	33,789,917	32,386,182	33,789,917	32,386,182
Vehicles	3,314,836	3,226,409	1,178,688	1,231,244	4,493,524	4,457,653
Water Use Rights	1,400,000	1,400,000	-	-	1,400,000	1,400,000
Less: Accumulated Depreciation	(45,515,769)	(42,754,909)	(39,715,907)	(37,722,094)	(85,231,676)	(80,477,003)
Total Capital Assets	**$ 51,135,749**	**$ 51,412,557**	**$ 81,021,469**	**$ 68,569,413**	**$ 132,157,218**	**$ 119,981,970**

Major capital asset activities during fiscal year 2019 included the following:

- Police Department HVAC and floor improvements;
- Replacement of Public Safety and Public Works vehicles;
- The 45 West Main Street Renovation Project;
- Road paving and sidewalk curb replacement;
- Storm water management facilities improvements;
- Improvements to retaining walls;
- Purchase of real property at 1117 Old New Windsor Road;
- Continued construction of the citywide Fiber Optic Network.
- The Wastewater Treatment Plant ENR/Biosolids Upgrade Project;
- Pump station upgrades and
- Continued construction of the Gesell Well and Stream Reconstruction Project.

The City is committed under the following contracts for projects as of June 30, 2019:

Project	Contract amount	Amount outstanding at June 30, 2019
45 West Main Street renovations - architechtural services	$ 348,470	$ 76,213
Governmental activities	$ 348,470	$ 76,213
Sewer fund:		
Sewer construction and rehabilitation	$ 1,172,100	$ 594,187
Enhanced nutrients removal and biosolids upgrade to waste water treatment plant	61,429,842	55,287,707
Water fund:		
Installation of liner and cover for reservoir	91,860	64,302
Design and construction of Little Pipe Creek	475,604	128,730
Business-type activities	$ 63,169,406	$ 56,074,926

Under federal court order, the U.S. Environmental Protection Agency was ordered to implement a Chesapeake Bay clean up. The State of Maryland established a storm water management fee program to fund projects to direct nitrogen away from streams that feed into the Chesapeake Bay. This program will be implemented through a National Pollutant Discharge Elimination System (NPDES) permit for Carroll County, Maryland (the "County"). In October 2014, the City along with seven other municipalities entered into a cost-sharing of storm water mitigation project with the County to comply with NPDES requirements. The annual amount for each municipality was calculated based on $25,000 per impervious acre and on total number of impervious acres required to be restored/mitigated by the permit over the five-year period of this project. For its share of this project, the City is required to pay 20% and the County is covering the remaining 80%. For the year ended June 30, 2019, the City's portion of these costs was $189,045, which were capitalized as an infrastructure asset. An additional 5% increase will be applied annually to these estimated costs per the agreement. The City made its final committed payment in the amount of $198,497 under this agreement subsequent to year end.

See Note 4 in the Notes to Financial Statements section for more detailed information on the City's capital assets.

Long-Term Debt: At the end of fiscal year 2019, the City had total bonds outstanding of $31,108,771, backed by the full faith and credit of the City. Of this amount, $6,327,700 represents General Fund infrastructure bonds. Water Fund Drinking Water bonds totaled $6,793,727 while Sewer Fund Water Quality Bonds totaled $1,772,344. Fiber Fund Infrastructure construction bonds equaled $16,215,000.

See Note 8 of the Notes to Financial Statements section for more detailed information concerning the debt issuances and debt outstanding of the City.

There are five other types of long-term obligations of the City that do not have mandatory payment terms:

- A non-interest obligation to the Carroll County Commissioners of Maryland related to agreements to provide sewer service totaling $188,568.
- Compensated absences in the amount of $672,864. Compensated absences are the total amount of leave liability that the City would owe employees upon their termination.
- Accrued Other Postemployment Benefits (OPEB) totaling $4,974,664. This is a liability identified per the requirements of GASB 45 for retiree benefits.
- Net Pension Liability totaling $11,241,148. This is a liability identified per the requirement of GASB 68 related to the City's share of the total liability of the Maryland State Retirement System, in which the City participates.
- The City owes the Westminster Town Center Corporation $100,000 once it is re-established.

Subsequent Events and Economic Factors

The City of Westminster adopted the fiscal 2020 budget appropriation for the General Fund of approximately $14.76 million. Real property tax continues to be the main source of fund revenue at 47%, and the tax rate will remain the same at $0.56 per $100 of assessed valuation.

The City purchased real property located at 17-25 West Main Street for downtown revitalization purposes. The purchase amount was $750,000, and the City used reserves.

In December 2019, a novel strain of coronavirus ("COVID-19") was reported to have surfaced in China. The World Health Organization has declared COVID-19 to constitute a "Public Health Emergency of International Concern" and characterized COVID-19 as a pandemic. The U.S. government has also implemented enhanced screenings, quarantine requirements and travel restrictions in connection with the COVID-19 outbreak. The spread of this virus has the potential to cause business disruption to the City's tax base, due to state government-imposed shutdowns of businesses and other results of the illness. While the City expects this matter may negatively impact its results, the extent of the impact of the COVID-19 on the City's operational and financial performance will depend on future developments, including the duration and spread of the outbreak, related travel advisories and restrictions, and the impact of the COVID-19 on overall economic trend, all of which are highly uncertain and cannot be predicted.

Request for Information:

This financial report is designed to provide a general overview of the City of Westminster, Maryland's finances. Questions concerning any of the information provided in this report, or requests for additional information, should be addressed to Tammy Palmer, Director of Finance, City of Westminster, 56 West Main Street, Suite 1, Westminster, Maryland, 21157.

CITY OF WESTMINSTER

STATEMENT OF NET POSITION

JUNE 30, 2019

	Governmental Activities	Business-type Activities	Total
Assets:			
Current assets:			
Pooled cash and cash equivalents:			
Unrestricted	$ 14,480,390	$ 19,161,000	$ 33,641,390
Restricted	3,150,766	5,200,348	8,351,114
Non-pooled cash and cash equivalents, unrestricted	236,498		236,498
Receivables:			
Accrued interest	62,895	67,396	130,291
Taxes	393,846		393,846
Taxes, restricted	16,362		16,362
Grants	5,605	2,440,057	2,445,662
Loan	1,650		1,650
Accounts:			
Unrestricted, net of allowance for doubtful accounts of $297,582 and $0 for the governmental and business-type activities, respectively	223,600	1,661,758	1,885,358
Restricted	19,200	85,801	105,001
Unbilled services		1,486,909	1,486,909
Prepaids and other assets	225,524	142,097	367,621
Inventory	117,984	395,214	513,198
Internal balances	68,221	(68,221)	
Due from:			
Other governments	73,431	151,122	224,553
Other governments, restricted	36,107		36,107
Total current assets	19,112,079	30,723,481	49,835,560
Noncurrent assets:			
Capital assets:			
Construction in progress	268,455	11,891,828	12,160,283
Land and land rights	2,470,906	542,455	3,013,361
Buildings and improvements	16,417,136	605,717	17,022,853
Furniture and fixtures	233,606		233,606
Improvements other than buildings	10,205,632		10,205,632
Infrastructure	58,272,878	68,208,185	126,481,063
Machinery and equipment	4,068,069	4,520,586	8,588,655
Utility plant and equipment		33,789,917	33,789,917
Vehicles	3,314,836	1,178,688	4,493,524
Water use rights	1,400,000		1,400,000
Accumulated depreciation	(45,515,769)	(39,715,907)	(85,231,676)
Net capital assets	51,135,749	81,021,469	132,157,218
Non-pooled cash and cash equivalents, restricted	180,883	20,000	200,883
Accounts receivable, unrestricted		12,374	12,374
Loan receivable	13,700		13,700
Total noncurrent assets	51,330,332	81,053,843	132,384,175
Total assets	70,442,411	111,777,324	182,219,735
Deferred outflows of resources:			
For pensions	2,527,903	764,959	3,292,862
For other postemployment benefits	132,604	28,491	161,095
Total deferred outflows of resources	2,660,507	793,450	3,453,957
Total assets and deferred outflows of resources	$ 73,102,918	$ 112,570,774	$ 185,673,692

See notes to financial statements.

CITY OF WESTMINSTER

STATEMENT OF NET POSITION

JUNE 30, 2019

	Governmental Activities	Business-type Activities	Total
Liabilities:			
Current liabilities:			
Accounts payable	$ 336,776	$ 4,731,235	$ 5,068,011
Accrued:			
Interest	48,267	48,553	96,820
Payroll	89,395	47,025	136,420
Compensated absences	6,114		6,114
Unearned revenue	322,464	13,660	336,124
Due to other governments		1,247	1,247
Current portion of general obligation bonds	564,800	1,215,339	1,780,139
Payable from restricted assets:			
Accounts payable	1,118,799		1,118,799
Deposits and escrows	1,216,864		1,216,864
Due to other governments	21,058	243,023	264,081
Loan payable	100,000		100,000
Total current liabilities	3,824,537	6,300,082	10,124,619
Long-term liabilities:			
Due to other governments		188,568	188,568
General obligation bonds	5,762,900	23,565,732	29,328,632
Total other postemployment benefits liability	3,304,670	1,669,994	4,974,664
Accrued compensated absences	408,876	257,874	666,750
Net pension liability	8,805,354	2,435,794	11,241,148
Total long-term liabilities	18,281,800	28,117,962	46,399,762
Total liabilities	22,106,337	34,418,044	56,524,381
Deferred inflows of resources:			
For bond refunding	8,340		8,340
For pensions	772,911	311,126	1,084,037
For other postemployment benefits	191,060	96,550	287,610
Total deferred inflows of resources	972,311	407,676	1,379,987
Net position:			
Net investment in capital assets	44,808,049	55,239,400	100,047,449
Restricted	1,187,403	5,043,126	6,230,529
Unrestricted	4,028,818	17,462,528	21,491,346
Total net position	50,024,270	77,745,054	127,769,324
Total liabilities, deferred inflows of resources and net position	$ 73,102,918	$ 112,570,774	$ 185,673,692

See notes to financial statements.

CITY OF WESTMINSTER

STATEMENT OF ACTIVITIES

YEAR ENDED JUNE 30, 2019

		Program revenues			Net (expense) revenue and changes in net position		
Functions/programs	Expenses	Charges for services	Operating grants and contributions	Capital grants and contributions	Governmental Activities	Proprietary Funds	Total
Primary government:							
Governmental activities:							
General government	$ 1,924,967	$ 306,132			$ (1,618,835)		$ (1,618,835)
Public safety	6,920,328	113,120	$ 381,032		(6,426,176)		(6,426,176)
Culture and recreation	1,824,481	800,435	7,500	$ 3,885	(1,012,661)		(1,012,661)
Public works	5,058,444	222,048	12,655	615,573	(4,208,168)		(4,208,168)
Community development and public housing	2,410,829	34,498	2,314,180		(62,151)		(62,151)
Interest on long-term debt	212,137				(212,137)		(212,137)
Total governmental activities	18,351,186	1,476,233	2,715,367	619,458	(13,540,128)		(13,540,128)
Business-type activities:							
Sewer operations	5,518,913	6,507,853		5,066,080		$ 6,055,020	6,055,020
Water operation	4,793,870	5,200,788		373,282		780,200	780,200
Fiber operations	1,403,845	557,890				(845,955)	(845,955)
Total business-type activities	11,716,628	12,266,531		5,439,362		5,989,265	5,989,265
Total primary government	$ 30,067,814	$ 13,742,764	$ 2,715,367	$ 6,058,820	(13,540,128)	5,989,265	(7,550,863)
General revenues:							
Taxes:							
Income					2,285,989		2,285,989
Real estate					9,731,588		9,731,588
Personal property					844,440		844,440
Other					235,140		235,140
Grants, contributions and franchise fees not restricted to specific programs					1,566,589		1,566,589
Interest earnings					291,898	312,722	604,620
Rents					39,028	309,906	348,934
Miscellaneous revenues					120,113	103,224	223,337
Total general revenues					15,114,785	725,852	15,840,637
Changes in net position					1,574,657	6,715,117	8,289,774
Net position:							
July 1, 2018, as restated					48,449,613	71,029,937	119,479,550
June 30, 2019					$ 50,024,270	$ 77,745,054	$ 127,769,324

See notes to financial statements.

CITY OF WESTMINSTER

BALANCE SHEET – GOVERNMENTAL FUNDS

JUNE 30, 2019

ASSETS

	General Fund	Public Housing Agency Fund	Total governmental funds
Cash and cash equivalents:			
Pooled cash and cash equivalents:			
Unrestricted	$ 14,480,390		$ 14,480,390
Restricted	3,150,766		3,150,766
Non-pooled cash and cash equivalents:			
Unrestricted	3,300	$ 233,198	236,498
Restricted	177,199	3,684	180,883
Receivables:			
Taxes	393,846		393,846
Taxes, restricted	16,362		16,362
Grants	5,605		5,605
Accrued Interest	62,895		62,895
Loans:			
Short-term	1,650		1,650
Long-term	13,700		13,700
Accounts, net of allowance for doubtful accounts of $55,988 and $241,594 for the general and public housing agency funds, respectively	180,965	42,635	223,600
Accounts, restricted	19,200		19,200
Inventory	117,984		117,984
Prepaid expenses	219,319	6,205	225,524
Due from other:			
Governments	73,431		73,431
Governments, restricted	36,107		36,107
Funds	74,304	8,901	83,205
Total assets	$ 19,027,023	$ 294,623	$ 19,321,646

See notes to financial statements.

CITY OF WESTMINSTER

BALANCE SHEET – GOVERNMENTAL FUNDS

JUNE 30, 2019

LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES

	General Fund	Public Housing Agency Fund	Total governmental funds
Liabilities:			
Accounts payable	$ 335,483	$ 1,293	$ 336,776
Accrued:			
Payroll	89,395		89,395
Compensated absences	6,114		6,114
Payable from restricted assets:			
Accounts payable	1,118,799		1,118,799
Due to other governments	21,058		21,058
Deposits and escrows	1,213,180	3,684	1,216,864
Loan payable	100,000		100,000
Unearned revenue	322,464		322,464
Due to other funds	14,984		14,984
Total liabilities	3,221,477	4,977	3,226,454
Deferred inflows of resources:			
Fines and penalties receivables	13,820		13,820
Housing assistance reimbursement receivable		42,635	42,635
Total deferred inflows of resources	13,820	42,635	56,455
Fund balances:			
Nonspendable	352,653	6,205	358,858
Restricted	946,597	240,806	1,187,403
Committed	12,169		12,169
Assigned	7,431,384		7,431,384
Unassigned	7,048,923		7,048,923
Total fund balances	15,791,726	247,011	16,038,737
Total liabilities, deferred inflows of resources and fund balances	$ 19,027,023	$ 294,623	$ 19,321,646

See notes to financial statements.

CITY OF WESTMINSTER

RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET TO THE STATEMENT OF NET POSITION

YEAR ENDED JUNE 30, 2019

Total fund balance, governmental funds	$ 16,038,737
Amounts reported for governmental activities in the statement of net position are different because:	
Capital assets, net of accumulated depreciation, used in governmental activities are not financial resources and, therefore, are not reported in the funds.	51,135,749
Certain receivables are offset by unavailable revenue in the governmental funds since they are not available to pay for current period expenditures. This is the amount of deferred inflows of resources related to these receivables.	56,455
Net pension liability and related deferred amounts in governmental activities are not current financial resources and, therefore, are not reported in the governmental funds.	(7,050,362)
Total other postemployment benefits liability and related deferred amounts are not payable in the current period and, therefore, are reported as employee benefits in the period during which the benefit occurs in the fund financial statements.	(3,363,126)
Accrued compensated absences are not payable in the current period and, therefore, are reported as wages in the period during which the absence occurs in the fund financial statements.	(408,876)
Bond issue costs incurred by governmental activities are not available financial resources, and therefore, are not reported in the fund financial statements.	(8,340)
Long-term liabilities, including both current and noncurrent portions of bonds and interest payable, are not due and payable in the current period and, therefore, are not reported in the fund financial statements.	(6,375,967)
Net position, governmental activities	$ 50,024,270

See notes to financial statements.

CITY OF WESTMINSTER

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS

YEAR ENDED JUNE 30, 2019

	General Fund	Public Housing Agency Fund	Total governmental funds
Revenues:			
Taxes	$ 13,130,399		$ 13,130,399
Licenses and permits	579,466		579,466
Fines and forfeitures	119,990		119,990
Interest	291,898		291,898
Rent	39,028		39,028
Intergovernmental revenues	2,061,617	$ 2,314,180	4,375,797
Charges for services	1,266,176		1,266,176
Miscellaneous revenues	123,163	34,122	157,285
Total revenues	17,611,737	2,348,302	19,960,039
Expenditures:			
General government	1,730,553		1,730,553
Public safety	6,514,185		6,514,185
Culture and recreation	1,432,241		1,432,241
Public works	2,892,154		2,892,154
Community development and public housing	19,582	2,366,562	2,386,144
Capital outlay	2,712,569		2,712,569
Debt service:			
Principal	1,299,000		1,299,000
Interest	212,902		212,902
Total expenditures	16,813,186	2,366,562	19,179,748
Revenues over (under) expenditures	798,551	(18,260)	780,291

(continued)

CITY OF WESTMINSTER

STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES – GOVERNMENTAL FUNDS (CONTINUED)

YEAR ENDED JUNE 30, 2019

	General Fund	Public Housing Agency Fund	Total governmental funds
Other financing sources (uses):			
Proceeds from sale of capital assets	$ 20,213		$ 20,213
Interfund transfers	(75,000)	$ 75,000	-
Total other financing sources (uses)	(54,787)	75,000	20,213
Net changes in fund balances	743,764	56,740	800,504
Fund balances:			
July 1, 2018, as restated (general fund)	15,047,962	190,271	15,238,233
June 30, 2019	$ 15,791,726	$ 247,011	$ 16,038,737

See notes to financial statements.

CITY OF WESTMINSTER

RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES

YEAR ENDED JUNE 30, 2019

Net change in fund balances, governmental funds		$ 800,504
Amounts reported for governmental activities in the statement of activities are different because:		
Capital outlays are reported in governmental funds as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. The amount by which capital outlays exceeds depreciation in the period is as follows:		
Capital outlays	$ 2,712,569	
Depreciation expense	(2,988,929)	(276,360)
The net effect of various miscellaneous transactions involving capital assets (i.e., sales and trade-ins) is to decrease net position.		(448)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues in the funds.		(34,196)
The change in the deferred outflows and inflows of the net pension and total other postemployment benefits liabilities is not reported in governmental funds.		397,264
Principal payments on long-term debt is reported as expense on fund financial statements, but not included on the statement of activities.		1,299,000
Amortization of bond issue costs.		(8,340)
The change in accrued interest expense is not reported in the governmental funds.		6,295
The change in the net pension and total other postemployment liabilities is not reported in governmental funds.		(594,203)
The increase in the accrued compensated absence liability is not reflected as an expense in the fund statements, but is included in the statement of activities.		(14,859)
Change in net position of governmental activities		$ 1,574,657

See notes to financial statements.

CITY OF WESTMINSTER

STATEMENT OF NET POSITION – PROPRIETARY FUNDS

JUNE 30, 2019

ASSETS

	Sewer Fund	Water Fund	Fiber Fund	Total Proprietary Funds
Current assets:				
Pooled cash and cash equivalents:				
Unrestricted	$ 10,388,387	$ 7,944,870	$ 827,743	$ 19,161,000
Restricted	5,200,348			5,200,348
Accounts receivable:				
Unrestricted	823,743	723,114	114,901	1,661,758
Restricted	85,801			85,801
Accrued Interest Receivable	43,401	22,005	1,990	67,396
Grants receivable	2,440,057			2,440,057
Inventory	91,956	63,473	239,785	395,214
Unbilled services	794,722	692,187		1,486,909
Due from other:				
Governments	151,122			151,122
Funds			7,323	7,323
Prepaid expenses	72,186	66,525	3,386	142,097
Total current assets	20,091,723	9,512,174	1,195,128	30,799,025
Noncurrent assets:				
Capital assets:				
Land and land rights	405,742	136,713		542,455
Buildings and improvements	503,946	101,771		605,717
Machinery and equipment	3,416,026	1,104,560		4,520,586
Furniture and fixtures				-
Vehicles	551,398	627,290		1,178,688
Construction in progress	11,492,846	398,982		11,891,828
Infrastructure	20,518,235	30,528,380	17,161,570	68,208,185
Utility plant and equipment	16,576,380	17,213,537		33,789,917
Accumulated depreciation	(23,639,173)	(15,316,540)	(760,194)	(39,715,907)
Net capital assets	29,825,400	34,794,693	16,401,376	81,021,469
Non-pooled cash and cash equivalents, restricted			20,000	20,000
Accounts receivable, unrestricted	6,187	6,187		12,374
Total noncurrent assets	29,831,587	34,800,880	16,421,376	81,053,843
Total assets	49,923,310	44,313,054	17,616,504	111,852,868
Deferred outflows of resources:				
For pensions	379,473	354,697	30,789	764,959
For other postemployment benefits	11,582	16,909		28,491
Total deferred outflows of resources	391,055	371,606	30,789	793,450
Total assets and deferred outflows of resources	$ 50,314,365	$ 44,684,660	$ 17,647,293	$ 112,646,318

See notes to financial statements.

CITY OF WESTMINSTER

STATEMENT OF NET POSITION – PROPRIETARY FUNDS

JUNE 30, 2019

LIABILITIES AND NET POSITION

	Sewer Fund	Water Fund	Fiber Fund	Total Proprietary Funds
Liabilities:				
Current liabilities:				
Accounts payable	$ 3,703,730	$ 236,052	$ 791,453	$ 4,731,235
Accrued:				
Payroll	21,644	22,942	2,439	47,025
Interest		48,553		48,553
Due to other:				
Governments		1,247		1,247
Governments, restricted	243,023			243,023
Funds	39,528	36,016		75,544
Unearned revenue		13,660		13,660
Current portion of general obligation bonds		900,339	315,000	1,215,339
Total current liabilities	4,007,925	1,258,809	1,108,892	6,375,626
Long-term liabilities:				
Due to other governments	188,568			188,568
Total OPEB liability	785,499	884,495		1,669,994
Accrued compensated absences	123,917	124,230	9,727	257,874
General obligation bonds	1,772,344	5,893,388	15,900,000	23,565,732
Net pension liability	1,268,796	1,156,550	10,448	2,435,794
Total long-term liabilities	4,139,124	8,058,663	15,920,175	28,117,962
Total liabilities	8,147,049	9,317,472	17,029,067	34,493,588
Deferred inflows of resources:				
For pensions	154,830	144,733	11,563	311,126
For other postemployment benefits	45,413	51,137		96,550
Total deferred inflows of resources	200,243	195,870	11,563	407,676
Net position:				
Net investment in capital assets	27,820,571	27,975,607	(556,778)	55,239,400
Restricted	5,043,126			5,043,126
Unrestricted	9,103,376	7,195,711	1,163,441	17,462,528
Total net position	41,967,073	35,171,318	606,663	77,745,054
Total liabilities, deferred inflows of resources and net position	$ 50,314,365	$ 44,684,660	$ 17,647,293	$ 112,646,318

See notes to financial statements.

CITY OF WESTMINSTER

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION – PROPRIETARY FUNDS

YEAR ENDED JUNE 30, 2019

	Sewer Fund	Water Fund	Fiber Fund	Total Proprietary Funds
Operating revenues, billings	$ 6,507,853	$ 5,200,788	$ 557,890	$ 12,266,531
Operating expenses:				
Administrative and general	1,338,808	1,314,021		2,652,829
Fiber			299,437	299,437
Transmission and distribution	971,013	719,232		1,690,245
Treatment and pumping	2,340,159	1,532,693		3,872,852
Depreciation	876,310	1,078,993	222,065	2,177,368
Total operating expenses	5,526,290	4,644,939	521,502	10,692,731
Operating income	981,563	555,849	36,388	1,573,800
Nonoperating revenues (expenses):				
Intergovernmental revenues	4,443,590			4,443,590
Rental income	32,500	277,406		309,906
Miscellaneous	59,319	42,016	1,889	103,224
Interest expense and fiscal charges		(151,911)	(882,343)	(1,034,254)
Interest income	201,384	102,103	9,235	312,722
Gain on asset disposal	7,377	2,980		10,357
Total nonoperating revenues (expenses)	4,744,170	272,594	(871,219)	4,145,545
Income (loss) before capital contributions	5,725,733	828,443	(834,831)	5,719,345
Capital contributions	622,490	373,282		995,772
Change in net position	6,348,223	1,201,725	(834,831)	6,715,117
Net position:				
July 1, 2018, as restated	35,618,850	33,969,593	1,441,494	71,029,937
June 30, 2019	$ 41,967,073	$ 35,171,318	$ 606,663	$ 77,745,054

See notes to financial statements.

CITY OF WESTMINSTER

STATEMENT OF CASH FLOWS – PROPRIETARY FUNDS

YEAR ENDED JUNE 30, 2019

	Sewer Fund	Water Fund	Fiber Fund	Total Proprietary Funds
Cash flows from operating activities:				
Inflows:				
Cash received from customers	$ 6,719,446	$ 5,259,948	$ 538,368	$ 12,517,762
Rental income received	32,500	277,406		309,906
	6,751,946	5,537,354	538,368	12,827,668
Outflows:				
Cash paid to:				
Suppliers	3,038,053	2,058,345	389,405	5,485,803
Employees	1,540,523	1,475,627	115,897	3,132,047
	4,578,576	3,533,972	505,302	8,617,850
Net cash provided by operating activities	2,173,370	2,003,382	33,066	4,209,818
Cash flows from non-capital financing activities:				
Inflows, cash received from other funds	393,947	443,490		837,437
Outflows, cash paid to other funds			7,323	7,323
Net cash provided (used) by non-capital financing activities	393,947	443,490	(7,323)	830,114
Cash flows from capital and related financing activities:				
Inflows:				
Cash received from capital contributions and grants	2,626,023	373,282		2,999,305
Proceeds from sales of capital assets	7,377	2,980		10,357
Bond issuance proceeds	1,772,344		6,340,622	8,112,966
	4,405,744	376,262	6,340,622	11,122,628
Outflows:				
Cash paid for:				
Acquisition of capital assets	5,534,915	442,168	5,295,280	11,272,363
Interest		161,621	908,559	1,070,180
Payments on long-term debt	37,918	888,624		926,542
	5,572,833	1,492,413	6,203,839	13,269,085
Net cash provided (used) by capital and related financing activities	(1,167,089)	(1,116,151)	136,783	(2,146,457)
Cash flows provided by investing activities, inflows, interest received	157,983	80,098	7,245	245,326
Net increase in cash and cash equivalents	1,558,211	1,410,819	169,771	3,138,801
Cash and cash equivalents:				
Beginning of year	14,030,524	6,534,051	677,972	21,242,547
End of year	$ 15,588,735	$ 7,944,870	$ 847,743	$ 24,381,348

(continued)

CITY OF WESTMINSTER

STATEMENT OF CASH FLOWS – PROPRIETARY FUNDS (CONTINUED)

YEAR ENDED JUNE 30, 2019

	Sewer Fund	Water Fund	Fiber Fund	Total Proprietary Funds
Reconciliation of cash and cash equivalents to the statement of net position:				
Current assets:				
Pooled cash and cash equivalents:				
Unrestricted	$ 10,388,387	$ 7,944,870	$ 827,743	$ 19,161,000
Restricted	5,200,348			5,200,348
Total current assets	15,588,735	7,944,870	827,743	24,361,348
Noncurrent assets, non-pooled cash and cash equivalents, restricted			20,000	20,000
Cash and cash equivalents, end of year	$ 15,588,735	$ 7,944,870	$ 847,743	$ 24,381,348
Reconciliation of operating income to net cash provided by operating activities:				
Operating income	$ 981,563	$ 555,849	$ 36,388	$ 1,573,800
Adjustments to reconcile operating income to net cash provided by operating activities:				
Depreciation	876,310	1,078,993	222,065	2,177,368
Rental income	32,500	277,406		309,906
Miscellaneous income	59,319	42,016	1,889	103,224
(Increase) decrease in assets and deferred outflows of resources:				
Accounts receivable	190,197	(22,477)	(21,411)	146,309
Inventory	(4,444)	(2,713)	(239,785)	(246,942)
Unbilled services	127,170	47,120		174,290
Due from other governments	(151,122)			(151,122)
Prepaid expenses	1,189	1,007	(2,940)	(744)
Deferred amounts from:				
Pensions	(92,562)	(86,496)	(9,251)	(188,309)
Other postemployment benefits	(3,213)	(7,486)		(10,699)
Increase (decrease) in liabilities and deferred inflows of resources:				
Accounts payable	28,584	(10,757)	27,452	45,279
Accrued:				
Payroll	21,644	22,942	2,439	47,025
Compensated absences	1,578	4,083	6,238	11,899
Due to other governments	(13,971)			(13,971)
Unearned revenue		(7,499)		(7,499)
Total OPEB liability	7,076	7,969		15,045
Net pension liability	121,325	113,395		234,720
Deferred amounts from:				
Pensions	(5,410)	(5,057)	10,448	(19)
Other postemployment benefits	(4,363)	(4,913)	(466)	(9,742)
Net cash provided by operating activities	$ 2,173,370	$ 2,003,382	$ 33,066	$ 4,209,818

See notes to financial statements.

1. Nature of operations and summary of significant accounting policies:

Reporting entity:

The City of Westminster, Maryland, (the "City") was incorporated as a city by Chapter 418 of the Acts of 1838. That charter was amended by Chapter 335 of the Acts of 1856, which characterized the municipality as a city known as the Mayor and Common Council of Westminster.

The City operates under a Mayor-Council form of government and provides the following services as authorized by its charter: general administrative, planning and zoning, public safety, highways and streets, parking, sanitation, culture and recreation, community development and public housing, water, sewer and fiber services.

The City's financial statements are prepared in accordance with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is responsible for establishing GAAP for state and local governments through its pronouncements (statements and interpretations).

In evaluating how to define the City for financial reporting purposes, management has considered all potential component units for which the City is financially accountable, and other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the City's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body and (1) the ability of the City to impose its will on that organization, or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on the City. Based upon the application of these criteria, there are no separate component units of the City.

Basic financial statements - government-wide financial statements:

The City's basic financial statements include both government-wide (reporting the City as a whole) and fund financial statements (reporting the City's major funds). Both the government-wide and fund financial statements categorize primary activities as either governmental or business-type. The City's general government (general administrative, planning and zoning), public safety, public works (highways and streets, parking, and sanitation), culture and recreation and community development and public housing services are classified as governmental activities. The City's water, sewer and fiber services are classified as business-type activities.

1. Nature of operations and summary of significant accounting policies (continued):

Basic financial statements - government-wide financial statements:

In the government-wide statement of net position, both the governmental and business-type activities columns (a) are presented on a consolidated basis by column, and (b) are using the economic resources measurement focus and accrual basis of accounting, which recognizes all long-term assets, receivables and deferred outflows of resources, as well as long-term debt and obligations and deferred inflows of resources. Generally, the effect of interfund activity has been removed from these statements. The City's net position is reported in three parts - net investment in capital assets, restricted net position and unrestricted net position. The City first utilizes restricted resources to finance qualifying activities.

The government-wide statement of activities reports both the gross and net cost per functional category (public safety, public works, etc.), which are otherwise being supported by general government revenues. The statement of activities reduces gross expenses (including depreciation) by related program revenues, operating and capital grants and contributions. The program revenues must be directly associated with the function or business-type activity. Program revenues include revenues from fines, licenses and permit fees and charges for services. Operating grants include operating-specific and discretionary (either operating or capital) grants while the capital grant column reflects capital-specific grants. Taxes and other general revenues not restricted to specific program functions are reported instead as general revenues.

The net costs (by function or program) are normally covered by general revenue (property and income taxes, intergovernmental revenues, interest income, etc.). The City does not allocate indirect costs.

This government-wide focus is on the sustainability of the City as an entity and the change in the City's net position resulting from the current year's activities.

The financial transactions of the City are reported in individual funds in the fund financial statements. Each fund is accounted for by providing a separate set of self-balancing accounts that comprise its assets, liabilities, deferred inflows and outflows of resources, fund balance, revenues and expenditures/expenses. The various funds are reported by generic classification within the financial statements.

The City utilizes various criteria (percentage of the assets and deferred outflows of resources, liabilities and deferred inflows of resources, revenues or expenditures/expenses of either fund category or the governmental and enterprise combined) for the determination of major funds.

1. Nature of operations and summary of significant accounting policies (continued):

Basic financial statements - fund financial statements:

Governmental funds:

Governmental funds are those through which most governmental functions of the City are financed. Governmental funds reporting focuses on the sources, uses and balances of current financial resources. Expendable assets are assigned to the various governmental funds according to the purpose for which they may or must be used. Current liabilities are assigned to the fund from which they will be paid.

The difference between governmental fund assets, liabilities and deferred inflows of resources is reported as fund balance. The following is a description of the City's major governmental funds:

General Fund - The General Fund is the primary operating fund of the City. It is used to account for all financial resources except those legally or administratively required to be accounted for in another fund.

Special Revenue Fund - The Public Housing Agency Fund is used to account for the proceeds of federal funds regulated by the Department of Housing and Urban Development, and for the expenditures that are legally restricted for low-income housing program purposes.

Proprietary funds:

The focus of proprietary fund measurement is upon determination of operating income, changes in net position, financial position and cash flows. The generally accepted accounting principles applicable are those similar to businesses in the private sector. Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the proprietary fund's principal ongoing operations. The principal operating revenues for the City's proprietary funds are charges for water, sewer and fiber optic leasing services. Operating expenses for the City's proprietary funds include administrative and general, fiber optic cable maintenance, water and sewer transmission and distribution costs, source of supply, water and sewer treatment and pumping costs and depreciation on capital assets. All revenues or expenses not meeting this definition are reported as non-operating revenues and expenses.

1. Nature of operations and summary of significant accounting policies (continued):

Basic financial statements - fund financial statements:

Proprietary funds:

The City's proprietary funds are all classified as enterprise funds. Enterprise funds are required to be used to account for operations for which a fee is charged to external users for goods or services and the activity meet any of the following criteria; (a) government officials elect to report the activity as an enterprise fund (b) financed with debt that is solely secured by a pledge of the net revenues, (c) third-party requirements that the cost of providing services, including capital costs, be recovered with fees and charges or (d) establishes fees and charges based on a pricing policy designed to recover similar costs. The following is a description of the City's major enterprise funds:

Sewer Fund - The Sewer Fund is used to account for the revenues generated from the charges for sewer services provided to residential and commercial users of the City and associated expenses.

Water Fund - The Water Fund is used to account for the revenues generated from the charges for distribution of potable water to residential and commercial users of the City and associated expenses.

Fiber Fund - The Fiber Fund is used to account for the revenues generated from the charges for the use of a high-speed fiber optic network provided to residential and commercial users in the City and associated expenses.

Basis of accounting:

Basis of accounting refers to the point at which revenues or expenditures/expenses are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

Accrual - Both governmental and business-type activities in the government-wide financial statements and the proprietary fund financial statements are presented using the economic resources measurement focus and the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligible requirements imposed by the provider have been met.

1. Nature of operations and summary of significant accounting policies (continued):

Basis of accounting:

Modified accrual - The governmental funds financial statements are presented on the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual (i.e., both measurable and available). Available means collectible within the current period or within 60 days after year end. The City considers all revenues to be available if they are collected within 60 days after the end of the current fiscal year. Expenditures are generally recognized under the modified accrual basis of accounting when the related liability is incurred. The exception to this general rule is that principal and interest on general obligation long-term debt, if any, are recognized when due.

In applying the susceptible to accrual concept to intergovernmental revenues, the provider should recognize liabilities and expenses and the recipient should recognize receivables and revenue when the applicable eligibility requirements, including time requirements, are met. Resources transmitted before the eligibility requirements are met should, under most circumstances, be reported as advances by the provider and as deferred inflows by the recipient.

Cash and cash equivalents:

The City considers all highly liquid investments purchased with a maturity of three months or less to be cash equivalents. The carrying amount approximates estimated fair value because of the short maturity of those instruments.

Receivables:

All receivables are reported at the original amount less an estimate for uncollectible amounts. It is management's policy to use the aggregate of all accounts that are delinquent one year or more on police tickets and 85% of the aggregate housing assistance repayments as the basis and determination of the allowance for doubtful accounts. For proprietary funds, management determines the provision for doubtful accounts by regularly evaluating individual customer receivables and considering a customer's financial condition, credit history and current economic conditions. Accounts receivable are written off when deemed uncollectible. Recoveries of accounts receivable previously written off are recorded as revenues when received. The City maintains restricted receivables associated with Bay Restoration Fees billed and eventually collected, on behalf of the State, as well as taxes and other receivables restricted for use for capital projects.

1. Nature of operations and summary of significant accounting policies (continued):

Unbilled services:

Unbilled customer service receivables for water consumption and related sewer charges are based upon the actual quantity of water used during the subsequent billing periods and the previous year's respective billing periods, depending on the availability of related consumption read information when unbilled services are estimated.

Prepaid items:

Payments made to vendors for services that will benefit periods beyond June 30, 2019 are reported as prepaid items using the consumption method by recording a current asset for the prepaid amount at the time of purchase and reflecting the expenditure/expense in the year in which services are consumed.

Inventory:

Inventories of materials are maintained in the General, Water, Sewer and Fiber Funds. Materials are carried in an inventory account at cost using the first-in, first-out method and are subsequently charged to expenditures when consumed.

Capital assets:

Capital assets in governmental fund type operations are accounted for in the government-wide financial statements, rather than in governmental funds.

1. Nature of operations and summary of significant accounting policies (continued):

Capital assets:

All capital assets are valued at historical cost or estimated historical cost, if actual historical cost is not available. Donated capital assets are valued at their estimated acquisition value on the date donated. Capital assets with a value of $10,000 or more are capitalized by the City. The City regularly evaluates its capital assets in order to determine the appropriate useful lives. Capital assets are depreciated using the straight-line method over the following estimated useful lives:

Buildings and improvements	7-40 years
Furniture and fixtures	5 years
Improvements other than buildings	7-40 years
Infrastructure	10-100 years
Machinery and equipment	5-40 years
Utility plant and equipment	5-40 years
Vehicles	5-10 years
Water use rights	40 years

Government-wide financial statements:

Depreciation of all exhaustible capital assets is recorded as a direct expense in the statement of activities, with accumulated depreciation reflected in the statement of net position.

Additions are recorded at cost or, if contributed property, at their estimated acquisition value at time of contribution. Repairs and maintenance are recorded as expenses; renewals and betterments are capitalized. The sale or disposal of capital assets is recorded by removing cost and accumulated depreciation from the accounts and charging the resulting gain or loss to income.

Fund financial statements:

In the fund financial statements, capital assets used in governmental fund operations are accounted for as capital outlay expenditures of the governmental fund upon acquisition. Capital assets used in proprietary fund operations are accounted for the same as in the government-wide financial statements.

1. Nature of operations and summary of significant accounting policies (continued):

Long-term obligations:

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental statements. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Changes in premiums and discounts are reported as part of long-term debt. Bond issuance costs are generally expensed as incurred.

In the fund financial statements, governmental fund types recognize bond premiums and discounts as revenues or expenditures during the current period.

Deferred outflows and inflows of resources:

In addition to assets and liabilities, the statement of net position will sometimes report separate sections for deferred outflows and inflows of resources. These separate financial statement elements represent a consumption or acquisition of net position that applies to future periods and will not be recognized as an outflow (expense/expenditure) or inflow (revenue) of resources until that time. Deferrals related to pension and other postemployment benefits are disclosed in their respective notes below.

Interfund activity:

The City allocates to several funds a percentage of the salaries and wages and related costs of personnel who perform general and administrative services for such funds.

Sales of goods and services between funds are reported as revenues in the seller funds and as expenditures/expenses in the purchaser funds. Flows of cash or goods from one fund to another without a requirement for repayment are reported as interfund transfers. Interfund transfers are reported as other financing sources/uses in governmental funds, and after non-operating revenues/expenses in proprietary funds.

On fund financial statements, interfund loans are classified as interfund receivables/payables. These amounts are eliminated in the statement of net position, except for amounts due between governmental and business-type activities, which are presented as internal balances.

1. Nature of operations and summary of significant accounting policies (continued):

Compensated absences:

Regular employees are granted vacation leave based on the number of continuous service years. A maximum of 40 days of annual leave may be carried over to subsequent years. Upon termination, the employees will be paid for the number of days they have accrued.

The salary-related payments representing the employer's share of Social Security and Medicare taxes have been accrued. The vested annual leave is expensed as incurred in the appropriate funds. The City estimates the current portion of compensated absences based on known or anticipated retirements for the forthcoming calendar year. The remainder of the obligation for compensated absences is reported as a long-term liability in the government-wide financial statements and the proprietary fund financial statements.

Unearned revenue:

The City has a number of agreements with homeowners' associations in the City for future maintenance of stormwater facilities. The fees are generally paid up front by the developers and revenue is recognized over the life of the agreement.

Memberships and deposits received for parks and rec services and events are reported as deferred revenue until the revenue is earned by the City.

Revenues received under reimbursable grant agreements are recognized in the period in which the qualified expenditures are incurred. Any unexpended funds are reported as unearned revenue.

Net position:

In the government-wide financial statements and proprietary fund financial statements, net position equals assets plus deferred outflows of resources less liabilities and deferred inflows of resources and is classified in the following three categories:

Net investment in capital assets - This category groups all capital assets, including infrastructure, into one component of net position. Accumulated depreciation and the outstanding balances of debt that are attributable to the acquisition, construction or improvement of these assets reduce this category.

1. Nature of operations and summary of significant accounting policies (continued):

Net position:

Restricted net position - This category presents external restrictions imposed by creditors, grantors, contributors, laws or regulations of other governments, and restrictions imposed by law through constitutional provisions or enabling legislation.

Unrestricted net position - This category represents the net position of the City which is not restricted for any project or other purpose. However, these funds may be designated for specific projects or purposes in the fund financial statements.

When an expense is incurred that can be paid using either restricted or unrestricted resources (net position), the City's policy is to first apply the expense toward restricted resources and then toward unrestricted resources.

Fund balance:

In the governmental fund financial statements, the City classifies governmental fund balances as follows:

Nonspendable - This category includes fund balance amounts that cannot be spent either because they are not in spendable form or because of legal or contractual agreements.

Restricted - This category includes fund balance amounts that are considered restricted for specific purposes which are externally imposed by providers, such as creditors, or amounts constrained due to constitutional provisions or enabling legislation.

Committed - This category includes fund balance amounts for which constraints have been imposed by the government itself using the highest level of decision-making authority. A majority of the Mayor and Common Council must approve, by consensus vote, the establishment of a fund balance commitment, as well the elimination of any fund balance commitment.

Assigned - This category includes fund balance amounts intended to be used for specific purposes that are considered neither restricted nor committed. Fund balance may be assigned by the Mayor and Common Council.

Unassigned - This category includes the residual fund balance of the General Fund, which has not been classified within the other above mentioned categories.

1. Nature of operations and summary of significant accounting policies (continued):

Fund balance:

When an expenditure is to be made for a purpose for which amounts are available in multiple fund balance classifications, the order in which resources will be expended is as follows: restricted fund balance, followed by committed fund balance, assigned fund balance and lastly unassigned fund balance.

Budgets and budgetary analysis:

The City prepares an annual operating budget for all funds on a basis consistent with accounting principles generally accepted in the United States of America. Appropriations for salaries and operating expenses lapse at the fiscal year end. Budget revisions receive approval of the Mayor and Common Council. There were several budget revisions approved by the Mayor and Common Council during the year ended June 30, 2019. Both original and final budgets of the General Fund and Public Housing Agency Fund have been included in the presentation of the City's required supplementary information.

Pensions:

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, pension expense, information about the fiduciary net position of the Maryland State Retirement and Pension System (the "System"), and additions to/deductions from the System's fiduciary net position have been determined on the same basis as they are reported by the System. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms.

Use of estimates:

Management uses estimates and assumptions in preparing financial statements in conformity with accounting principles generally accepted in the United States of America. Those estimates and assumptions affect the reported amounts of assets, deferred outflows of resources, liabilities and deferred inflows of resources, the disclosure of contingent assets and liabilities and the reported revenues and expenses. Actual results could vary from the estimates that were used.

1. Nature of operations and summary of significant accounting policies (continued):

New accounting pronouncements adopted:

The following summarizes GASB Statements implemented by the City during the year ended June 30, 2019 and the relating effects on the financial statements presentation and disclosure, as applicable:

GASB Statement No. 83, *Certain Asset Retirement Obligations* - The objective of this Statement is to address accounting and financial reporting requirements for asset retirement obligations ("ARO"). An ARO is a legally enforceable liability associated with the retirement of a tangible capital asset. The provisions of this Statement were effective for periods beginning after June 15, 2018, and were implemented by the City as of July 1, 2018, with no effect on financial statement presentation and disclosure.

GASB Statement No. 88*, Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements* - The objective of this Statement is to improve financial statement disclosures related to debt, including direct borrowings and direct placements, and it clarifies which liabilities governments should include when disclosing information related to debt. The provisions of this Statement were effective for periods beginning after June 15, 2018, and were implemented by the City as of July 1, 2018, with minimal effect on financial statement presentation and disclosure.

GASB Statement No. 89, *Accounting for Interest Cost Incurred before the End of a Construction Period* - The objective of this Statement is to enhance the relevance and comparability of information about capital assets and the cost of borrowing for a reporting period and to simplify accounting for interest cost incurred before the end of a construction period. This Statement establishes accounting requirements for interest cost incurred before the end of a construction period to be expensed in the period incurred and not capitalized as historical cost of the project. The provisions of this Statement are effective for periods beginning after December 15, 2019, and were early implemented by the City as of July 1, 2018, with minimal effect on financial statement presentation and disclosure.

1. Nature of operations and summary of significant accounting policies (continued):

New GASB pronouncements:

The GASB issued several pronouncements prior to the year ended June 30, 2019 that have effective dates that may impact future financial statement presentations. Management has not currently determined what, if any, impact implementation of the following statements may have on the financial statements of the City:

GASB Statement No. 84, *Fiduciary Activities,* will be effective for the City beginning with the fiscal year ending June 30, 2020. This Statement establishes criteria for identifying fiduciary activities. The focus of the criteria generally is on 1) whether a government is controlling the assets of the activity and 2) the beneficiaries with whom a fiduciary relationship exists. Separate criteria are included to identify fiduciary component units and postemployment benefit arrangements that are fiduciary activities.

GASB Statement No. 87, *Leases*, will be effective for the City beginning with the fiscal year ending June 30, 2021. This Statement removes the traditional classifications of leases as operating or capital and recognizes all leases as financing tools, resulting in the reporting of lease transactions as both a liability and an intangible right to use the leased asset. This Statement defines lease transactions and establishes the new accounting and financial reporting requirements.

GASB Statement No. 90, *Majority Equity Interests - an amendment of GASB Statements No. 14 and No. 61*, will be effective for the City beginning with the fiscal year ending June 30, 2020. This Statement improves the consistency and comparability of reporting a government's majority equity interest in a legally separate organization and to improve the relevance of financial statement information for certain component units. It defines a majority equity interest and specifies that a majority equity interest in a legally separate organization should be reported as an investment if a government's holding of the equity interest meets the definition of an investment.

GASB Statement No. 91, *Conduit Debt Obligations*, will be effective for the City beginning with the fiscal year ending June 30, 2022. This Statement provides a single method of reporting conduit debt obligations by issuers and eliminates diversity in practice associated with 1) commitments extended by issuers, 2) arrangement associated with conduit debt obligations and 3) related note disclosures.

2. Deposits and investments:

The deposits and investments held as of June 30, 2019 are as follows:

Type	Rating/ interest rate (unaudited)	Maturities (unaudited)	Carrying value
Deposits:			
Cash on hand	N/A	N/A	$ 3,300
Held with escrow agent	N/A	N/A	20,000
Demand deposits	0.00% - 1.00%	N/A	20,036,776
Certificate of deposits	1.49% - 2.60%	7/2019 - 2/2020	15,655,990
Investments:			
Maryland local government investment pool	AAAm/2.22%	N/A	6,713,819
Total deposits and investments			$ 42,429,885

The reconciliation to the statement of net position as of June 30, 2019 is as follows:

Current assets:	
Cash and cash equivalents:	
Unrestricted	$ 236,498
Restricted	200,883
Total cash and cash equivalents	437,381
Equity in pooled cash and cash equivalents:	
Unrestricted	33,641,390
Restricted	8,351,114
Total equity in pooled cash and cash equivalents	41,992,504
Total current assets	$ 42,429,885

2. Deposits and investments (continued):

The City follows Government Accounting Standards Board Statement 79, *Certain External Investment Pools and Pool Participants*, which requires disclosure of specific criteria regarding external investment pools. The City maintains a cash and investment pool that is available for use by all funds. The City is governed by the deposit and investment limitations of Maryland law. The City is a participant in the Maryland Local Government Investment Pool (MLGIP), which provides all local government units of the state an investment vehicle for short-term investment of funds. The MLGIP is rated "AAAm" by Standard and Poor's (their highest rating). The State Legislature created MLGIP with the passage of Article 95 22G, of the Annotated Code of Maryland. The MLGIP, under the administrative control of the State Treasurer, has been managed by a single financial institution. A MLGIP Advisory Committee of current participants reviews, on a quarterly basis, the activities of the fund and provides suggestions to enhance the pool. The fair value of the pool is the same as the value of the pool shares. As of June 30, 2019, all pool holdings were in cash and cash equivalents with a weighted average maturity of 38 days. The pool is managed in a "Rule 2(a)-7 like" manner and is reported at amortized cost pursuant to Rule 2(a)-7 under the Investment Company Act of 1940 and also issues a publicly available financial report that includes financial statements and required supplemental information for the MLGIP. This report can be obtained in writing: Maryland Local Government Investment Pool; c/o PNC Institutional Investments Group; One East Pratt Street; Baltimore, Maryland, 21202; by calling 1-800-492-5160, or the website, www.mlgip.com. As of June 30, 2019, the City had total investments in MLGIP of $6,713,819, which have been reflected as equity in pooled cash and cash equivalents.

2. Deposits and investments (continued):

Restricted cash and cash equivalents at June 30, 2019 consisted of the following:

	Govermental activities	Business-type activities
Bay Restoration Fee		$ 157,222
Capital improvements projects	$ 1,066,332	
City program commitments	1,110,613	
Debt service reserve fund		20,000
Developer deposits	190,170	
Employee flexible spending accounts	5,846	
Future infrastructure growth	772,606	5,043,126
Housing voucher program	3,684	
Judicial mandates	175,848	
Other escrows	6,550	
Total restricted cash and cash equivalents	$ 3,331,649	$ 5,220,348

The City's formal investment policy follows the Maryland State Finance and Procurement Code Ann. § 6-222 (the "Code"). The Code authorizes the City to invest in obligations of the United States and related agencies, repurchase agreements of United States obligations, certain bankers' acceptances, bonds and commercial paper with the highest letter and numerical rating by at least one nationally recognized statistical rating organization, money market mutual funds operated in accordance with Rule 2A-7 of the ICA of 1940 and any investment portfolio created under the MLGIP.

Custodial credit risk:

Deposits in financial institutions, reported as components of cash and cash equivalents, had a bank balance of $36,414,015 at June 30, 2019, of which $11,612,700 was covered by federal depository insurance. The remaining amount of $24,801,315 was fully collateralized by securities pledged and held by financial institution's trust department or agent, not in the City's name, as of June 30, 2019.

2. Deposits and investments (continued):

Interest rate risk:

The City's formal investment policy manages its exposure to fair value losses arising from increasing interest rates by limiting investments in securities to those maturing within three years from the date of purchase. However, the City may collateralize its repurchase agreements using longer-dated investments not to exceed 30 years to maturity. Reserve funds may be invested in securities exceeding 30 days if the maturity of such investment coincides as nearly as practicable with the expected use of funds. Maturities of investments held at June 30, 2019 are disclosed under deposits and investments.

Credit risk:

The City's formal investment policy follows the Code. The Code authorizes the City to invest in obligations of the United States and related agencies, repurchase agreements of United States obligations, certain bankers' acceptances, bonds and commercial paper with the highest letter and numerical rating by at least one nationally recognized statistical rating organization, money market mutual funds operated in accordance with Rule 2A-7 of the ICA of 1940 and any investment portfolio created under the MLGIP.

Concentration of credit risk:

Based on the formal investment policy, the City invests no more than 70% of its total investment portfolio in any single security type or in any single financial institution, excluding the MLGIP. At June 30, 2019, the City had no concentration of credit risk.

3. Loan receivable and related forgiveness:

In February 1998, the City loaned $50,000 to Human Services Program of Carroll County, Inc., a local not-for-profit organization, to assist with the organization's project to rehabilitate a shelter building. The agreement provided that no payments of principal or interest shall be due under the note and the principal shall be forgiven at the rate of $1,650 per year while the property is utilized as a shelter for low- and moderate-income families and individuals. If not paid off by the organization due to modification of use, the entire indebtedness will be forgiven by February 25, 2028. As of June 30, 2019, $15,350 remains outstanding on the loan, $1,650 of which has been classified as a current asset.

4. Capital assets:

A summary of governmental activities follows:

	Balance July 1	Increases	Decreases	Transferred to active status	Balance June 30
Capital assets not being depreciated:					
Land and land rights *	$ 2,184,171			$ 286,735	$ 2,470,906
Construction in progress	2,318,934	$ 2,205,594		(4,256,073)	268,455
Total capital assets, not being depreciated	4,503,105	2,205,594		(3,969,338)	2,739,361
Capital assets, being depreciated:					
Buildings	14,967,771	15,549	$ 3,800	1,437,616	16,417,136
Equipment	3,953,376	13,349		101,344	4,068,069
Furniture and fixtures	221,986	11,620			233,606
Improvements other than buildings *	10,029,579	52,876		123,177	10,205,632
Infrastructure	55,865,240	100,437		2,307,201	58,272,878
Vehicles	3,226,409	319,290	230,863		3,314,836
Water use rights	1,400,000				1,400,000
Total capital assets, being depreciated	89,664,361	513,121	234,663	3,969,338	93,912,157
Less accumulated depreciation for:					
Buildings	6,030,799	438,578			6,469,377
Equipment	3,065,847	205,270			3,271,117
Furniture and fixtures	148,520	18,983			167,503
Improvements other than buildings	5,521,137	363,746			5,884,883
Infrastructure	25,598,860	1,672,540			27,271,400
Vehicles	2,305,163	254,812	228,069		2,331,906
Water use rights	84,583	35,000			119,583
Total accumulated depreciation	42,754,909	2,988,929	228,069		45,515,769
Total capital assets, being depreciated, net	46,909,452	(2,475,808)	6,594	3,969,338	48,396,388
Total capital assets, net	$ 51,412,557	$ (270,214)	$ 6,594	$ -	$ 51,135,749

* The July 1 balances include a reclassification of $439,999 moving costs from improvements other than buildings to land and land rights.

4. Capital assets (continued):

Management has evaluated the useful lives of all capital assets and has determined that no change is necessary at this time.

Accumulated costs attributable to projects included in construction in progress under governmental activities at June 30, 2019 are as follows:

Governmental activities:	
45 West Main Street renovations	$ 209,216
Records room improvements	59,239
Total construction in progress	$ 268,455

Depreciation expense for the year ended June 30, 2019 was charged to governmental activities as follows:

Governmental activities:	
General government	$ 219,754
Public safety	197,949
Culture and recreation	381,835
Highways and streets	2,170,644
Community development and public housing	18,747
Total depreciation expense	$ 2,988,929

4. Capital assets (continued):

A summary of business-type activities follows:

	Balance July 1	Increases	Decreases	Transferred to active status	Balance June 30
Capital assets not being depreciated:					
Land and land rights	$ 190,915	$ 351,540			$ 542,455
Construction in progress	16,027,654	12,749,217		$ (16,885,043)	11,891,828
Total capital assets, not being depreciated	16,218,569	13,100,757		(16,885,043)	12,434,283
Capital assets, being depreciated:					
Buildings	121,075	484,642			605,717
Equipment	4,474,483	93,333	$ 47,230		4,520,586
Furniture and fixtures	6,414		6,414		-
Infrastructure	51,814,766	785,914		15,607,505	68,208,185
Utility plant and equipment	32,386,182	133,039	6,842	1,277,538	33,789,917
Improvements other than buildings	38,774		38,774		-
Vehicles	1,231,244	71,342	123,898		1,178,688
Total capital assets, being depreciated	90,072,938	1,568,270	223,158	16,885,043	108,303,093
Less accumulated depreciation for:					
Buildings	25,783	8,070			33,853
Equipment	3,486,662	181,084	49,792		3,617,954
Furniture and fixtures	6,414		6,414		-
Infrastructure	18,203,839	1,145,169			19,349,008
Utility plant and equipment	15,265,663	747,863	7,840		16,005,686
Vehicles	733,733	95,182	119,509		709,406
Total accumulated depreciation	37,722,094	2,177,368	183,555		39,715,907
Total capital assets, being depreciated, net	52,350,844	(609,098)	39,603	16,885,043	68,587,186
Total capital assets, net	$ 68,569,413	$ 12,491,659	$ 39,603	$ -	$ 81,021,469

Management has evaluated the useful lives of all capital assets and has determined that no change is necessary at this time.

4. Capital assets (continued):

Accumulated costs attributable to projects included in construction in progress under business-type activities at June 30, 2019 are as follows:

Sewer Fund:	
Enhanced nutrient removal and biosolids upgrade to waste water treatment plant	$ 11,492,846
Water Fund:	
Gessell Well / Little Pipe Creek	328,674
Reservoir improvements	27,558
Storage tank mixing project	42,750
Total Water Fund	398,982
Total construction in progress	$ 11,891,828

Depreciation expense for the year ended June 30, 2019 was charged to business-type activities as follows:

Sewer Fund	$ 876,310
Water Fund	1,078,993
Fiber Fund	222,065
Total depreciation expense	$ 2,177,368

5. Loan payable:

In February 2007, the City received $100,000 in zero-interest financing from the Westminster Town Center Corporation to be used for the purchase and rehabilitation of certain properties to be sold as affordable housing to qualified buyers. The loan is payable upon the sale of the related properties. During 2015, the related properties were sold and the conditions for repayment were satisfied. As of June 30, 2019, the loan remains outstanding and will be paid upon the reestablishment of the Corporation and approval by City Council.

6. Due to other governments:

In prior years, the City received $478,000 from the Carroll County Commissioners of Maryland in relation to agreements to provide sewer service to the County Airport and County Industrial Park Complex in the amount of $228,000 and for project costs for expanding permanent sewage infrastructure along Maryland Route 31 and the Adams Mill Road vicinity (the "Avondale" area) in the amount of $250,000. Both amounts bear no interest. The City has assessed increased special benefit assessment charges for permits issued in these areas, of which the increased portions are to be used for repayment of the loans; therefore, the loans have been classified as noncurrent obligations of the City. As of June 30, 2019, $39,531 and $149,037 are outstanding on the County Airport and County Avondale obligations, respectively.

7. Deposits and escrows:

In May 2017, the City entered into agreements with various entities for improvements along MD 97, a State owned road. Under these agreements, the City is collecting funds from other entities and holding them in escrow until they are remitted to the State as they submit allowable costs for reimbursement. Under the agreements, $500,000 of the escrow balance will be held by the City until the completion of construction. As of June 30, 2019, $924,615 is held in escrow related to this project.

8. Long-term debt:

General Obligation Bonds outstanding as of June 30, 2019 are composed of the following:

Governmental activities general obligation bonds payable:	
$4,820,000 Infrastructure Bonds - 2005 Series A due in annual principal payments of $199,300-$232,500 plus interest paid semi-annually at rates of 4.20%-4.45%.The bond matures on May 1, 2025.	$ 1,211,300
$1,541,400 Infrastructure Bonds - 2012 Series B due in annual principal paymentsof $158,500-$165,500 plus interest paid semi-annually at rates of 1.96%-2.53%. The bond matures on May 1, 2022.	486,400
$5,000,000 Infrastructure Bonds - 2017 Series A-1 and Series A-2 due in annual principal payments of $207,000-$329,500 plus interest paid semi-annually at rates of 2.9%-3.30%. The bonds mature on April 1, 2037.	4,630,000
Total governmental activities general obligation bonds payable	6,327,700
Business-type activities general obligation bonds payable:	
Water Fund:	
$1,269,858 Drinking Water Bonds - Series 2000 due in annual principal payments of $78,115-$80,145 plus interest paid semi-annually at a rate of 2.6%. The bond matures on February 1, 2021.	158,260
$9,850,906 Drinking Water Bonds - Series 2007 due in annual principal payments of $586,321-$622,392 plus interest paid semi-annually at a rate of 1.0%. The bond matures on February 1, 2027.	4,296,680
$4,415,138 Drinking Water Bonds - Series 2008 due in annual principal paymentsof $235,903-$285,190 plus interest paid semi-annually at a rate of 2.4%. The bond matures on February 1, 2028.	2,338,787
Sewer Fund:	
$27,606,475 Water Quality Bonds - Series 2019A of which $272,344 is drawn. Due in annual principal payments of $805,680-$1,044,736 plus interest paid semi-annually at a rate of 0.9%. The bond matures on February 1, 2052.	272,344
$1,500,000 Water Quality Bonds - Series 2019B accrues interest at a rate of 0.0%.The bonds will be forgiven on March 28, 2029 as long as the City is in compliance with the loan agreement.	1,500,000
Fiber Fund:	
$16,215,000 Infrastructure Bonds - 2019 Series A-1 and Series A-2 due in annual principal payments of $315,000-890,000 plus interest paid semi-annually at rates of 3.3%-4.0%. The bonds matures on April 1, 2049.	16,215,000
Total business-type activities general obligation bonds payable	24,781,071
Total general obligation bonds payable	$ 31,108,771

8. Long-term debt (continued):

The City signed an agreement dated June 27, 2019 for a $1,300,000 loan from the Maryland Department of Housing and Community Development, none of which has been disbursed at June 30, 2019. The loan will be disbursed over the next three years to provide for operating expenses for the Fiber Fund based on budgeted amounts. The loan accrues interest at 0% and repayment is due June 1, 2049. If the City sells, assigns or transfers more than 25% of the fiber assets, the total principal is payable immediately. If the City defaults on the loan by not paying the principal balance when due, the interest rate will change as of that date to the prime rate. The loan is subject to certain covenants requiring insurance coverage, current payment of taxes and financial reporting.

In March 2019, the City issued $29,106,475 in water quality bonds titled Series 2019A and 2019B for the purpose of financing the planning, design and construction of Enhanced Nutrient Removal and Biosolids Upgrades at the Westminster Wastewater Treatment Plant.

In June 2019, the City issued $16,215,000 in refunding bonds, titled 2019 Series A-1 and A-2, to currently refund $15,784,652 of the outstanding 2015A Series and 2015B Series bonds to achieve economic savings, as well as to fix the interest rate on the debt, as the refunded bonds accrued interest at variable rates. The current refunding increased total debt service payments over the next 30 years by $1,233,586. This resulted in an economic gain (difference between the present values of the debt service payments on the old and new debt) of $387,160.

The following is a summary of changes in long-term debt for the year ended June 30, 2019:

	Beginning of year	Additions	Reductions	Ending balance	Due within one year
Governmental activities:					
General obligation bonds payable	$ 7,626,700		$ 1,299,000	$ 6,327,700	$ 564,800
Other long-term liabilities, compensated absences	424,186	$ 20,973	30,169	414,990	6,114
Total governmental activities	$ 8,050,886	$ 20,973	$ 1,329,169	$ 6,742,690	$ 570,914
Business-type activities:					
General obligation bonds payable	$ 18,051,614	$ 17,987,344	$ 11,257,887	$ 24,781,071	$ 1,215,339
Other long-term liabilities, compensated absences	245,976	13,400	1,502	257,874	
Due to other governments	226,486		37,918	188,568	
Total business-type activities	$ 18,524,076	$ 18,000,744	$ 11,297,307	$ 25,227,513	$ 1,215,339

8. Long-term debt (continued):

Other long-term liabilities in governmental and business-type activities are liquidated from general revenues in the respective General, Public Housing Agency, Water Sewer and Fiber Funds, as applicable.

The credit and taxing powers of the City are pledged in payment of any deficiency in the funding of the principal and interest payments of all general obligation bonds and the loan from the Maryland Department of Housing and Community Development.

The principal and interest requirements to maturity of the general obligation bonds payable debt of all funds are as follows:

Years ending June 30,	Governmental activities		Business-type activities	
	Principal	Interest	Principal	Interest
2020	$ 564,800	$ 199,729	$ 1,215,339	$ 698,572
2021	580,900	184,083	1,258,895	720,170
2022	597,000	167,340	1,195,469	694,583
2023	445,000	148,954	1,489,731	673,734
2024	456,500	134,420	1,239,507	651,686
2025-2029	1,333,500	505,970	4,397,130	2,858,303
2030-2034	1,394,500	306,151	2,325,000	2,290,390
2035-2039	955,500	69,139	2,770,000	1,838,600
2040-2044			3,335,000	1,255,540
2045-2049			5,555,000	538,370
	$ 6,327,700	$ 1,715,786	$ 24,781,071	$ 12,219,948

Interest costs incurred and charged to expense for the year ended June 30, 2019 for governmental activities and business-type activities were $212,902 and $1,034,254, respectively.

9. Conduit debt:

From time to time, the City has issued Economic Development and Educational Facilities Revenue Bonds to provide financial assistance to private-sector entities for the acquisition and construction of facilities deemed to be in the public interest. The bonds are secured by the property financed and are payable solely from payments received on the underlying mortgage loans. The City is not obligated in any manner for repayment of the bonds. Accordingly, the bonds are not reported as liabilities in the accompanying financial statements. As of June 30, 2019, there were various series of Economic Development Revenue Bonds and Educational Facilities Revenue Bonds outstanding, with an aggregate principal amount payable of $142,815,000.

10. Interfund transactions:

Interfund receivable and payable balances at June 30, 2019 consisted of the following:

	Due from			
	Governmental funds	Enterprise funds		
Due to	General Fund	Sewer Fund	Water Fund	Total
Governmental funds:				
General fund		$ 39,528	$ 34,776	$ 74,304
Public housing agency fund	$ 8,901			8,901
	8,901	39,528	34,776	83,205
Enterprise funds:				
Fiber Fund	6,083		1,240	7,323
Total	$ 14,984	$ 39,528	$ 36,016	$ 90,528

All interfund balances resulted from the time lag between the dates that:

1) Interfund goods and services are provided or reimbursable expenditures occur,

2) Transactions are recorded in the accounting system, and

10. Interfund transactions (continued):

3) Payments between funds are made, and are expected to be repaid within the following year.

Significant interfund transfers for the year ended June 30, 2019 include a transfer of $75,000 from the General Fund to the Public Housing Agency Fund to support the Public Housing Agency Fund's activities.

11. Fund balances and net position:

The governmental fund balances at June 30, 2019, are summarized as follows:

	General Fund	Public Housing Agency Fund	Total
Nonspendable, not in spendable form:			
Prepaid expenditures	$ 219,319	$ 6,205	$ 225,524
Inventory	117,984		117,984
Loans receivable	15,350		15,350
	352,653	6,205	358,858
Restricted:			
Benefit assessments	791,806		791,806
Housing voucher program		240,806	240,806
Police non-budgeted	154,791		154,791
	946,597	240,806	1,187,403
Committed to police discretional use	12,169		12,169
Assigned:			
Community development	475,953		475,953
Emergency reserve	1,467,321		1,467,321
Fiscal year 2020 budget	5,488,110		5,488,110
	7,431,384		7,431,384
Unassigned	7,048,923		7,048,923
Total fund balance	$ 15,791,726	$ 247,011	$ 16,038,737

Restricted net assets in business-type activities are limited to $5,043,126 restricted in the Sewer Fund for future infrastructure growth from benefit assessment revenue.

12. Property taxes:

The amount of the tax levy in the corresponding tax year shall constitute a determination of the amount to be raised. Property taxes are due and payable on the first day of July in the year for which they are levied and become overdue and in arrears on the first day of the following October. The Mayor and Common Council also have the authority to levy a half-year tax on new construction due and payable on January 1 in the year such tax is levied. The tax rate for the year ended June 30, 2019 was $0.56 per $100 of assessed property value.

Personal property taxes are levied annually and are due within 30 days of billing, which occurs as assessment information is received by the state. Assessed values are established by the Maryland State Department of Assessments and Taxation. For tangible business and personal property, the rate per $100 of assessed value was $1.10 in fiscal year 2019. For tangible utility property, the rate per $100 of assessed value was $1.40 in fiscal year 2019.

13. Rental income agreements:

The City has entered into lease agreements for real estate at market rates with various unrelated parties. Additionally, the City leases two pieces of real estate to unrelated parties at a rate of $1 per year. Rental income for the year ended June 30, 2019 was $39,028. Future minimum annual rental receipts for the General Fund for the years ended June 30 is as follows:

2020	$ 13,202
2021	13,202
2022	4,202
2023	4,202
2024	4,202
2025-2029	5,963
	$ 44,973

The cost of the leased properties presented in building and improvements was $812,446 with accumulated depreciation of $410,754 as of June 30, 2019.

13. Rental income agreements (continued):

On February 5, 2019, the City entered into a purchase contract with the lessee for one of the real estate properties leased to an unrelated party for $1 per year. The property is at 7 Schoolhouse Avenue, Westminster, and the sales price is $430,000. Settlement on the sale (closing) will occur no later than 18 months after February 5, 2019, except that the deadline for closing may be extended by three additional 180 day periods. As of April 9, 2020, the property sale was not completed.

In December 2018 the City entered into a lease agreement with the construction company who is building the new sewer facility for the property located next to the facility. The intention is that the construction company will be able to use the property during construction. The lease agreement expires in June 2022. Rental income for the year ended June 30, 2019 was $32,500. According to the lease agreement, future minimum rental revenue for the sewer fund consist of $36,869 for the years ended June 30, 2020 and 2021 and $30,566 for the year ended June 30, 2022. The cost of the leased property, presented in building and improvements and land and land rights, was $813,989 with accumulated depreciation of $1,927 as of June 30, 2019.

The City has entered into communication tower lease agreements with various unrelated parties. All lease agreements have renewable terms for successive five-year periods at the lessees' discretion. Rental income for the year ended June 30, 2019 was $277,406. Future minimum annual rental income for the Water Fund for the years ended June 30 is as follows:

2020	$ 253,390
2021	262,227
2022	163,830
2023	37,210
	$ 716,657

14. Fiber network infrastructure lease:

Effective February 9, 2015, the City entered into a ten-year lease agreement with an unrelated party, Ting Fiber, Inc., for the leasing of the City's fiber network infrastructure. The agreement offers an option to renew for two consecutive ten-year extensions. On a monthly basis, the lessee is charged by the City per subscriber to the internet and per possible subscriber (i.e., the fiber network infrastructure is in place on the street where the possible subscriber is located). The agreement also includes a debt service guarantee if the revenue generated by the City through this agreement does not cover the debt service. Any debt payments received from the lessee will be returned to the lessee if the revenue generated by the City through this agreement covers in excess of the debt service in future periods.

For the year ended June 30, 2019, the City generated revenue of $557,890 from this agreement. The income is recognized as operating income because the purpose of the Fiber Fund is to provide a high-speed fiber optic network to residential and commercial users in the City.

15. Operating leases:

Effective August 1, 2018, the City entered into a one-year lease agreement with an unrelated party for the leasing of office space, with the option to renew for an additional three-to twelve-month period. The monthly minimum lease payment is $14,000, which increases to $14,300 during the renewal period.

In addition, the City has various operating leases with unrelated parties for copiers and office equipment through July 2024.

15. Operating leases (continued):

The following is a schedule of future minimum rental payments required under the operating leases as of June 30, 2019:

Years ending June 30,	Governmental activities	Business-type activities
2020	$ 66,608	$ 124,639
2021	7,781	9,971
2022	5,596	7,880
2023	3,409	3,505
2024	1,794	
	$ 85,188	$ 145,995

Rent expense for governmental and business-type activities for the year ended June 30, 2019 was $65,617 and $122,839, respectively.

16. Defined contribution plans:

The City, in accordance with Common Council approval, has two defined contribution plans created in accordance with Internal Revenue Code Sections 457(b) and 401(a), respectively. The 457(b) plan is available to all regular full-time and part-time employees, and the 401(a) plan is available to those employees who are not members of the Law Enforcement Officers' Pension System (LEOPS) of Maryland with at least six months of employment service. Employees are fully vested in both plans immediately upon becoming eligible to participate in the plans. The 457(b) and 401(a) plans have 11 and 104 active participants, respectively, as of June 30, 2019.

The 457(b) plan permits employees to defer a portion of their salary until future years. Employees can defer the lesser of $18,000, adjusted annually for cost of living increases, and up to an additional $6,000 catch-up for employees age 50 or over, or 100% of their includable salaries over the plan year. In addition, the City's 457(b) plan contains a Roth IRA option allowing after-tax contributions up to an annual maximum of $5,500, with an additional $1,000 catch-up for employees age 50 or over. The City contributed $3,837 to the 457(b) plan for the year ended June 30, 2019.

16. Defined contribution plans (continued):

The 401(a) plan permits the City to contribute 2% of eligible employees' salary to a maximum of $50,000 per employee, adjusted annually for cost-of-living increases, to this plan based on attaining six months of service. Employees are fully vested in this plan upon contribution. The City contributed $83,027 to the 401(a) plan for the year ended June 30, 2019.

All amounts of compensation deferred under the plan, all property and rights purchased with those amounts and all income attributable to those amounts, property or rights are held in trust for the exclusive benefit of participants and their beneficiaries; thus, the plan assets are not reflected in the financial statements of the City.

17. Pension plans:

The City is a participating employer in the Maryland State Retirement and Pension System (the "System") - Employees' Pension System and the Maryland State Retirement and Pension System - Law Enforcement Officers' Pension System. Both are defined benefit pension plans.

General information about the pension plans:

Employees' pension system:

Plan description - City employees that work a minimum of 500 regular hours, excluding overtime, are provided with pensions through the Maryland State Retirement and Pension System, a cost-sharing multiple-employer defined benefit pension plan administered by the State Retirement Agency (the "Agency"). Responsibility for the System's administration and operation is vested in a 15-member Board of Trustees. The System issues a publicly available financial report that can be obtained at: https://sra.maryland.gov/sites/main/files/file-attachments/srps-cafr_2018-web.pdf

Benefits provided - The employees' plan provides retirement allowances and other benefits to participants and their beneficiaries. All employees' plan benefits are specified by the State Personnel and Pensions Article of the Annotated Code of Maryland. The employees' plan provides retirement, disability and death benefits.

17. Pension plans (continued):

General information about the pension plans:

Employees' pension system:

For individuals who are members of the pension systems on or before June 30, 2011, retirement benefits equal 1.2% of average final compensation (AFC) for the three highest consecutive years as an employee multiplied by the number of years of creditable service accrued prior to July 1, 1998 plus 1.8% of the (AFC) for the three highest consecutive years as an employee multiplied by the number of years of creditable service accrued on or after July 1, 1998. Members are eligible for full service pension allowances upon accumulating 30 years of eligibility service regardless of age. Absent 30 years of eligibility service, members must meet one of the following conditions to be eligible for full service pension allowances: 1) age 62, and five years of eligibility service; 2) age 63, and four years of eligibility service; 3) age 64, and three years of eligibility service or 4) age 65 or older, and two years of eligibility service. Members are eligible for early service pension allowances upon attaining age 55 with at least 15 years of eligibility of service. Benefits are reduced by 0.5% per month for each month remaining until the retiree attains age 62. The maximum reduction for these members is 42%.

For individuals who are members of the pension systems on or after July 1, 2011, retirement benefits equal 1.5% of (AFC) for the five highest consecutive years as an employee multiplied by the number of years of creditable service accrued on or after July 1, 2011. Members are eligible for full service pension allowances when their combined age and eligibility service equals at least 90 years or they attain age 65 after 10 years of eligibility service. Members are eligible for early service pension allowances upon attaining age 60 with at least 15 years of eligibility of service. Benefits are reduced by 0.5% per month for each month remaining until the retiree attains age 65. The maximum reduction for these members is 30%.

All plan employees are eligible for accidental disability benefits regardless of length of service as long as the accident occurred in the course of their job performance. Accidental disability benefits are equal to the sum of an annuity determined as the actuarial value of the members' accumulated contributions and ⅔ (66.7%) of their AFC. Five years of service is required for ordinary disability benefits. Ordinary disability benefits are equal to the full service pension allowance if the member is at least age 62 on the date of retirement. Otherwise, the benefit is equal to the full service pension benefit computed as though the member had continued to accrue service credits until age 62 without any change in the rate of earnable compensation.

17. Pension plans (continued):

General information about the pension plans:

Employees' pension system:

To be eligible for death benefits, the member must have either accumulated one year of eligibility service prior to the date of death or died in the line of duty. Death benefits equal the member's annual earnable compensation on the date of death plus accumulated contributions and interest. Under certain circumstances, surviving spouses who were named sole primary beneficiaries may elect to receive either the aforementioned lump sum payment or a monthly allowance.

Contributions - Members are required to contribute 7% of their wages under the employees' plan. The City is required to make a contribution which is established by annual actuarial valuations using the Individual Entry Age Normal Cost method with projection and other actuarial assumptions adopted by the Board of Trustees. The City's required contribution rate for the year ended June 30, 2019 was 9% of covered payroll, actuarially determined as an amount that, when combined with employee contributions, is expected to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. Contributions to the employees' pension plan from the City were $485,324 for the year ended June 30, 2019.

Law Enforcement Officers' Pension System (LEOPS):

Plan description - Law enforcement officers are provided with pensions through the Maryland State Retirement and Pension System municipal pool, a cost-sharing multiple-employer defined benefit pension plan administered by the Agency. Responsibility for the System's administration and operation is vested in a 15-member Board of Trustees. The System issues a publicly available financial report that can be obtained at: https://sra.maryland.gov/sites/main/files/file-attachments/srps-cafr_2018-web.pdf

Benefits provided - The LEOPS plan provides retirement, disability and death benefits. Retirement benefits equal 2.3% of average final compensation (AFC) for the first 30 years of creditable service, plus 1.0% of AFC for each additional year. Full service pension allowances equal 2.0% of AFC for the five highest consecutive years as an employee, up to a maximum benefit of 65% of AFC (32.5 years of credit). LEOPS plan members are eligible for full service retirement allowances upon attaining age 50 or upon accumulating 25 years of eligibility service regardless of age. Allowances for members who fail to make all required contributions are reduced by the actuarial equivalent of the total unpaid contributions plus interest to the date of retirement. LEOPS plan members are not eligible for early service retirement allowances.

17. Pension plans (continued):

General information about the pension plans:

Law Enforcement Officers' Pension System (LEOPS):

LEOPS plan members are eligible for ordinary disability retirement allowances upon completing five years of eligibility service. Ordinary disability retirement allowances for LEOPS plan members subject to retirement plan provisions equal the greater of the normal service retirement allowance or 25% of AFC. Ordinary disability retirement allowances for LEOPS plan members subject to pension plan provisions equal the full service pension allowance if the member is at least age 50 on the date of retirement. Otherwise, the allowances equal full service pension allowances computed as though the member had continued to work until age 50 without any change in the rate of earnable compensation.

LEOPS plan members are eligible for accidental disability benefits regardless of length of service as long as the accident occurred in the course of their job performance. Accidental disability allowances equal the sum of an annuity determined as the actuarial value of the members' accumulated contributions, and ⅔ (66.7%) of AFC. Allowances may not exceed the members' AFC.

LEOPS plan members accumulating at least one, but less than two, years of eligibility service are eligible for ordinary death benefits equaling the members' annual earnable compensation at the time of death plus accumulated contributions. To be eligible for special death benefits, LEOPS plan members in service must have accumulated at least two years of eligibility service prior to the date of death or died in the line of duty. The special death benefit provided upon death for LEOPS plan members in service equals 50% of the applicable ordinary disability allowance.

Contributions - LEOPS plan members are required to contribute 7.00% of their wages under the plan. The City is required to make a contribution which is established by annual actuarial valuations using the Individual Entry Age Normal Cost method with projection and other actuarial assumptions adopted by the Board of Trustees. The City's required contribution rate for the year ended June 30, 2019 was 31.43% of covered payroll, actuarially determined as an amount that, when combined with employee contributions, is expected to finance the costs of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability. Contributions to the pension plan from the City were $640,120 for the year ended June 30, 2019.

17. Pension plans (continued):

Pension liabilities, pension expense, deferred outflows of resources and deferred inflows of resources related to pensions:

At June 30, 2019, the City reported a liability of $11,241,148 for its proportionate share of the net pension liability. The net pension liability was measured as of June 30, 2018, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's share of contributions to the pension plan relative to the contributions of all participating employers, actuarially determined. At June 30, 2018, the City's proportion was 0.0536%, which was an increase of 0.0053% from its proportion measured as of June 30, 2017.

For the year ended June 30, 2019, the City recognized pension expense of $1,521,459. At June 30, 2019, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred outflows of resources	Deferred inflows of resources
Change of assumptions	$ 296,613	
Change in proprotionate share	1,511,291	$ 236,746
Contributions subsequent to the measurement date	1,125,444	
Difference between expected and actual experience		847,291
Net difference between projected and actual earnings on pension plan investments	359,514	
	$ 3,292,862	$ 1,084,037

17. Pension plans (continued):

Pension liabilities, pension expense, deferred outflows of resources and deferred inflows of resources related to pensions:

$1,125,444 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows for the years ending June 30:

2020	$ 595,066
2021	362,368
2022	(48,761)
2023	52,240
2024	122,468
	$ 1,083,381

Actuarial assumptions - The total pension liability in the June 30, 2018 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Inflation	2.60% general, 3.10% wage
Salary increases	3.10% to 9.10%, including wage inflation
Investment rate of return	7.45%, net of pension plan investment expense, including inflation

Mortality rates were based on the RP-2014 Mortality Tables with generational mortality projections using scale MP-2014 (two-dimensional) mortality improvement scale.

The actuarial assumptions used in the June 30, 2018 valuation were based on the results of an actuarial experience study of the System for the period 2010-2014 after the completion of the June 30, 2014 valuations. Assumptions from the experience study including investment return, inflation, COLA increases, mortality rates, retirement rates, withdrawal rates, disability rates and rates of salary increase were adopted by the Board of Trustees for first use in the actuarial valuation as of June 30, 2015. New economic assumptions were adopted by the Board for the June 30, 2018 valuation.

17. Pension plans (continued):

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighing the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocations and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

Asset class	Target allocations	Long-term expected real rate of return
Public equity	37 %	5.8 %
Private equity	13	6.7
Rate sensitive	19	1.1
Credit opportunity	9	3.6
Real assets	14	4.8
Absolute return	8	3.2
	100 %	

Discount Rate - A single discount rate of 7.45% was used to measure the total pension liability. This single discount rate was based on the expected rate of return on pension plan investments of 7.45%. The projection of cash flows used to determine this single discount rate assumed that plan member contributions will be made at the current contribution rate and that employer contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rate. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability. The discount rate used for the June 30, 2017 valuation was 7.50%.

17. Pension plans (continued):

Sensitivity of the net pension liability to changes in the discount rate - Regarding sensitivity of the net pension liability to changes in the single discount rate, the following presents the plan's net pension liability, calculated using a single discount rate of 7.45%, as well as what the plan's net pension liability would be in it were calculated using a single discount rate that is 1-percentage-point lower or 1-percentage-point higher:

	1% Decrease (6.45%)	Current discount rate (7.45%)	1% Increase (8.45%)
The city's proportionate share of net pension liability	$ 16,191,118	$ 11,241,148	$ 7,133,038

Pension plan fiduciary net position - Detailed information about the pension plan's fiduciary net position is available in the separately issued Agency financial report.

18. Other postemployment benefits (OPEB) plan:

General information about the OPEB plan:

Plan description - The Mayor and Common Council of the City of Westminster, Maryland established the City of Westminster OPEB Plan (the "Plan"). The Plan provides postemployment healthcare benefits for active employees and other postemployment benefits for eligible retirees, their spouses and dependents. The Plan is administered under two City policies, the Retiree Insurance Policy (employees retiring prior to July 1, 2008) and the Retirement Medical Insurance Policy (employees hired prior to July 1, 2008 and retiring after July 1, 2008). The City Charter grants the authority to establish and amend the benefit terms and financing requirements to the Common Council and the Mayor.

Benefits provided - The Plan provides medical, hospitalization and prescription drug benefits to eligible active Plan members and retirees, their spouses and dependents, and is authorized by the City. The Plan provisions, benefits available and required reimbursements are governed by the Retiree Insurance Policy and the Retirement Medical Insurance Policy. Upon reaching eligibility for Medicare, retirees are no longer permitted to participate in the City's Plan, except for those eligible under the Retiree Insurance Policy.

18. Other postemployment benefits (OPEB) plan (continued):

General information about the OPEB plan:

Under the Retiree Insurance Policy, all employees meeting the retirement eligibility requirements of the State Retirement and Pension System of Maryland, based on age and years of service for law enforcement and general employees, and the City, based on age and years of service, as well as retirement directly from the City and having continuous medical insurance coverage with the City after retirement, as of July 1, 2008 can participate in City-sponsored coverage.

The City subsidizes the retirees' individual premium cost up to 100%, based on the number of points (age plus years of service) at the age of retirement, and qualifying disabled participants all qualify for the 100% subsidy regardless of number of points. There is no City subsidy on spouses or dependents. Upon reaching eligibility for Medicare, retirees are eligible for a Medicare supplemental plan. Under the Retirement Medical Insurance Policy, all employees meeting the retirement eligibility requirements of the State Retirement and Pension System of Maryland, based on age and years of service for law enforcement and general employees, and the City, based on age and years of service, as well as retirement directly from the City and having continuous medical insurance coverage with the City after retirement, after July 1, 2008 can participate in City-sponsored coverage. The City subsidizes the retirees' individual premium cost up to 75%, based on the number of points (age plus years of service) at the age of retirement, and qualifying disabled participants all qualify for a 100% subsidy regardless of number of points. There is no City subsidy on spouses or dependents. Upon reaching eligibility for Medicare, retirees are no longer permitted to participate in the City's Plan.

Common Council and the Mayor have the authority to establish or amend benefits provided. Employees hired after July 1, 2008 are ineligible for any subsidy from the City for health coverage in retirement.

Membership of the Plan consisted of 85 participants, 58 of which are active Plan members, 25 are retirees receiving benefits, and 2 are inactive employees entitled to but not yet receiving benefits as of June 30, 2019.

18. Other postemployment benefits (OPEB) plan (continued):

General information about the OPEB plan:

The Plan is unfunded, with retirees' premium payments being made by the City on a pay-as-you-go basis. For the year ended June 30, 2019, the City paid premium costs of $156,165 related to retirees. There are no employee contributions to the Plan. No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

Total OPEB liability:

The City's total OPEB liability of $4,974,664 was measured at June 30, 2018 and was determined by an actuarial valuation as of July 1, 2017.

Actuarial assumptions and other inputs - The total OPEB liability in the July 1, 2017 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods in the measurement, unless otherwise specified:

Inflation	2.4%
Salary increases	6.2% per annum for general employees 7.2% per annum for law enforcement officers
Healthcare cost trend rates	5.40% for 2017, ranging from 5.10% to 9.20% for years 2018 and later

The discount rate of 3.62% for the June 30, 2018 roll forward was based on the municipal bond index as of June 30, 2018.

Mortality rates were based on the RP-2014 Mortality, Fully Generational with Scale MP-2014 Tables.

The actuarial assumptions used in the July 1, 2017 valuation were based on past experience under the Plan and reasonable future expectation which represents the best estimate of anticipated experience under the Plan. A recent actuarial experience study was not performed. Actuarial assumptions are approved by the Mayor and Common Council based on recommendations from the consulting actuaries.

18. Other postemployment benefits (OPEB) plan (continued):

Changes in the total OPEB liability:

	Total OPEB liability
Balance at June 30, 2018	$ 4,929,845
Changes for the year:	
Service cost	81,676
Interest	173,077
Experience gains	(44,604)
Changes in assumptions	(19,372)
Benefit payments	(145,958)
Net changes for the year	44,819
Balance at June 30, 2019	$ 4,974,664

Changes of assumptions and other inputs reflect a change in the discount rate from 3.58% for June 30, 2018 to 3.62% for June 30, 2019.

Sensitivity of the total OPEB liability to changes in the discount rate - The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (2.62%) or 1-percentage-point higher (4.62%) than the current discount rate:

1% decrease to 2.62%	Current discount rate (3.62%)	1% increase to 4.62%
$ 5,489,265	$ 4,974,664	$ 4,519,817

18. Other postemployment benefits (OPEB) plan (continued):

Changes in the total OPEB liability:

Sensitivity of the total OPEB liability to changes in the healthcare cost trend rates - The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates (see actuarial assumptions and other inputs for healthcare cost trend rates):

1% decrease to 2.9%	Current healthcare cost trend rates (3.90%)	1% increase to 4.9%
$ 4,398,024	$ 4,974,664	$ 5,648,587

OPEB expense, deferred outflows of resources and deferred inflows of resources related to OPEB:

For the year ended June 30, 2019, the City recognized OPEB expense of $70,190. At June 30, 2019, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred outflows of resources	Deferred inflows of resources
Differences between expected and actual experience		$ 35,683
Change of assumptions		251,927
Contributions subsequent to the measurement date	$ 161,095	
	$ 161,095	$ 287,610

18. Other postemployment benefits (OPEB) plan (continued):

OPEB expense, deferred outflows of resources and deferred inflows of resources related to OPEB:

$161,095 reported as deferred outflows of resources related to OPEB resulting from City contributions subsequent to the measurement date will be recognized as a reduction to the total OPEB liability in the year ended June 30, 2020. Other amounts reported as deferred inflows of resources related to OPEB will be recognized as reductions in OPEB expense as follows for the years ending June 30:

2020	$ 91,605
2021	91,605
2022	91,604
2023	12,796
	$ 287,610

19. Commitments and contingencies:

The City participates in a number of federal, state and county programs that are fully or partially funded by grants received from other governmental units. Expenditures financed by grants are subject to audit by the appropriate grantor government. If expenditures are disallowed due to noncompliance with grant program regulations, the City may be required to reimburse the grantor government. As of June 30, 2019, significant amounts of grant expenditures have not been audited by the appropriate grantor government, but the City believes that disallowed expenditures, if any, based on subsequent audits will not have a material effect on any of the individual governmental funds or the overall financial position of the City.

19. Commitments and contingencies (continued):

The City is committed under the following contracts for projects as of June 30, 2019:

Project	Contract amount	Amount outstanding at June 30, 2019
45 West Main Street renovations - architechtural services	$ 348,470	$ 76,213
Governmental activities	$ 348,470	$ 76,213
Sewer fund:		
Sewer construction and rehabilitation	$ 1,172,100	$ 594,187
Enhanced nutrients removal and biosolids upgrade to wastewater treatment plant	61,429,842	55,287,707
Water fund:		
Installation of liner and cover for reservoir	91,860	64,302
Design and construction of Little Pipe Creek	475,604	128,730
Business-type activities	$ 63,169,406	$ 56,074,926

19. Commitments and contingencies (continued):

Under federal court order, the U.S. Environmental Protection Agency was ordered to implement a Chesapeake Bay clean up. The State of Maryland established a storm water management fee program to fund projects to direct nitrogen away from streams that feed into the Chesapeake Bay. This program will be implemented through a National Pollutant Discharge Elimination System (NPDES) permit for Carroll County, Maryland (the "County"). In October 2014, the City along with seven other municipalities entered into a cost-sharing of storm water mitigation project with the County to comply with NPDES requirements. The annual amount for each municipality was calculated based on $25,000 per impervious acre and on total number of impervious acres required to be restored/mitigated by the permit over the five-year period of this project. For its share of this project, the City is required to pay 20% and the County is covering the remaining 80%. For the year ended June 30, 2019, the City's portion of these costs was $189,045, which were capitalized as an infrastructure asset. An additional 5% increase will be applied annually to these estimated costs per the agreement. The City made its final committed payment in the amount of $198,497 under this agreement subsequent to year end.

The City is involved in various claims and legal actions arising in the ordinary course of business. In the opinion of the City's management and counsel, the ultimate disposition of these matters will not have a material adverse effect on the City's net position or changes therein.

20. Risk management:

The City is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees and natural disasters. The City is a member of the Local Government Insurance Trust (LGIT), a public-entity risk pool, which is owned and directed by local governments (participants) that subscribe to its insurance coverages. LGIT is managed by a Board of Trustees and a contract administration company. The trustees are elected by a majority vote of the participants with each participant having one vote. The City does not exercise any control over LGIT's operations. The maximum coverage under the liability pool of LGIT is $1,000,000 per claim. The City also participates in an excess liability pool, which has maximum coverage of $5,000,000. Settled claims resulting from these risks have not exceeded insurance coverage for each of the past three years.

21. Concentrations and economic dependencies:

The City provides various services to its residents. The City is located in northern Carroll County, Maryland. Credit is granted to its residents for taxes, water and sewer bills. The City may place a lien on any property associated with unpaid taxes and water and sewer services; therefore, an allowance for uncollectible amounts is not considered necessary.

Substantially all revenues and receivables in the Fiber Fund are from Ting Fiber, Inc.

The City receives shared revenue from the county and state. The amounts of these funds are not guaranteed and may be reduced as a result of changes in the economy.

22. Prior period adjustment:

In the financial statements for the year ended June 30, 2018, an amount was recorded as due from other governments for the Maryland local reserve allocation which should not have been recognized because the allocation is based on significant estimates instead of actual income tax return data; and therefore, does not meet the requirements to be recognized based on the revenue recognition criteria discussed in Note 1. The fund balance for the general fund and net position of governmental activities as of June 30, 2018 have been restated to reflect this correction. Additionally, net position of governmental activities, business-type activities, water, sewer and fiber funds have been restated to correct errors in the amortization of deferred inflows and outflows related to the pension as of June 30, 2018. The following represents the related restatement changes to the fund balance/net position of the governmental activities and business-type activities:

	Governmental funds	Proprietary Funds			Government-wide	
	General Fund	Sewer Fund	Water Fund	Fiber Fund	Governmental activities	Business-type activities
Beginning net position/fund balance, as originally stated	$ 15,180,634	$ 35,630,171	$ 33,976,629	$ 1,431,986	$ 48,479,868	$ 71,038,786
Restatement for local reserve allocation	(132,672)				(512,705)	
Restatement for pension		(11,321)	(7,036)	9,508	482,450	(8,849)
Beginning net position/fund balance, as restated	$ 15,047,962	$ 35,618,850	$ 33,969,593	$ 1,441,494	$ 48,449,613	$ 71,029,937

22. Prior period adjustment (continued):

A portion of the prior period adjustments relates to years prior to June 30, 2018. The following represents the related restatement changes to the change in fund balance/net position of the governmental activities and business-type activities for the year ended June 30, 2018:

	Governmental funds	Proprietary funds			Government-wide	
	General Fund	Sewer Fund	Water Fund	Fiber Fund	Governmental activities	Business-type activities
Prior year change in net position/fund balance, as originally stated	$ (207)	$ 2,442,166	$ 1,157,611	$ (132,571)	$ 1,438,467	$ 3,467,206
Restatement for local reserve allocation	(99,094)				(99,094)	
Restatement for pension		(48,065)	(50,524)	(13,190)	(304,910)	(111,779)
Prior year change in net position/fund balance, as restated	$ (99,301)	$ 2,394,101	$ 1,107,087	$ (145,761)	$ 1,034,463	$ 3,355,427

23. Subsequent events:

In preparing these financial statements, the City has evaluated events and transactions for potential recognition or disclosure through April 9, 2020, the date the financial statements were available to be issued.

In December 2019, the City purchased a commercial building at 17 West Main Street for $750,000 for future economic development.

In December 2019, a novel strain of coronavirus (“COVID-19”) was reported to have surfaced in China. The World Health Organization has declared COVID-19 to constitute a "Public Health Emergency of International Concern" and characterized COVID-19 as a pandemic. The U.S. government has also implemented enhanced screenings, quarantine requirements and travel restrictions in connection with the COVID-19 outbreak. The spread of this virus has the potential to cause business disruption to the City’s tax base, due to state government-imposed shutdowns of businesses and other results of the illness. While the City expects this matter may negatively impact its results, the extent of the impact of the COVID-19 on the City’s operational and financial performance will depend on future developments, including the duration and spread of the outbreak and related travel advisories and restrictions and the impact of the COVID-19 on overall economic trend, all of which are highly uncertain and cannot be predicted.

CITY OF WESTMINSTER

BUDGETARY COMPARISON SCHEDULE – GENERAL FUND
(Required supplementary information)
(unaudited)

YEAR ENDED JUNE 30, 2019

	Original budget	Final budget	Actual	Variance with final budget positive (negative)
Revenues:				
Taxes	$ 12,941,511	$ 12,941,511	$ 13,130,399	$ 188,888
Licenses and permits	581,600	581,600	579,466	(2,134)
Fines and forfeitures	122,000	122,000	119,990	(2,010)
Interest	40,000	40,000	291,898	251,898
Rent	25,000	37,800	39,028	1,228
Intergovernmental revenues	2,181,748	2,880,141	2,061,617	(818,524)
Charges for services	866,316	1,064,650	1,266,176	201,526
Miscellaneous revenues	45,000	763,600	123,163	(640,437)
Total revenues	16,803,175	18,431,302	17,611,737	(819,565)
Expenditures:				
General government	1,990,819	2,827,519	1,730,553	1,096,966
Public safety	7,040,555	7,141,916	6,514,185	627,731
Culture and recreation	1,347,281	1,485,317	1,432,241	53,076
Highways and streets	3,177,763	3,207,430	2,892,154	315,276
Community development and public housing	37,422	37,422	19,582	17,840
Capital outlay	5,555,445	5,609,249	2,712,569	2,896,680
Debt service:				
Principal	1,264,000	1,299,000	1,299,000	-
Interest	228,572	228,572	212,902	15,670
Total expenditures	20,641,857	21,836,425	16,813,186	5,023,239
Other financing sources (uses):				
Proceeds from sale of capital assets	20,000	20,000	20,213	213
Interfund transfers	(431,978)	(431,978)	(75,000)	356,978
Total other financing sources (uses)	(411,978)	(411,978)	(54,787)	357,191
Net changes in fund balances	$ (4,250,660)	$ (3,817,101)	743,764	$ 4,560,865
Fund balances:				
July 1, 2018, as restated			15,047,962	
June 30, 2019			$ 15,791,726	

CITY OF WESTMINSTER

BUDGETARY COMPARISON SCHEDULE – PUBLIC HOUSING AGENCY FUND
(Required supplementary information)
(unaudited)

YEAR ENDED JUNE 30, 2019

	Original budget	Final budget	Actual	Variance with final budget positive (negative)
Revenues:				
Intergovernmental	$ 2,050,706	$ 2,340,206	$ 2,314,180	$ (26,026)
Miscellaneous	16,000	16,000	34,122	18,122
Total revenues	2,066,706	2,356,206	2,348,302	(7,904)
Expenditures, community development and public housing	2,141,706	2,434,787	2,366,562	68,225
Other financing sources (uses), interfund transfers	75,000	75,000	75,000	
Net changes in fund balances	$ -	$ (3,581)	$ 56,740	$ 60,321
July 1, 2018			190,271	
June 30, 2019			$ 247,011	

CITY OF WESTMINSTER

SCHEDULE OF CHANGES IN TOTAL OTHER POSTEMPLOYMENT BENEFITS (OPEB) LIABILITY AND RELATED RATIOS

LAST TWO FISCAL YEARS*

(Required supplementary information)
(unaudited)

	2019	2018
Total OPEB liability:		
Service cost	$ 81,676	$ 91,537
Interest	173,077	147,458
Experience gains	(44,604)	
Changes of assumptions	(19,372)	(394,049)
Benefit payments	(145,958)	(178,101)
Net change in total OPEB liability	44,819	(333,155)
Total OPEB liability:		
Beginning of year	4,929,845	5,263,000
End of year	$ 4,974,664	$ 4,929,845
Covered employee payroll	$ 3,020,987	$ 3,161,863
Total OPEB liability as a percentage of the covered employee payroll	164.67%	155.92%

*The amounts presented were determined as of the end of the prior fiscal year. This schedule will eventually cover the ten most-recent fiscal years; however, this is the information available as of the implemention year of GASB No. 75.

Notes to Schedule:

Changes of Assumptions - Changes of assumptions and other inputs reflect the effects of changes in the discount rate in each period. The following are the discount rates used in each period:

2019	3.62%
2018	3.58%
2017	2.85%

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB statement No. 75 to pay future OPEB obliations.

CITY OF WESTMINSTER

SCHEDULE OF THE CITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY

LAST FIVE FISCAL YEARS*

(Required supplementary information)
(unaudited)

	2019	2018	2017	2016	2015
City's proportionate share (%) of collective net pension liability	0.0535762%	0.0482413%	0.0487798%	0.0468928%	0.0447090%
City's proportionate share ($) of collective net pension liability	$ 11,241,148	$ 10,431,551	$ 11,509,127	$ 9,745,109	$ 7,892,118
City's covered payroll	$ 7,083,850	$ 6,584,160	$ 6,272,473	$ 6,304,421	$ 6,255,414
City's proportionate share of collective net pension liability as a percentage of its covered payroll	158.69%	158.43%	183.49%	154.58%	126.16%
Pension plan's fiduciary net position as a percentage of the total pension liability	71.18%	69.38%	65.79%	68.78%	71.87%

* The above schedule is presented to illustrate the requirement for specified information for the past 10 years. However, until a full 10-year trend is compiled, information is only presented for those years for wich information is available.

Notes to schedule:

Changes of Assumptions - In addition to the significant assumptions and noted changes listed below, in 2016 adjustments were also made to COLA, withdrawal and disability rates and rates of salary increases.

	2019	2018	2017	2016	2015
Mortality table	RP-2014	RP-2014	RP-2014	RP-2014	RP-2010
Investment return	7.45%	7.50%	7.55%	7.55%	7.65%
Inflation	2.60%	2.65%	2.70%	2.70%	2.90%

CITY OF WESTMINSTER

SCHEDULE OF THE CITY'S PENSION PLAN CONTRIBUTIONS

LAST TEN FISCAL YEARS

(Required supplementary information)
(unaudited)

	2019	2018	2017	2016	2015	2014	2013	2012	2011	2010
Contractually required contribution	$ 1,125,444	$ 1,055,351	$ 984,874	$ 950,272	$ 988,374	$ 1,036,331	$ 769,674	$ 934,238	$ 1,000,560	$ 856,573
Contribution in relation to the contractually required contribution	1,125,444	1,055,351	984,874	950,272	988,374	1,036,331	769,674	934,238	1,000,560	856,573
Contribution deficiency/(excess)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
City's covered payroll	$ 7,429,146	$ 7,083,850	$ 6,584,160	$ 6,272,473	$ 6,304,421	$ 6,255,414	$ 6,268,030	$ 6,088,635	$ 6,441,749	$ 7,011,132
Contribution as a percentage of covered payroll	15.15%	14.90%	14.96%	15.15%	15.68%	16.57%	12.28%	15.34%	15.53%	12.22%

CITY OF WESTMINSTER

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

YEAR ENDED JUNE 30, 2019

Federal grantor/pass-through grantor/program or cluster title	Federal CFDA number	Pass-through entity identifying number	Federal expenditures	Amount passed through to subrecipients
Department of Housing and Urban Development:				
Direct Funding:				
Section 8 Housing Choice Vouchers	14.871	N/A	$ 2,262,143	
Passed through Baltimore County:				
Section 8 Housing Choice Vouchers	14.871	Portability	10,481	
Passed through Carroll County Government:				
Section 8 Housing Choice Vouchers	14.871	Portability	41,557	
Total Section 8 Housing Choice Vouchers			2,314,181	
Total Department of Housing and Urban Development			**2,314,181**	
Department of Justice:				
Passed Through Governor's Office of Crime Control and Prevention:				
Violence Against Women Formula Grants:		VAWA-2013-1154		
	16.588	VAWA-2014-1154	7,160	
Direct Funding:				
Bulletproof Vest Partnership Program	16.607	N/A	3,321	
Total Department of Justice			**10,481**	

(continued)

CITY OF WESTMINSTER

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS (CONTINUED)

YEAR ENDED JUNE 30, 2019

Federal grantor/pass-through grantor/program or cluster title	Federal CFDA number	Pass-through entity identifying number	Federal expenditures	Amount passed through to subrecipients
Department of Transportation:				
Passed Through Maryland Highway Safety Office:				
State and Community Highway Safety:	20.600	LE 19-093, 19-038, 18-120,18-119	$ 785	
National Priority Safety Programs	20.616	LE 19-094	1,053	
Total Highway Safety Cluster			1,838	
Total Department of Transportation			**1,838**	
TOTAL FEDERAL EXPENDITURES			**$ 2,326,500**	

CITY OF WESTMINSTER

NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

YEAR ENDED JUNE 30, 2019

Note 1. Basis of Presentation

The accompanying schedule of expenditures of federal awards includes the federal award activity of the City under programs of the federal government for the year ended June 30, 2019. The information in this schedule is presented in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations Part 200*, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position, changes in net assets or cash flows of the City.

Note 2. Summary of Significant Accounting Policies

Expenditures reported on the schedule of expenditures of federal awards are reported on the accrual basis of accounting. Federal expenditures are recognized following the cost principles contained in Title 2 U.S. *Code of Federal Regulations Part 200*, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

Note 3. Indirect Cost Rate

The City did not elect to use the 10% de minimis indirect cost rate as allowed under the Uniform Guidance.

Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Mayor and Common Council
City of Westminster
Westminster, Maryland

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities and each major fund of the City of Westminster, Maryland, as of and for the year ended June 30, 2019 and the related notes to the financial statements, which collectively comprise the City of Westminster's basic financial statements, and have issued our report thereon dated April 9, 2020.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Westminster's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Westminster's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Westminster's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be material weaknesses or significant deficiencies, and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying schedule of findings and questioned costs, we identified certain deficiencies in internal control that we consider to be material weaknesses and significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. We consider the deficiencies in internal control described in the accompanying schedule of findings and questioned costs as items 2019-001 to 2019-003 to be material weaknesses.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiencies in internal control described in the accompanying schedule of findings and questioned costs as items 2019-004 and 2019-005 to be significant deficiencies.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Westminster's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards.*

City of Westminster's Responses to Findings

The City of Westminster's responses to the findings identified in our audit are described in the accompanying schedule of findings and questioned costs. The City of Westminster's responses were not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Brown Schultz Sheridan & Fritz

Westminster, Maryland
April 9, 2020

Independent Auditors' Report on Compliance
for each Major Program; Report on
Internal Control Over Compliance in Accordance
with the Uniform Guidance

Mayor and Common Council
City of Westminster
Westminster, Maryland

Report on Compliance for Each Major Federal Program

We have audited the City of Westminster's compliance with the types of compliance requirements described in the *OMB Compliance Supplement* that could have a direct and material effect on the City of Westminster's major federal program for the year ended June 30, 2019. The City of Westminster's major federal program is identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations and terms and conditions of its federal awards applicable to its federal programs.

Auditors' Responsibility

Our responsibility is to express an opinion on compliance of the City of Westminster's major federal program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* (CFR) *Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on the major federal program occurred. An audit includes examining, on a test basis, evidence about City of Westminster's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for the major federal program. However, our audit does not provide a legal determination of the City of Westminster's compliance.

Opinion on Each Major Federal Program

In our opinion, the City of Westminster complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on the major federal program for the year ended June 30, 2019.

Other Matters

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the Uniform Guidance and which are described in the accompanying schedule of findings and questioned costs as items 2019-007 and 2019-008. Our opinion on the major federal program is not modified with respect to these matters.

The City of Westminster's responses to the noncompliance findings identified in our audit are described in the accompanying schedule of findings and questioned costs and corrective action plan. The City of Westminster's responses were not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the responses.

Report on Internal Control over Compliance

Management of the City of Westminster is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City of Westminster's internal control over compliance with the types of requirements that could have a direct and material effect on the major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for the major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City of Westminster's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies; and therefore, material weaknesses or significant deficiencies may exist that have not been identified. We identified certain deficiencies in internal control over compliance, described in the accompanying schedule of findings and questioned costs as items 2019-006 and 2019-007, that we consider to be significant deficiencies. We identified a certain deficiency in internal control over compliance, described in the accompanying schedule of findings and questioned costs as item 2019-008, that we consider to be a material weakness.

The City of Westminster's responses to the internal control over compliance findings identified in our audit are described in the accompanying schedule of findings and questioned costs and corrective action plan. The City of Westminster's responses were not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the responses.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Brown Schultz Sheridan & Fritz

Westminster, Maryland
April 9, 2020

CITY OF WESTMINSTER

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

YEAR ENDED JUNE 30, 2019

I. SUMMARY OF AUDITORS' RESULTS

Financial statements

Type of auditors' report issued:	Unmodified Opinion			
Internal control over financial reporting:				
Material weaknesses identified?	X	Yes		No
Significant deficiencies identified that are not considered to be material weaknesses?	X	Yes		No
Noncompliance material to financial statements noted?		Yes	X	No

Federal Awards

Internal control over major programs:				
Material weaknesses identified?	X	Yes		No
Significant deficiencies identified that are not considered to be material weaknesses?	X	Yes		No
Type of auditors' report issued on compliance for major programs:	Unmodified Opinion			
Any audit findings disclosed that are required to be reported under Section 200.516 of the Uniform Guidance?	X	Yes		No

Identification of major programs tested:

CFDA Numbers	Name of Federal Program or Cluster
14.871	Housing Voucher Cluster

Dollar threshold used to distinguish between type A and type B programs	$ 750,000			
Auditee qualified as low-risk auditee?		Yes	X	No

(continued)

II. FINDINGS - FINANCIAL STATEMENT AUDIT

Finding reference: 2019-001

Material weakness in internal control over financial reporting—prior period adjustments

Condition: Prior period adjustments were necessary to correct income tax receivables and deferred outflows related to pensions.

Criteria: 1) Income tax revenue should be reported when all eligibility criteria have been met; 2) deferred outflows of resources for the change in proportionate share of the City's net pension obligation should be recognized in pension expense over the expected remaining service lives of all employees provided pensions through the plan.

Context: 1) The June 30, 2018 financial statements included the local reserve allocation from the Comptroller of Maryland as a receivable as of June 30, 2018; however, the receivable did not meet the criteria for recognition; 2) Deferred outflows relating to the change in proportionate share of the net pension liability were expensed in full during the year ended June 30, 2018.

Effect or Potential Effect: See Note 22.

Cause: Improper guidance from prior auditors and management oversight.

Recommendation: We recommend the City 1) only record receivables which meet the criteria for revenue recognition, 2) amortize deferred outflows related to the change in proportionate share of the net pension liability over the expected remaining service lives of all employees provided pensions through the plan.

Views of Responsible Official(s) and Planned Corrective Actions: See corrective action plan.

Finding reference: 2019-002

Material weakness in internal control over financial reporting—fiscal year-end reporting

Condition: Many adjustments were required to the City's accounts after turned over by the City to the external auditors.

Criteria: The City's fiscal year-end account balances should include all significant transactions from the reporting period and should be reconciled at fiscal year end.

II. FINDINGS - FINANCIAL STATEMENT AUDIT (CONTINUED)

Finding reference: 2019-002 (continued)

Context: While management informed us that adjustments would be required after the trial balance was provided to us for audit, many of the subsequent adjustments provided by management were the result of our questions and findings. These adjustments included cash and equity restrictions, interest income accruals, accounts receivable, inventory, capital assets, accounts payable retainage payable and housing revenues.

Effect or Potential Effect: The City's account balances were materially misstated at and for the year ended June 30, 2019 prior to adjustments being made to correct material misstatements. Because of this, there is concern that the monthly reports submitted to the City Council for review contained inaccurate information due to the number of journal entries required. It is important that accurate financial reports are provided to City Council throughout the year so that they have accurate information to base their decisions on.

Cause: Internal personnel turnover causing there to be a lack of internal review of account balances prior to audit.

Recommendation: We recommend that the City reviews their current internal control processes and procedures over financial reporting to ensure that all material transactions are recorded in the City's financial statements, and that their balances are materially correct at fiscal year end and throughout the fiscal year. Finance should work to ensure that the financial reports are as accurate as possible and that any material adjustments are made before providing to Council.

Views of Responsible Official(s) and Planned Corrective Actions: See corrective action plan.

II. FINDINGS - FINANCIAL STATEMENT AUDIT (CONTINUED)

Finding reference: 2019-003

Material weakness in internal control over financial reporting—capital assets

Condition: Significant reconciliations were necessary between the fiscal year 2018 financial statements, the City's fixed assets system, and the City's general leger system because all three did not align with the totals of the capital asset categories. There were assets sold in fiscal year 2018 that were not disposed of in the fixed assets system until fiscal year 2019. The proceeds from the sales were recognized in fiscal year 2018, but the fixed assets were still listed on the fiscal year 2018 financial statements. On the fiscal year 2018 financial statements, there were several construction in progress projects that were completed and should have been placed in service during fiscal year 2018 or earlier. Also, there was a project that was completed in fiscal year 2019 that was not put into service. In the fixed assets system, there were multiple assets that had in service dates of June 30, 2019 instead of when they were actually acquired during the year. The City does not have formal procedures in place to determine the impairment of long-lived assets.

Criteria: Capital assets should be capitalized at their historical cost or estimated acquisition value and depreciated based on the date the asset is placed in service. Construction in progress projects should be evaluated annually to determine if they should be placed in service and depreciated. Assets that are no longer in service should be removed from the capital asset schedules. Long-lived assets should be evaluated annually for impairment.

II. FINDINGS - FINANCIAL STATEMENT AUDIT (CONTINUED)

Finding reference: 2019-003 (continued)

Context: Some reconciliations between the 2018 fiscal year financial statements, the City's fixed assets system, and the City's general ledger were material, including a variance of $1,556,114 for the Water Fund Utility Plant & Equipment category. Assets were properly removed from the general ledger in a prior year, but the assets were not removed from the fixed asset system. The reconciliations were completed after we received the trial balance for the audit. This caused significant delays in the completion of the audit. Assets sold in fiscal year 2018, but not disposed until 2019 caused variances of $66,845 for Water Fund and $90,888 for governmental activities. Also, a police car that was totaled in fiscal year 2019 was not disposed of, causing an error of $26,420. In addition, some proceeds from the sale of assets were not recorded to the fund that was carrying the capital asset. For instance, two Water Fund assets were sold, but the proceeds were split in half and recorded in the Water Fund and the Sewer Fund. Overall, there were material misstatements caused by assets not being properly disposed of. Construction in progress projects completed in 2018, but not placed in service when they should have been totaled $1,899,763 for governmental activities and $1,517,237 for the Water Fund. There were multiple assets that had in service dates of June 30, 2019 instead of when they were actually acquired during the year causing depreciation expense to be calculated incorrectly. Also, functions for governmental activities assets were not coded properly for multiple assets tested during audit procedure which impacts which function the depreciation is booked to (for instance, a police vehicle being coded to public works instead of public safety).

Effect or Potential Effect: As described in Note 4, a reclassification of $439,999 was made to the governmental activities to correct the asset category in which assets were recorded. The culmination of the other errors described above were corrected in the current year financial statements.

Cause: Unidentified errors from software setup and general ledger integration.

II. FINDINGS - FINANCIAL STATEMENT AUDIT (CONTINUED)

Finding reference: 2019-003 (continued)

Recommendation: Now that the audited financial statements, the City's fixed assets system and the City's general ledger system reconcile, we recommend that the City continues to maintain reconciliations of these three areas to ensure that the trial balance is not misstated and depreciation expense is calculated properly. We recommend that sales proceeds and insurance proceeds are reviewed annually as a check to ensure that all assets are properly disposed of in the fixed assets system and general ledger. We also recommend that sales proceeds are reviewed to ensure that the correct fund is being credited for the sale of the asset. We recommend that project managers are contacted and completion dates of the projects are discussed to determine when the projects need to be put into service to avoid future misstatement. We recommend that the in service dates and the functions assigned to acquired assets be reviewed prior to posting depreciation expense to ensure that the depreciation expense will be recorded properly. The City should take a physical inventory of its fixed assets on a regular basis (such as every two to three years) to ensure that only active, in-service property and equipment is included on the City's financial statements. This will ensure that fixed assets are properly stated and that depreciation is being calculated from a reliable listing. We recommend that the City establishes procedures for evaluating impairment of long-lived assets on a regular basis. This will ensure that impaired assets are treated properly on the financial statements.

Views of Responsible Official(s) and Planned Corrective Actions: See corrective action plan.

Finding reference: 2019-004

Significant deficiency in internal control over financial reporting—inventory

Condition: A physical observation of inventory is performed annually at fiscal year end. The spreadsheet calculating the inventory valuation at June 30, 2019 contained a number of errors, which resulted in misstatements in the inventory balance recorded.

Criteria: Materials and supplies on hand at the reporting date should be recorded as an inventory asset, based on the first-in, first-out (FIFO) method, according to the City's accounting policies. Periodic physical inventories provide a basis for updating inventory balances and aid in detecting significant inventory shortages.

Context: The Fiber Fund inventory was not properly valued based on the chosen inventory valuation of first-in, first-out (FIFO), which caused an overstatement in inventory of $31,959. We noted that there were numerous clerical errors in the final priced inventory listing, causing a misstatement in the amount recorded in the trial balance for inventory. Fiber inventory is abundant and is of high value, therefore, it is prone to potential theft. No physical inventory observation of the fiber is performed other than at fiscal year end.

II. FINDINGS - FINANCIAL STATEMENT AUDIT (CONTINUED)

Finding reference: 2019-004 (continued)

Effect or Potential Effect: Numerous adjustments were necessary to properly state inventories at fiscal year end. Fiber inventory could potentially be stolen due to the lack of tracking, causing a loss for the City.

Cause: Management oversight and lack of procedures in place.

Recommendation: We recommend that inventory be valued based on the price per unit from the most recent invoice before year end. If that invoice does not have enough units purchased to account for all the items in inventory at year end, the invoice received before that invoice should be used to value the remaining inventory units, and so on. We recommend that someone not involved in the inventory count or initial compilation, check for clerical errors by re-footing and re-extending the inventory items on a test basis. We recommend that quarterly counts of the fiber inventory are completed because of the high value and high volume of the inventory on hand as of June 30, 2019. These additional inventory counts will help ensure that usage appears reasonable, theft is not occurring and will aid in the timely detection of errors and correction of causes.

Views of Responsible Official(s) and Planned Corrective Actions: See corrective action plan.

Finding reference: 2019-005

Significant deficiency in internal control over financial reporting—Community Foundation

Condition: Activity related to funds held by the Community Foundation of Carroll County for the benefit of the City of Westminster was not recorded on the City's financial statements.

Criteria: All deposits of the City, including external investment pools, should be reported as assets of the City.

Context: During the 2019 fiscal year, it came to the current senior management's attention that for several years three separate accounts were held by the Community Foundation of Carroll County with funds solicited by City employees and from City-sponsored events. It appears that several employees of the City maintained these funds without the knowledge of the current City Council or senior management. These same employees maintained complete control over the spending of the funds and determined which funding sources would be deposited into these funds. Additionally, one of these employees paid a portion of another employee's salary out of the funds at the Community Foundation. This was done in an effort to avoid the requirement of adding the employee to the City's pension plan based on the hours the employee was actually working.

II. FINDINGS - FINANCIAL STATEMENT AUDIT (CONTINUED)

Finding reference: 2019-005 (continued)

Effect or Potential Effect: While the activity in these accounts at the Community Foundation during the 2019 fiscal year was immaterial to the City's general fund and the City's financial statements as a whole, the employees with control of the funds were able to bypass the controls in place by the City resulting in no review or approval of the spending or recording of the activity in the City's financial records. The employees could potentially use the funds to pay for non-City related items. Additionally, the portion of the employee's payroll which was paid out of the Community Foundation's funds were not appropriately recorded in the employee's wages reported on their W-2. However, they did receive a Form 1099 from the Community Foundation. With these additional hours worked, the employee should have been a participant in the Maryland State Retirement and Pension System. The City and the employee also did not pay any payroll taxes related to these wages.

Cause: Several employees bypassing the City's controls and maintaining funds with the Community Foundation without council or management's knowledge.

Recommendation: We understand the City has closed, or is in the process of closing, these accounts subsequent to year end. Our recommendation is to communicate to the Community Foundation that it is the intention of management and council that all activity that relates to the City should flow through the City's internal policies and procedures; and therefore, there is no need for future accounts to be created and maintained through the Community Foundation. Any donations received for City activities by the Community Foundation should be forwarded directly to the City.

Views of Responsible Official(s) and Planned Corrective Actions: See corrective action plan.

III. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD PROGRAMS AUDIT

Finding reference: 2019-006

Federal Agency: Department of Housing and Urban Development
Federal Program: 14.871 Housing Choice Vouchers
Grant Period: 07/01/18 – 06/30/19
Requirement: Allowable Costs and Cost Principles
Type of Finding: Significant Deficiency

Condition: Administrative costs were charged to the Public Housing Agency using allocations that were not documented, were not consistent and were not reviewed.

III. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD PROGRAMS AUDIT (CONTINUED)

Finding reference: 2019-006 (continued)

Criteria: Administrative costs should be allocated to the Public Housing Agency consistently. These allocations should be reviewed annually to determine if changes are necessary. All invoices require a signature of approval.

Cause: Management does not have procedures in place to review allocations being utilized for the Public Housing Agency fund. Procedures are in place to put an authorizing signature on each invoice, but due to oversight, several were missed.

Effect: Administrative costs could be charged to the program at an improper allocation rate or could be charged to the program when they shouldn't be.

Context: A sample of 20 transactions posted to non-payroll administrative accounts in the Public Housing Agency fund were tested. Of the 20 transactions tested, three invoices did not have support for the allocation utilized. Eight transactions utilized allocations that had not been updated for several years and it was unclear if the allocations were reasonable during the period under audit. Three invoices allocated to the Public Housing Agency fund did not have an authorizing signature present.

Recommendation: The City of Westminster should perform an analysis of administrative costs allocated across the funds to determine proper allocations for each type of cost. Once approved, these allocations should be distributed to the Finance Department and employees responsible for authorizing invoices. Authorizing signatures should be verified during the check signing or ACH process.

Views of Responsible Officials and Planned Corrective Actions: See corrective action plan

Finding reference: 2019-007

Federal Agency: Department of Housing and Urban Development
Federal Program: 14.871 Housing Choice Vouchers
Grant Period: 07/01/18 – 06/30/19
Requirement: Special Tests and Provisions
Type of Finding: Significant Deficiency; Noncompliance

Condition: The depository agreement was out of date and Public Housing Agency funds were not held in an interest-bearing account.

III. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD PROGRAMS AUDIT (CONTINUED)

Finding reference: 2019-007 (continued)

Criteria: Public Housing Agencies are required to enter into a depository agreement with their financial institution in the form required by HUD and comply with the stated terms. Terms of the agreement state all monies deposited by the Public Housing Agency with the depository should be credited to a separate interest-bearing account.

Cause: Management was unaware that the depository agreement was out of date and that funds were required to be held in an interest-bearing account.

Effect: An expired agreement could put the safeguards around federal funds in jeopardy.

Context: The depository agreement in place was dated October 12, 2011 and was completed with HUD Form 51999. This Form expired on September 30, 2013. Funds were maintained in a non-interest bearing account at the depository.

Recommendation: The City of Westminster should contact the Depository to execute an HUD form and transfer the funds to an interest-bearing account. We commend management for addressing this finding as soon as it was brought to their attention.

Views of Responsible Officials and Planned Corrective Actions: See corrective action plan

Finding reference: 2019-008

Federal Agency: Department of Housing and Urban Development
Federal Program: 14.871 Housing Choice Vouchers
Grant Period: 07/01/18 – 06/30/19
Requirement: Reporting
Type of Finding: Material Weakness; Noncompliance

Condition: Monthly Voucher Management System (VMS) reports were filed with inaccurate balances and were not corrected timely.

Criteria: The Public Housing Agency is required to complete monthly reporting in the HUD VMS online system. Prior month corrections are to be made timely and not at the end of the reporting year.

III. FINDINGS AND QUESTIONED COSTS - MAJOR FEDERAL AWARD PROGRAMS AUDIT (CONTINUED)

Finding reference: 2019-008 (continued)

Cause: The Housing Director completed the VMS submissions timely (22 days after month end). For any required corrections that happened during the year, the Housing Director updated the HAPPY software without entering a prior month correction in VMS. Monthly submissions to VMS were never reviewed for accuracy.

Effect: HUD utilizes the monthly submissions to VMS to adjust funding amounts provided to the Public Housing Agency. The failure to update incorrect amounts timely could result in incorrect funding.

Context: Out of eight months tested, four months had variances related to HAP vouchers and six months had variances related to portability vouchers that could not be explained by management. A full reconciliation was completed six months after year end to determine that four months tested were incorrect and a prior month correction was needed in the VMS system.

Recommendation: Each month, a reconciliation needs performed between the finance and housing department figures utilized for VMS reporting. If a reconciling item exists, it should be documented accordingly. Supporting documentation should be maintained for each filing submitted through VMS. If a correction occurs in a subsequent month after filing is complete, a prior month correction should be entered immediately into VMS. Since VMS requires corrections to be made in the month the voucher applies to and finance records are maintained on cash basis, there will be reconciling items from time to time. At the end of the reporting year, a reconciliation should be performed to determine if any corrections were missed.

Views of Responsible Officials and Planned Corrective Actions: See corrective action plan

CITY OF WESTMINSTER
56 West Main Street
Westminster, Maryland 21157

TELEPHONE:
(410) 848-9000
(410) 876-1313
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SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

January 29, 2020

U.S. Department of Housing and Urban Development

City of Westminster respectfully submits the following summary schedule of prior audit findings for the year ended June 30, 2019.

Name and address of independent accounting firm:

Brown Schultz Sheridan & Fritz
205 E Main Street
Westminster, MD 21157

Please see below for the findings noted in the audit for the year ended June 30, 2018.

If you require additional information or have concerns, please contact Tammy Palmer, Director of Finance and Administrative Services (410-848-3274 or email: TPalmer@westgov.org).

Sincerely,

Tammy Palmer
Director of Finance and Administrative Services

PRIOR YEAR FINDINGS

Finding number 2018-001

Condition: During the audit, certain audit adjustments were required to adjust the recording of capital assets, pension, other postemployment benefits (OPEB), and fund balance/net position within the working trial balance after the City's year-end close of the accounting records.

Current Status: The City disagreed with this finding noted by the prior auditor. All journal entries are recorded in the proper fiscal year.

Finding number 2018-002

Housing Voucher Program, CFDA 14.871
Federal Agency: U.S. Department of Housing and Urban Development

Condition: As a result of our testing we noted the City did not submit their GAAP-based unaudited and audited financial information electronically to HUD.

Current Status: The written procedures for filing the City's financial reports were updated to included REAC requirements. Unaudited and audited filings for the year ended June 30, 2018 were submitted on November 8, 2018 and April 9, 2019, respectively. The unaudited filing for the year ended June 30, 2019 was submitted August 26, 2019, before the filing deadline. The Director of Finance will ensure the audited filing is submitted when the audit is final.

CITY OF WESTMINSTER
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CORRECTIVE ACTION PLAN

Date: April 9, 2020

Department of Housing and Urban Development

The City of Westminster, Maryland respectively submits the following corrective action plan for the year ended June 30, 2019.

Name and address of independent accounting firm:

Brown Schultz Sheridan & Fritz
205 E. Main Street
Westminster, MD 21157

Audit Period: July 1, 2018 to June 30, 2019

The findings from the schedule of questioned costs for the year ended June 30, 2019 are discussed below. The findings are numbered consistently with the numbers assigned in the schedule.

FINDINGS – FINANCIAL STATEMENT AUDIT

Finding reference: 2019-001 – Material Weakness – Prior Period Adjustments

Recommendation: We recommend the City 1) only record receivables which meet the criteria for revenue recognition, 2) amortize deferred outflows related to the change in proportionate share of the net pension liability over the expected remaining service lives of all employees provided pensions through the plan.

Action taken: The Finance department will review the June 30, 2020 balances to ensure all receivables will be recognized in the correct period, and deferred outflows related to the change in proportionate share of the net pension liability will be amortized over the expected remaining service lives of all employees provided pensions through the plan. The Finance Department staff will receive training regarding pensions and amortizations by June 30, 2020.

Finding reference: 2019-002 – Material Weakness – Fiscal Year-End Reporting

Recommendation: We recommend that the City reviews their current internal control processes and procedures over financial reporting to ensure that all material transactions are recorded in the City's financial statements, and that their balances are materially correct at fiscal year-end and throughout the fiscal year. Finance should work to ensure that the financial reports are as accurate as possible and that any material adjustments are made before providing to Mayor and Common Council.

Action taken: Staff turnover created weaknesses in year-end reporting. New staff will be trained for year-end reporting by June 30, 2020.

Finding reference: 2019-003 – Material Weakness – Capital Assets

Recommendation: Now that the audited financial statements, the City's fixed assets system, and the City's general ledger system reconcile, we recommend that the City continues to maintain reconciliation of these three areas to ensure that the trial balance is not misstated and depreciation expense is calculated properly. We recommend that sales proceeds and insurance proceeds are reviewed annually as a check to ensure that all assets are properly disposed of in the fixed assets system and general ledger. We also recommend that sales proceeds are reviewed to ensure that the correct fund is being credited for the sale of the asset. We recommend that project managers are contacted and completion dates of the projects are discussed to determine when the projects need to be put into service to avoid future misstatement. We recommend that the in-service dates and the functions assigned to acquired assets be reviewed prior to posting depreciation expense to ensure that the depreciation expense will be recorded properly. The City should take a physical inventory of its fixed assets on a regular basis (such as every two to three years) to ensure that only active, in-service property and equipment is included on the City's financial statements. This will ensure that fixed assets are properly stated and that depreciation is being calculated from a reliable listing. We recommend that the City establishes procedures for evaluating impairment of long-lived assets on a regular basis. This will ensure that impaired assets are treated properly on the financial statements.

Action taken: The Finance Department staff will collect all capital invoices for equipment and enter into fixed assets prior to year-end. The Director of Public Works will provide a written report of which capital construction projects were complete at year-end. All completed projects will be entered into fixed assets from the Work in Progress schedule. All incomplete projects will be added to the Work in Progress schedule. All assets will be entered with the in-service date to ensure proper depreciation.

Finding reference: 2019-004 – Significant Deficiency - Inventory

Recommendation: We recommend that inventory be valued based on the price per unit from the most recent invoice before year-end. If that invoice does not have enough units purchased to account for all the items in inventory at year-end, the invoice received before that invoice should be used to value the remaining inventory units, and so on. We recommend that someone not involved in the inventory count or initial compilation check for clerical errors by re-footing and re-extending the inventory items on a test basis. We recommend that quarterly counts of the fiber inventory are completed because of the high value and high volume of the inventory on hand as of June 30, 2019. These additional inventory counts will help ensure that usage appears reasonable, theft is not occurring, and will aid in the timely detection of errors and correction of causes.

Action taken: Fiber inventory was acquired from the contractor during construction and was not counted as it was put into inventory and checked against the invoice. Counts were not accurate to what was billed. No further inventory is expected to be provided by a City contractor. All inventory will be checked by the acquiring department as it arrives from the manufacturer and Finance will use most current pricing from most current invoices to value inventory. All inventory counts will be performed at year end.

Finding reference: 2019-005 – Significant Deficiency – Community Foundation of Carroll County

Recommendation: We understand the City has closed, or is in the process of closing, these accounts subsequent to year-end. Our recommendation is to communicate to the Community Foundation that it is the intention of management and the Mayor and Common Council that all activity that relates to the City should flow through the City's internal policies and procedures, and therefore there is no need for future accounts to be created and maintained through the Community Foundation. Any donations received for City activities by the Community Foundation should be forwarded directly to the City.

Action taken: Accounts have been closed; no new accounts will be set up without specific authorization by the Mayor and Common Council.

FINDINGS – FEDERAL AWARD PROGRAM AUDIT

Finding reference: 2019-006 – 14.871 Housing Choice Vouchers – Significant Deficiency

Recommendation: The City of Westminster should perform an analysis of administrative costs allocated across the funds to determine proper allocations for each type of cost. Once approved, these allocations should be distributed to the Finance Department and employees responsible for

authorizing invoices. Authorizing signatures should be verified during the check signing or ACH process.

Action Taken: The Finance Department will perform an analysis of administrative costs to determine proper allocations between funds by the end of the fiscal year. Amounts charged to the Housing fund before the final analysis is performed will be assessed for reasonableness and any corrections that are required will be performed by June 30, 2020. Effective immediately, the Finance Department will ensure all invoices have authorizing signatures before they go to the check signers or the ACH transaction is completed.

Finding reference: 2019-007 – 14.871 Housing Choice Vouchers – Significant Deficiency; Noncompliance

Recommendation: The City of Westminster should contact the Depository to execute an HUD form and transfer the funds to an interest bearing account. We commend management for addressing this finding as soon as it was brought to their attention.

Action taken: HUD -51999, General Depository Agreement, was executed on January 17, 2020, and funds put in an interest bearing account at that time.

Finding reference: 2019-008 – 14.871 Housing Choice Vouchers – Material Weakness; Noncompliance

Recommendation: Each month, a reconciliation needs to be performed between the finance and housing department figures utilized for VMS reporting. If a reconciling item exists, it should be documented accordingly. Supporting documentation should be maintained for each filing submitted through VMS. If a correction occurs in a subsequent month after filing is complete, a prior month correction should be entered immediately into VMS. Since VMS requires corrections to be made in the month the voucher applies to, and finance records are maintained on cash basis, there will be reconciling items from time to time. At the end of the reporting year, a reconciliation should be performed to determine if any corrections were missed.

Action taken: Finance provides Housing with administrative costs at each month-end, and Housing will enter these costs into VMS. Starting with the March 2020 filing, housing will reconcile VMS to Finance reports monthly. Housing will maintain documentation for reconciling items in a Reconciling Items file for audit purposes. VMS filings previously completed for fiscal year 19-20 will be reconciled by the Housing Department and have supporting documentation produced.

If the Department of Housing and Urban Development has any questions regarding this response, please call Tammy Palmer, Direct of Finance and Administrative Services at 410-848-3274.

Sincerely,

Tammy Palmer
Director of Finance and Administrative Services

CITY OF WESTMINSTER

PROGRAM BALANCE SHEET SUMMARY

JUNE 30, 2019

Submission Type: Audited/Uniform Guidance

Fiscal year end: June 30, 2019

	14.871 Housing Choice Vouchers	Total
111 Cash, unrestricted	$ -	$ -
112 Cash, restricted, modernization and development	$ -	$ -
113 Cash, other restricted	$ 233,198	$ 233,198
114 Cash, tenant security deposits	$ -	$ -
115 Cash, restricted for payment of current liabilities	$ 3,684	$ 3,684
100 Total cash	$ 236,882	$ 236,882
121 Accounts receivable, PHA projects	$ -	$ -
122 Accounts receivable, HUD other projects	$ -	$ -
124 Accounts receivable, other Government	$ -	$ -
125 Accounts receivable, miscellaneous	$ -	$ -
126 Accounts receivable, tenants	$ -	$ -
126.1 Allowance for doubtful accounts, tenants	$ -	$ -
126.2 Allowance for doubtful accounts, other	$ -	$ -
127 Notes, loans and mortgages receivable, current	$ -	$ -
128 Fraud recovery	$ 284,229	$ 284,229
128.1 Allowance for doubtful accounts, fraud	$ (241,594)	$ (241,594)
129 Accrued interest receivable	$ -	$ -
120 Total receivables, net of allowances for doubtful accounts	$ 42,635	$ 42,635
131 Investments, unrestricted	$ -	$ -
132 Investments, restricted	$ -	$ -
135 Investments, restricted for payment of current liability	$ -	$ -
142 Prepaid expenses and other assets	$ 6,205	$ 6,205
143 Inventories	$ -	$ -
143.1 Allowance for obsolete inventories	$ -	$ -
144 Inter program due from	$ -	$ -
145 Assets held for sale	$ -	$ -
150 Total current assets	$ 285,722	$ 285,722
161 Land	$ -	$ -
162 Buildings	$ -	$ -
163 Furniture, equipment and machinery; dwellings	$ -	$ -
164 Furniture, equipment and machinery; administration	$ -	$ -
165 Leasehold improvements	$ -	$ -
166 Accumulated depreciation	$ -	$ -
167 Construction in progress	$ -	$ -
168 Infrastructure	$ -	$ -
160 Total capital assets, net of accumulated depreciation	$ -	$ -
171 Notes, loans and mortgages receivable, noncurrent	$ -	$ -
172 Notes, loans and mortgages receivable, noncurrent, past	$ -	$ -
173 Grants receivable, noncurrent	$ -	$ -
174 Other assets	$ -	$ -
176 Investments in joint ventures	$ -	$ -
180 Total noncurrent assets	$ -	$ -

(continued)

CITY OF WESTMINSTER

PROGRAM BALANCE SHEET SUMMARY (CONTINUED)

JUNE 30, 2019

Submission Type: Audited/Uniform Guidance	Fiscal year end:	June 30, 2019
	14.871 Housing	
	Choice Vouchers	Total
200 Deferred outflow of resources	$ -	$ -
290 Total assets and deferred outflow of resources	$ 285,722	$ 285,722
311 Bank overdraft	$ -	$ -
312 Accounts payable <= 90 days	$ -	$ -
313 Accounts payable <= 90 days past due	$ -	$ -
321 Accrued wage/payroll taxes payable	$ -	$ -
322 Accrued compensated absences, current portion	$ -	$ -
324 Accrued contingency liability	$ -	$ -
325 Accrued interest payable	$ -	$ -
331 Accounts payable, HUD PHA programs	$ 1,293	$ 1,293
332 Accounts payable, PHA projects	$ -	$ -
333 Accounts payable, other Government	$ -	$ -
341 Tenant security deposits	$ -	$ -
342 Unearned revenue	$ -	$ -
343 Current portion of long-term debt, capital	$ -	$ -
344 Current portion of long-term debt, operating borrowings	$ -	$ -
345 Other current liabilities	$ 3,684	$ 3,684
346 Accrued liabilities, other	$ -	$ -
347 Inter program, due to	$ -	$ -
348 Loan liability, current	$ -	$ -
310 Total current liabilities	$ 4,977	$ 4,977
351 Long-term debt, net of current, capital projects/mortgage	$ -	$ -
352 Long-term debt, net of current, operating borrowings	$ -	$ -
353 Non-current liabilities, other	$ -	$ -
354 Accrued compensated absences, non-current	$ -	$ -
355 Loan liability, non-current	$ -	$ -
356 FASB 5 liabilities	$ -	$ -
357 Accrued pension and OPEB liabilities	$ -	$ -
350 Total non-current liabilities	$ -	$ -
300 Total liabilities	$ 4,977	$ 4,977
400 Deferred inflow of resources	0	$ -
508.3 Nonspendable fund balance	$ 6,205	$ 6,205
509.3 Restricted fund balance	$ 240,805	$ 240,805
510.3 Committed fund balance	$ -	$ -
511.3 Assigned fund balance	$ -	$ -
512.3 Unassigned fund balance	$ -	$ -
513 Total equity, net assets/position	$ 247,010	$ 247,010
600 Total liabilities, deferred inflows of resources and equity	$ 251,987	$ 251,987

CITY OF WESTMINSTER

PROGRAM REVENUE AND EXPENSE SUMMARY

YEAR ENDED JUNE 30, 2019

Submission Type: Audited/Uniform Guidance	Fiscal year end:	June 30, 2019
	14.871 Housing	
	Choice Vouchers	Total
70300 Net tenant rental revenue	$ -	$ -
70400 Tenant revenue, other	$ -	$ -
70500 Total tenant revenue	$ -	$ -
70600 HUD PHA operating grants	$ 2,314,180	$ 2,314,180
70610 Capital grants	$ -	$ -
70710 Management fee	$ -	$ -
70720 Asset management fee	$ -	$ -
70730 Bookkeeping fee	$ -	$ -
70740 Front line service fee	$ -	$ -
70750 Other fees	$ -	$ -
70700 Total fee revenue	$ 2,314,180	$ 2,314,180
70800 Other government grants	$ -	$ -
71100 Investment income, unrestricted	$ -	$ -
71200 Mortgage interest income	$ -	$ -
71300 Proceeds from disposition of assets held for sale	$ -	$ -
71310 Cost of sale of assets	$ -	$ -
71400 Fraud recovery	$ 32,758	$ 32,758
71500 Other revenue	$ 1,364	$ 1,364
71600 Gain or loss of sale of capital assets	$ -	$ -
72000 Investment income, restricted	$ -	$ -
70000 Total revenue	$ 2,348,302	$ 2,348,302
91100 Administrative salaries	$ 132,785	$ 132,785
91200 Auditing fees	$ 6,703	$ 6,703
91300 Management fee	$ -	$ -
91310 Bookkeeping fee	$ -	$ -
91400 Advertising and marketing	$ -	$ -
91500 Employee benefit contributions, administrative	$ 47,154	$ 47,154
91600 Office expense	$ 19,430	$ 19,430
91700 Legal expense	$ 46	$ 46
91800 Travel	$ -	$ -
91810 Allocated overhead	$ 41,862	$ 41,862
91900 Other	$ -	$ -
91000 Total operating, administrative	$ 247,980	$ 247,980
92000 Asset management fee	$ -	$ -
92100 Tenant services, salaries	$ -	$ -
92200 Relocation costs	$ -	$ -
92300 Employee benefit contributions, tenant services	$ -	$ -
92400 Tenant services, other	$ -	$ -
92500 Total tenant services	$ -	$ -

(continued)

CITY OF WESTMINSTER

PROGRAM REVENUE AND EXPENSE SUMMARY (CONTINUED)

YEAR ENDED JUNE 30, 2019

Submission Type: Audited/Uniform Guidance	Fiscal year end:	June 30, 2019
	14.871 Housing	
	Choice Vouchers	Total
93100 Water	$ -	$ -
93200 Electricity	$ 1,721	$ 1,721
93300 Gas	$ 137	$ 137
93400 Fuel	$ -	$ -
93500 Labor	$ -	$ -
93600 Sewer	$ -	$ -
93700 Employee benefit contributions, utilities	$ -	$ -
93800 Other utilities expense	$ -	$ -
93000 Total utilities	$ 1,858	$ 1,858
94100 Ordinary maintenance and operations, labor	$ -	$ -
94200 Ordinary maintenance and operations, materials and	$ -	$ -
94300 Ordinary maintenance and operations contracts	$ 655	$ 655
94500 Employee benefit contributions, ordinary maintenance	$ -	$ -
94000 Total maintenance	$ 655	$ 655
95100 Protective services, labor	$ -	$ -
95200 Protective services, other contract costs	$ -	$ -
95300 Protective services, other	$ -	$ -
95500 Employee benefit contributions, protective services	$ -	$ -
95000 Total protective services	$ -	$ -
96110 Property insurance	$ -	$ -
96120 Liability insurance	$ -	$ -
96130 Workmen's compensation	$ 4,422	$ 4,422
96140 All other insurance	$ -	$ -
96100 Total insurance premiums	$ 4,422	$ 4,422
96200 Other general expenses	$ -	$ -
96210 Compensated absences	$ -	$ -
96300 Payments in lieu of taxes	$ -	$ -
96400 Bad debt, tenant rents	$ -	$ -
96500 Bad debt, mortgages	$ -	$ -
96600 Bad debt, other	$ -	$ -
96800 Severance expense	$ -	$ -
96000 Total other general expenses	$ -	$ -
96710 Interest of mortgage (or bonds) payable	$ -	$ -
96720 Interest on notes payable (short and long term)	$ -	$ -
96730 Amortization of bond issue costs	$ -	$ -
96700 Total interest expense and amortization cost	$ -	$ -
96900 Total operating expenses	$ 254,915	$ 254,915
97000 Excess of operating revenue over operating expenses	$ 2,093,387	$ 2,093,387

(continued)

CITY OF WESTMINSTER

PROGRAM REVENUE AND EXPENSE SUMMARY (CONTINUED)

YEAR ENDED JUNE 30, 2019

Submission Type: Audited/Uniform Guidance	Fiscal year end:	June 30, 2019
	14.871 Housing	
	Choice Vouchers	Total
97100 Extraordinary maintenance	$ -	$ -
97200 Casualty losses, noncapitalized	$ -	$ -
97300 Housing assistance payments	$ 2,062,906	$ 2,062,906
97350 HAP portability, in	$ 48,741	$ 48,741
97400 Depreciation expense	$ -	$ -
97500 Fraud losses	$ -	$ -
97600 Capital outlays, governmental funds	$ -	$ -
97700 Debt principal payment, governmental funds	$ -	$ -
97800 Dwelling units rent expense	$ -	$ -
90000 Total expenses	$ 2,366,562	$ 2,366,562
10010 Operating transfer in	$ -	$ -
10020 Operating transfer out	$ -	$ -
10030 Operating transfers from/to primary government	$ 75,000	$ 75,000
10040 Operating transfers from/to component unit	$ -	$ -
10050 Proceeds from notes, loans and bonds	$ -	$ -
10060 Proceeds from property sales	$ -	$ -
10070 Extraordinary items, net gain/loss	$ -	$ -
10080 Special items (net gain/loss)	$ -	$ -
10091 Inter project excess cash transfer in	$ -	$ -
10092 Inter project excess cash transfer out	$ -	$ -
10093 Transfers between program and project, in	$ -	$ -
10094 Transfers between project and program, out	$ -	$ -
10100 Total other financing sources (uses)	$ 75,000	$ 75,000
10000 Excess (deficiency) of total revenue over (under) total	$ 56,740	$ 56,740
11020 Required annual debt principal payments	$ -	$ -
11030 Beginning equity	$ -	$ -
11040 Prior period adjustments, equity transfers and correction	$ -	$ -
11050 Changes in compensated absence balance	$ -	$ -
11060 Changes in contingent liability balance	$ -	$ -
11070 Changes in unrecognized pension transition liability	$ -	$ -
11080 Changes in special term/severance benefits liability	$ -	$ -
11090 Changes in allowance for doubtful accounts, dwelling	$ -	$ -
11100 Changes in allowance for doubtful accounts, other	$ -	$ -
11170 Administrative fee equity	$ 197,498	$ 197,498
11180 Housing assistance payments equity	$ 49,512	$ 49,512
11190 Unit months available	$ -	$ -
11210 Number of unit months leased	$ -	$ -
11270 Excess cash	$ -	$ -
11610 Land purchases	$ -	$ -
11620 Building purchases	$ -	$ -
11630 Furniture and equipment, dwelling purchases	$ -	$ -
11640 Furniture and equipment, administrative purchases	$ -	$ -
11650 Leasehold improvements purchases	$ -	$ -
11660 Infrastructure purchases	$ -	$ -
13510 CFFP debt service payments	$ -	$ -
13901 Replacement housing factor funds	$ -	$ -

CITY OF WESTMINSTER

HAP AND ADMIN EQUITY CALCULATIONS

YEAR ENDED JUNE 30, 2019

HAP excess/deficit calculation

GL#	GL Description	Amount
110.492102	Annual contributions earned	$ 2,046,589
110.492103	Repayments, HAP	16,379
110.494305	FSS forfeitures	1,364
110.494201	Interest, operating	-
110.911105	Interest, HAP	-
	Subsidy from admin	-
	Total HAP revenue	2,064,332
110.65.100.5791	HAP, homeownerships	-
110.65.100.5792	HAP, family unification	28,116
110.65.100.5793	HAP, tenant protection	-
110.65.100.5795	HAP, all other	1,960,543
110.65.100.5796	HAP, FSS escrow	2,911
110.65.100.5797	HAP, port-out	68,130
	Total HAP expense	2,059,700
	Net HAP	4,632

HAP equity

Beginning of year	44,880
End of year	$ 49,512

(continued)

CITY OF WESTMINSTER

HAP AND ADMIN EQUITY CALCULATIONS (CONTINUED)

YEAR ENDED JUNE 30, 2019

Admin equity calculation

GL#	GL Description	Amount
110.492104	HUD admin fee distribution	$ 215,554
110.494302	Port-in, HAP	49,330
110.494303	Port-in, admin fee receipts	2,707
110.494301	Repayment, admin	16,379
110.953100	Contributions/subsidy	75,000
	Total admin revenue	358,970
	Total PHA expenses	2,366,562
	Less, HAP related expenses	(2,059,700)
	Less, subsidy to HAP	
	Total admin expenses	306,862
	Net admin	52,108

Admin equity

Beginning of year	145,390
End of year	$ 197,498
Total ending equity	$ 247,010

To: Mayor and Common Council

From: Barbara B. Matthews, City Administrator

Date: May 7, 2020

Re: Quarterly Update – Westminster Fiber Network

Background

The Westminster Fiber Network is the Mid-Atlantic's first community-wide gigabit fiber network, creating a competitive local marketplace for Internet services and providing community access to affordable gigabit Internet speeds. The City of Westminster constructs, owns, and maintains the dark fiber network. Under a lease agreement, a private partner installs equipment, lights the network, and provides service to customers. Westminster's private partner is Ting Internet.

As reflected in the attached map, the Westminster Fiber Network was constructed in phases. These phases are described below:

- The Pilot phase, which became operational in September 2015, focused on the commercial areas near Carroll County Airport and the residential area near Carroll Lutheran Village.

- Phase 1 of the Westminster Fiber Network, which became operational in February 2017, encompasses the northwest part of Westminster. This phase of the project includes Bolton Hill, Cliveden Reach, the Village of Meadow Creek, Stoneridge Overlook, and Whispering Meadows.

- Phase 2 of the Network is the area generally bounded by MD 140, MD 31, Bell Road, and Old New Windsor Road. It includes the neighborhoods of Avondale Ridge, Avondale Run, Eagleview Estates, Fenby Farm, Furnace Hills, The Greens, and Wakefield Valley. Phase 2 was fully operational as of September 2017.

- Phase 3 is generally bounded by MD 31 south to Bishop Street, the eastern and western City limits north of MD 27, and from Main Street to MD 140 south of MD 27. A small portion of Phase 3 became operational in June 2018; all areas were live as of mid-October 2018.

- Phase 4 is comprised of the Westminster Mall and parts of N. Center Street and Cranberry Road. South of MD 27, it follows the west boundary of the City to the area of Malcolm Drive and Market Street. With the exception of Stonegate in Area H, construction of Phase 4 was essentially complete as of March 31, 2019. All areas were live as of June 30, 2019.

Given the importance of the fiber project, staff provides quarterly status reports to the Mayor and Council. Val Giovagnoni, Ting Internet's manager for the City of Westminster project, will join City staff in presenting the update on May 11, 2020.

Project Financial Information
The City issued bonds for $16,215,000 through the Maryland Department of Community Development in Fiscal Year (FY) 2019. These bonds refunded the prior bonds issued through SunTrust Bank.

As of April 30, 2020, principal payments of $315,000 and interest payments of $547,720 have been made on the FY 2019 bond issuance.

In FY 2019, the City was issued a Note in the amount of $1,300,000 from the Governor's Office of Rural Broadband. The terms of the Note are 30 years, zero percent interest and are to be used solely for operating costs of the Westminster Fiber Network. The City drew $503,458 for FY 2020; as of March 31, 2020, $293,474 of this amount had been expended.

In accordance with the contract between the City and Ting Internet, Ting pays the City $6.00 per month for each unit passed by the Network. The City also receives $17.00 per month for each subscriber. As of March 31, 2020, the City had received $591,996 in lease and miscellaneous revenues in FY 2020.

The chart below provides the total number of units in each phase of the project, the number of units, the number of passed premises, the number of subscribers, and the take rate (the number of subscribers divided by possible subscribers) as of March 31, 2020.

	# of Units	# of Passed Premises	# of Subscribers	Take Rate
Pilot Phase	272	272	105	38.6%
Phase 1	891	885	312	35.3%
Phase 2	1,882	1,846	507	27.5%
Phase 3	1,613	1,606	316	19.7%
Phase 4	1,409	1,107	175	15.8%
Total	6,067	5,716	1,415	24.8%

It should be noted that the total number of passed premises decreased by 128 from the report for the quarter ended December 31, 2019. The Deputy Public Works Director removed the addresses in question based on his determination that the addresses were in private areas not serviceable by the City, and therefore should not be counted as passed premises.

The decrease in passed premises reduces Fiber Fund revenues. It also increases the take rate due to the lower denominator used in the calculation.

Construction Activities
As of March 31, 2020, Southern Maryland Cable (the contractor that constructed the Network) has as-built information to complete.

The City has constructed approximately 94 miles of conduit, through which the majority of the approximate 110 miles of fiber optic cable was installed through. Approximately 1,800 drops had been installed citywide to date.

The following chart shows the status of access agreements as of March 31, 2020.

	Serviceable Addresses	Access Agreements Received	% Submitted
Phase 1	891	506	56.79%
Phase 2	1,882	947	50.32%
Phase 3	1,613	505	31.31%
Phase 4	1,409	328	23.28%
Total	5,795	2,286	39.45%

Network Maintenance

The Westminster Fiber Network Maintenance Team handles all new orders for installation city wide. Between January 1 and March 31, 2020, the Maintenance Team installed 52 drops for service through the internal 311 program. The Team also performed 56 field check or service calls, and replaced ten drops damaged during the February tornado.

As noted in the report for the quarter ended December 31, 2019, the City reached an agreement with Bella Vita Apartments to bring the Westminster Fiber Network into their community. That work was completed during the past quarter.

Additionally, the Maintenance Team undertook new construction activities in the Stonegate development. The work is being done in stages to accommodate the building schedule and to protect City assets while construction continues over the next several years. During the quarter ended March 31, 2020, several conduits and taps were installed in the areas of Stonegate Road, Scarlet Sky Drive, and Blue Moon Lane.

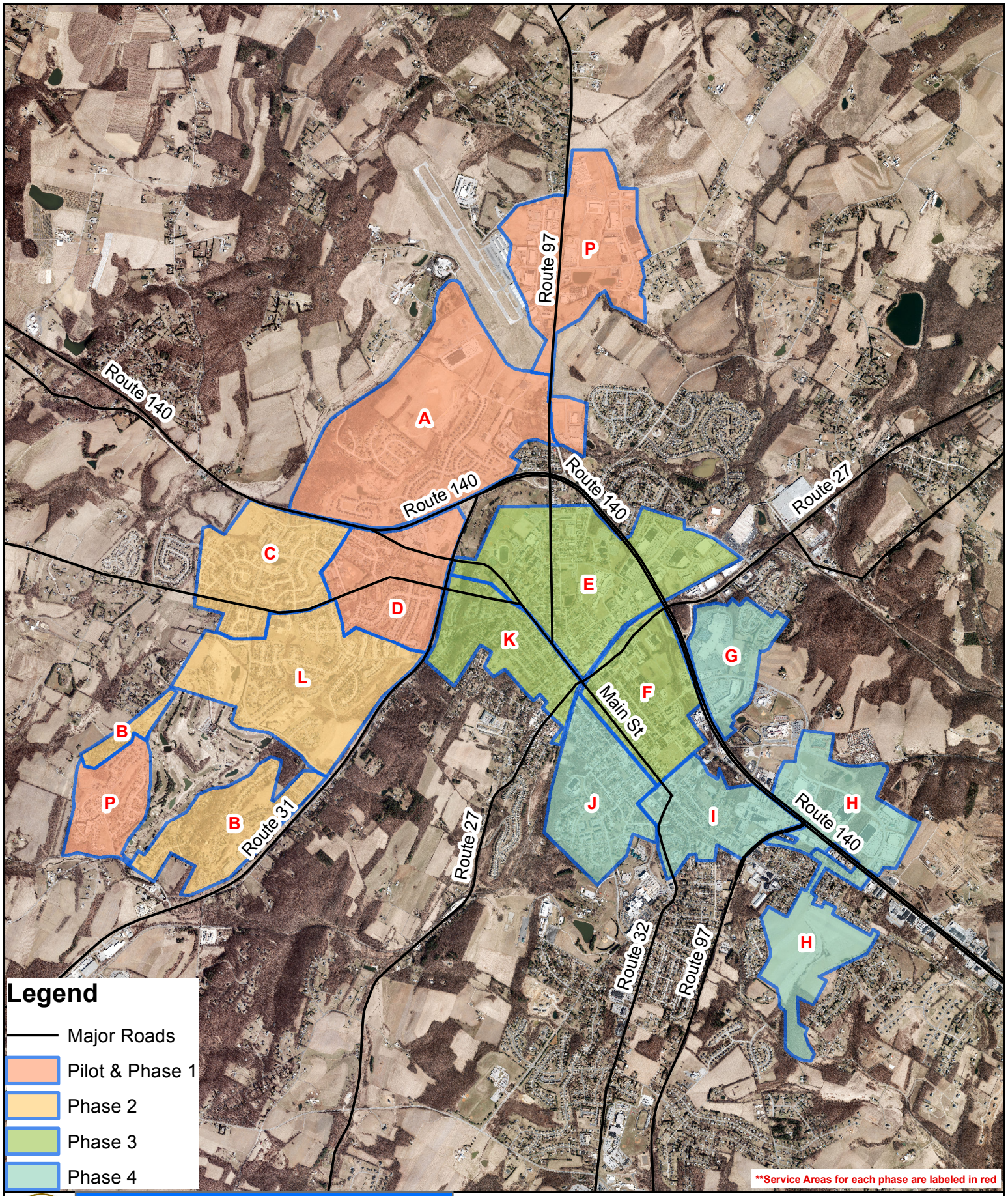
The Maintenance Team also installed an enterprise drop for redundancy at Carroll Lutheran Village. The drop installation required ring cutting fiber into a passing line, entering an existing splice enclosure, and installation of patch panel.

Attachment

- Map depicting Westminster Fiber Network phases

cc: Jeff Glass, Director of Public Works
Tammy Palmer, Director of Finance & Administrative Services
John Dick, Deputy Public Works Director

Westminster Fiber Network



City of Westminster

N
W E
S

Miles
0 0.75 1.5

Produced by Westminster GIS (JBrown) Reference only
Document Name: WestminsterFiber_762017_ServiceAreas

Date: 7/6/2017

To: Mayor and Common Council

From: Barbara B. Matthews, City Administrator

Date: May 7, 2020

Re: Ordinance No. 922 – Adoption of FY 2021 Budget

Background

The City's new fiscal year will commence on July 1, 2020. In accordance with Article II of the Charter of the City of Westminster and in consultation with the Mayor and members of the Common Council's Finance Committee, the City Administrator prepared a proposed budget for the Common Council's consideration. She presented the proposed fiscal year (FY) 2021 budget at the Mayor and Common Council meeting on April 27, 2020. On this date, the Common Council introduced Ordinance No. 922, adopting the budget for FY 2021.

Since introduction of Ordinance No. 922, the Mayor and Common Council held two public hearings to provide an opportunity for Westminster residents and other interested parties to offer their thoughts and opinions on the FY 2021 budget proposal. The public hearings were held on April 30, 2020 and May 4, 2020.

The Mayor and Common Council held budget work sessions on April 30, 2020 and May 4, 2020. As directed on May 4, 2020, staff has modified Ordinance No. 922 to reflect the closure of the Fitness Center. General Fund revenues and expenditures have been adjusted accordingly.

Capital Projects Fund expenditures have been adjusted as well, to reflect the deletion of $15,000 for the purchase of cardio equipment for the Fitness Center. Since introduction of Ordinance No. 922 on April 27, 2020, staff also learned of a delay in receiving equipment for the Carroll Arts Center HVAC Project; it is anticipated that the project will not get underway until after July 1, 2020. Therefore, the full contract amount of $164,500 has been re-appropriated.

Both Fiber Fund revenues and expenditures have been increased by $25,000 to reflect the Mayor and Common Council's direction of May 4, 2020 to provide funding for the promotion of the Westminster Fiber Network. The amended ordinance assumes an increased drawdown in State loan proceeds.

Recommendation

Staff recommends that the Common Council make a motion to amend Ordinance No. 922, to incorporate the changes highlighted in the attached document. Following the motion to amend, the Common Council can vote on the amended ordinance.

Attachment

- Amended Ordinance No. 922, adopting the FY 2021 budget

cc: Tammy Palmer, Director of Finance and Administrative Services

ORDINANCE NO. 922 AMENDED
OF THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, MARYLAND
APPROVING AND ADOPTING A BUDGET FOR THE
FISCAL YEAR BEGINNING JULY 1, 2020 AND
ENDING JUNE 30, 2021

WHEREAS, in accordance with the requirements of Md. Code Ann., Title 5 of the Local Government Article, and Section 41 of the Charter of the City of Westminster and Chapter 20 of the Code of the City of Westminster, the Mayor and Common Council are required to adopt an budget ordinance to appropriate funds for the several programs and purposes for which the City of Westminster must provide in the fiscal year beginning July 1, 2020 and ending June 30, 2021 ("Fiscal Year 2021") and to set the property tax rates for Fiscal Year 2021; and,

WHEREAS, the Mayor, as required by the City Charter, on or before June 15, 2020, prepared and presented to the Common Council a proposed budget outlining the anticipated expenditures and transfers for Fiscal Year 2021, and including the estimated revenues and other financing sources required and establishes the proposed tax rate for all real property taxes, personal property taxes, and public utility taxes; and,

WHEREAS, the Common Council held a public hearing with respect to the Constant Yield Tax Rate and the proposed budget on April 27, 2020, after appropriate notice thereof in a newspaper having general circulation in Westminster.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the City of Westminster that:

Section 1: From and out of the monies and balances known to be in the General Fund, Capital Projects Fund, Water Fund, Sewer Fund, Fiber Fund, and Public Housing Fund of the City of Westminster, Maryland, and from all monies anticipated to come into all funds during the twelve (12) month period ending June 30, 2021, there shall be, and hereby are, appropriated the

following sums for use by the departments and offices of the City, and for the objects and purposes for which the City must provide during Fiscal Year 2021.

GENERAL FUND REVENUES

Taxes	$11,222,367	
Licenses and Permits	570,600	
Intergovernmental	4,203,868	
Charges for Services	~~1,057,~~212	805,212
Fines & Forfeitures	46,000	
Miscellaneous Income	111,526	
Interest Income	38,000	
Transfers	(2,178,304)	
Other Financing Revenue/Reserves	~~2,020,512~~	1,811,075

GENERAL FUND APPROPRIATIONS BY ACTIVITY

Executive & Legislative	$ 691,173	
Finance	188,941	
Human Resources	142,507	
Planning, Zoning & Development	494,800	
Housing Services	106,177	
Public Safety Department	7,277,106	
Facilities	242,985	
Public Works	3,375,770	
Technology	331,672	
Public Housing	2,680,780	
Recreation & Parks	~~1,559,868~~	1,098,433

Total General Fund Revenues	~~$17,091,781~~	16,630,344
Total General Fund Appropriations	~~$17,091,781~~	16,630,344
Difference	$ 0	

CAPITAL PROJECTS FUND REVENUES

Taxes	$ 2,284,600	
Intergovernmental	1,017,435	
Charges for Services	306,880	
Transfers	1,975,269	
Other Financing Sources	~~3,665,026~~	3,814,526

CAPITAL PROJECTS FUND APPROPRIATIONS BY ACTIVITY

Planning, Zoning & Development	$ 25,000
Public Safety Department	253,418
Facilities	~~5,400,029~~ 5,564,529
Public Works	3,547,430
Technology	8,333
~~Recreation & Parks~~	~~15,000~~
Total Capital Fund Revenues	$ ~~9,249,210~~ 9,398,710
Total Capital Fund Appropriations	$ 9,249,210 9,398,710
Difference	$ 0

WATER FUND REVENUES

Charges for Services	$5,213,200
Rental Revenue	262,227
Miscellaneous Revenue	1,000
Interest Revenue	20,000
Benefit Assessment Fees/Capital Contributions	368,201
Other Financing-Reserves	302,209

WATER FUND APPROPRIATIONS BY ACTIVITY

Executive & Legislative	$ 308,199
Finance	278,576
Human Resources	170,709
Planning, Zoning & Development	119,352
Facilities	53,945
Public Works	239,615
Technology	486,733
Utilities	837,769
Water	3,671,939
Total Water Fund Revenues	$ 6,166,837
Total Water Fund Appropriations	$ 6,166,837
Difference	$ 0

SEWER FUND REVENUES

Charges for Services	$ 6,699,700
Other Revenue	10,000
Interest Revenue	40,000
Benefit Assessment Fee/Capital Contributions	24,577,607
Other Financing-Reserves	269,970

SEWER FUND APPROPRIATIONS BY ACTIVITY

Executive & Legislative	$ 304,273
Finance	278,576
Human Resources	170,096
Planning, Zoning & Development	119,353
Facilities	53,945
Public Works	239,668
Technology	486,732
Utilities	868,673
Wastewater	29,075,961

Total Sewer Fund Revenues	$31,597,277
Total Sewer Fund Appropriations	$31,597,277
Difference	$ 0

FIBER INFRASTRUCTURE FUND REVENUES

Charges for Services	$ 724,932
Other Revenue	1,000
Interest	2,000
Transfers	203,035
Other Financing	~~503,215~~ 528,215

FIBER INFRASTRUCTURE FUND EXPENDITURES

Finance	$ 3,950
Public Works	70,143
Technology	42,297
Utility Maintenance	101,525
Fiber	~~1,216,266~~ 1,241,267

Total Fiber Fund Revenues	~~$1,434,182~~ 1,459,182
Total Fiber Fund Expenditures	~~$1,434,182~~ 1,459,182
Difference	$ 0

Section 2: The Tax Levy for all real property within the City's corporate limits for the tax year beginning July 1, 2020 and ending June 30, 2021 shall be Fifty-Six Cents ($0.56) on every One Hundred Dollars ($100.00) of assessed value. The Tax Levy for all personal property within the City's corporate limits shall be One Dollar and Ten Cents ($1.10) on every One Hundred Dollars ($100.00) of assessed value. The Tax Levy on all public utility operating property within the City's corporate limits shall be One Dollar and Forty Cents ($1.40) for every One Hundred Dollars ($100.00) of assessed value. The aforementioned Tax Levy rates are inclusive of the special tax levied for the purposes of paying for the light and water used by The Mayor and Common Council of Westminster, as authorized and directed by Section 31 of the Charter of the City of Westminster.

Section 3. The taxes levied for the aforesaid respective purposes for the tax year beginning July 1, 2020 and ending June 30, 2021 shall be due and payable July 1, 2020 and shall be subject to interest beginning October 1, 2020 at the rate of 2/3 of 1 per centum for each month or fraction thereof until paid, and additionally, a 1/2 of 1 per centum penalty assessment for each month or fraction thereof until paid, provided that taxes paid by owner-occupants of residential property shall be due and payable as provided in § 10-204.3 of the Tax-Property Article of the Annotated Code of Maryland and § 143-3 of the City Code which authorize semiannual and annual payments of taxes. Additionally, taxes paid by owner-occupants of residential property on a semiannual basis as provided in § 10-204.3 of the Tax Property Article of the Annotated Code of Maryland and § 143-3 of the City Code shall be subject to a service charge in an amount equal to the service charge adopted by the Board of County Commissioners of Carroll County as to its County property taxes, which charge may include an administrative fee as permitted by law.

Section 4: That should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.

Section 5: Any transfer of funds between appropriations must be approved by the Common Council in the form of an ordinance by a vote of at least 2/3 of the members of the Common Council.

Section 6: The City Administrator is hereby directed to transfer to the Capital Projects Fund any proceeds received from property tax revenues attributable to the levy of taxes at a rate by which the current property tax rate exceeds the property tax rate established in the FY 2011 budget, provided that any expenditure of the funds so appropriated shall be subject to the approval of the Common Council.

Section 7: BE IT FURTHER ORDAINED that this ordinance shall become effective ten days after its enactment by the Common Council of the City of Westminster, Maryland.

INTRODUCED this 27th day of April, 2020

_____
Shannon Visocsky, City Clerk

ADOPTED this _____ day of May, 2020

_____
Shannon Visocsky, City Clerk

APPROVED this _____day of May, 2020

_____
Joe Dominick, Mayor

APPROVED AS TO FORM AND SUFFICIENCY
this _____day of May, 2020

_____
Elissa D. Levan, City Attorney

To: Mayor and Common Council

From: Darlene Childs, Director of Human Resources

Date: May 7, 2020

Re: Resolution No. 20-03, Approving and Adopting Plan Documents for the City's Cafeteria Benefits Plan, Including Its Flexible Spending Account (FSA)

Background

Resolution No. 20-03 would increase the amount of the maximum health FSA contribution that an eligible employee could make. In calendar year 2020, the Internal Revenue Service raised the contribution limit to $2,750. The City's current maximum contribution is $2,700. Because of the IRS' action, the City's FSA Plan is eligible to make the enhancement in the new plan year effective July 1, 2020.

The revised Benefit Plan Description and Adoption Agreement and Summary of the City of Westminster Cafeteria Benefit Plan reflects the increase from $2,700 to $2,750. The Cafeteria Benefit Plan Document does not require a revision. All of these documents are attached to Resolution No. 20-03 as Exhibit A.

Recommendation

Staff recommends that the Mayor and Common Council adopt Resolution No. 20-03, increasing the City's maximum health FSA contribution amount from $2,700 to $2,750.

Attachment

- Resolution No. 20-03, including associated documents in Exhibit A

cc: Barbara B. Matthews, City Administrator

RESOLUTION 20-03

OF THE MAYOR AND COMMON COUNCIL OF WESTMINSTER, APPROVING AND ADOPTING PLAN DOCUMENTS FOR THE CITY'S CAFETERIA BENEFITS PLAN INCLUDING ITS FLEXIBLE SPENDING ACCOUNT PLAN

WHEREAS, The Mayor and Common Council of Westminster (hereinafter, "the City") is authorized to provide various benefits for its eligible employees and strives to upgrade said benefits consistent with the public interest; and

WHEREAS, by Resolution No. 99-5, on May 24, 1999, the City determined to provide a Flexible Benefit Plan, also called a Flexible Spending Account Plan ("FSA Plan"), to its eligible employees; and

WHEREAS, the City has from time to time, by Resolution, amended and/or restated the terms of the FSA Plan; and

WHEREAS, the City wishes to enhance the FSA Plan to increase the FSA Plan maximum annual contribution to $2,750.00 per plan year from $2,700.00 in accordance with applicable provisions of the Internal Revenue Code; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF WESTMINSTER that the documents attached hereto as, collectively, Exhibit A, specifically, the City of Westminster Cafeteria Plan Document, the City of Westminster Cafeteria Benefit Plan Description and Adoption Agreement, and the City of Westminster Cafeteria Plan Summary are approved and adopted.

AND, BE IT FURTHER RESOLVED by The Mayor and Common Council of Westminster that the Mayor is authorized to execute and deliver, subject to the approval of the City Attorney, any and all documents necessary to implement the Cafeteria Plan as set forth in Exhibit A.

AND, BE IT FURTHER RESOLVED by The Mayor and Common Council of Westminster that the effective date of the City's Cafeteria Plan shall be July 1, 2020, and that this Resolution shall take effect upon its passage and approval.

INTRODUCED this _____ day of May 11, 2020

_____
Shannon Visocsky, City Clerk

ADOPTED this _____ day of May 11, 2020.

_____
Shannon Visocsky, City Clerk

APPROVED this _____ day of May 11, 2020.

_____
Joe Dominick, Mayor

APPROVED AS TO FORM AND SUFFICIENCY
this _____ day of May 11, 2020.

_____
Elissa D. Levan, City Attorney

Exhibit A

City of Westminster
Cafeteria Benefit Plan Document

Article 1. **Introduction**

1.1 Amendment and Restatement of Plan. The City of Westminster (the "Employer") hereby amends and restates its Cafeteria Plan (the "Plan") that was established on January 1, 1999 for its employees in accordance with Internal Revenue Code ("Code") §125. The Effective Date of this amended and restated Plan is July 1, 2020. The Health FSA portion of the Plan is intended to qualify as a "self-insured medical reimbursement plan" under Code §105, and the Medical Care Expenses reimbursed under the plan are intended to be eligible for exclusion from participating Employees' gross income under Code § 105(b). The DCAP is intended to qualify as a "dependent care assistance plan" under Code § 129, and the dependent care expenses reimbursed under the plan are intended to be eligible for exclusion from participating Employees' gross income under Code §129(a).

1.2 Purpose of the Plan. The purpose of the Plan is to provide employees a choice between cash and qualified benefits under certain employee benefit plans maintained by the Employer. This Plan is designed to permit Eligible Employees to elect premium payment, flexible spending account and dependent care benefits, and to pay for those benefits with a combination of Employer and Employee contributions, as described in this Plan Document.

1.3 Separate Plans. Although contained within one document, the Health FSA and the DCAP are separate plans for purposes of administration and all reporting and nondiscrimination requirements imposed by §§ 105 and 129 of the Code. The Health FSA is a separate plan for purposes of applicable provisions of COBRA.

Article 2. **General Definitions**

2.1 Account means, as applicable, the Health FSA Account and the DCAP Account for each Participant as described in Article 10.

2.2 Administrator means the Employer.

2.3 Change in Status means (1) a change in the Participant's legal marital status, including marriage, divorce, death of spouse, legal separation or annulment; (2) change in the number of dependents, including birth, adoption, placement for adoption, and death; (3) change in employment status, including any employment status change affecting benefit eligibility of the Participant, spouse or Dependent, such as termination or commencement of employment, change in hours, strike or lockout, and a change in worksite (but only if the benefit eligibility is lost or gained as a result of the event); (4) a change in Dependent eligibility due to attainment of age, gain or loss of student status, marriage or any similar circumstances; (5) residence change of Participant, spouse or Dependent affecting the Participant's, spouse's or Dependent's eligibility for coverage; and (6) commencement or termination of adoption proceedings.

2.4 Claims Administrator means the entity (or entities) that has (have) contracted with the Administrator to process claims on behalf of the Administrator. The Claims Administrator, if any, is identified in the Cafeteria Benefit Plan Description and Adoption Agreement.

2.5 COBRA means the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended.

2.6 Code means the Internal Revenue Code of 1986, as amended.

2.7 Compensation means the amount of wages reported for a Participant by the Employer on Form W-2 prior to any pre-tax contributions made under this Plan, any other cafeteria plan, or any pre-tax parking program as described in Code § 132(f)(4).

2.8 Component Plan(s) means the employee welfare benefit plan(s) that are identified in the Cafeteria Benefit Plan Description and Adoption Agreement, the premiums of which are subject to pre-tax deduction from the Participant's Compensation under the terms of this Plan.

2.9 DCAP means the Dependent Care Assistance Plan.

2.10 Dependent means an individual who is the spouse of a Participant or child of a Participant as defined in Code Section 152 (f)(1) who, as of the end of the taxable year, has not attained age 27 and any other individual who is a dependent as defined as in Code §152 , determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof and related IRS publications. For purposes of the Component Plans, this definition of Dependent does not include any Dependent who is not eligible for coverage under such Component Plan and includes all Dependents who are eligible for coverage under the Component Plan. For purposes of COBRA, Dependent will be defined in accordance with COBRA.

2.11 Eligible Employee means any Employee who has met the Eligibility Requirements described in Article 3.1 of this Plan Document.

2.12 Employee means any individual who is a common-law employee of the Employer or a Related Employer and is on the W-2 payroll of such Employer. Employee does not include (a) any leased employee, or an individual classified by the Employer as a contract worker, independent contractor, temporary employee or casual employee for the period during which the individual is classified, whether or not such individual is on the W-2 payroll of the Employer or a Related Employer or is determined to be a common-law employee; (b) any individual who performs services for the Employer but who is paid by a temporary or other employment or staffing agency; (c) any self-employed individual; (d) any partner in a partnership; and (e) any shareholder who holds more than a 2% interest in a Subchapter S corporation.

2.13 Employer means City of Westminster and any related employers identified on the Cafeteria Benefit Plan Description and Adoption Agreement.

2.14 Cafeteria Benefit Plan Description and Adoption Agreement means the document attached to this Plan Document that describes the specific features of this Cafeteria Plan.

2.15 FMLA means the Family and Medical Leave Act of 1993, as amended.

2.16 Grace Period means the 2 ½ month period after the end of any Plan Year during which a Participant, spouse or Dependent can continue to incur expenses that are eligible for reimbursement from the funds contributed during that (prior) Plan Year.

2.17 Health FSA means the health care flexible spending account portion of this Plan.

2.18 Medical Care Expenses means the expenses that are eligible for reimbursement under the Health FSA as described in Article 7.3 and in the Summary Plan Description.

2.19 Participant means an Eligible Employee who has made an election to participate in the Plan and who has not terminated his participation during any open enrollment period.

2.20 Payment means all activities regarding the provision of benefits under the Health FSA.

2.21 Plan Year means the year beginning on the Plan Year Start Date and ending on the Plan Year End Date as identified on the Cafeteria Benefit Plan Description and Adoption Agreement.

2.22 Related Employer means any employer that is a member of a related group of organizations with the Employer as shown on the Cafeteria Benefit Plan Description and Adoption Agreement, and as specified under Code § 414(b), (c) or (n).

2.23 Salary Reduction Agreement means the election form that must be completed by each Eligible Employee, except as otherwise provided in this Plan Document, before his or her participation in the Plan will begin.

Article 3. **Eligibility and Participation**

3.1 Eligibility to Participate. An individual is eligible to participate in this Plan if the individual (a) is an Employee; (b) is regularly scheduled to work the number of hours (if any) shown on the Cafeteria Benefit Plan Description and Adoption Agreement, which is attached to this Plan Document; (c) has been employed by the Employer for the length of time required on the Cafeteria Benefit Plan Description and Adoption Agreement (if any); and (d) meets any age requirements shown on the Cafeteria Benefit Plan Description and Adoption Agreement. Once the Employee has met the Plan's eligibility requirements, the Employee must complete a Salary Reduction Agreement to be eligible to participate in one of the Component Plans (unless otherwise specified under Participation in the Cafeteria Benefit Plan Description and Adoption Agreement) and to participate in the DCAP or the Health FSA. Participation in the Premium Payment component of this Plan will become effective as of the first payroll period following submission of a Salary Reduction Agreement or enrollment form (as required) and the effective date of the Employee's coverage under any of the Component Plans. Participation in the Health FSA and DCAP will become effective for each Employee as of the first payroll period following completion of all Eligibility Requirements and submission of a Salary Reduction Agreement.

3.2 Termination of Participation. A Participant's participation in the Plan will end on the earlier of the following: (a) for the Premium Payment component, the expiration of the Participant's enrollment in all of the Component Plans that require employee contributions; (b) for the Health FSA and DCAP components, the date that the Participant revokes his or her election to participate under a circumstance when such change is permitted under the terms of the Plan; (c) the termination of this Plan; or (d) the date on which the Employee ceases to be an Eligible Employee. Reimbursements from the Health FSA and DCAP Accounts after termination of participation will be made pursuant to Articles 7.7, 8.5 and 9.7.

3.3 Participation Following Termination of Employment or Loss of Eligibility. If a Participant terminates his or her employment or loses eligibility under this Plan for any reason including disability, retirement, layoff or voluntary resignation and then is rehired within 30 days, the Employee will be reinstated as a Participant in the Premium Payment component to the extent that the Employee's participation in any of the Component Plans is also reinstated. For the Health FSA and DCAP components, the Employee will be reinstated with the same elections that such individual had before termination. If a former Participant is rehired more than 30 days following termination of employment and is otherwise eligible to participate in the Plan, then the individual may make new elections as a new hire, and will be subject to any applicable waiting period.

3.4 FMLA Leaves of Absence. Notwithstanding any provision to the contrary in this Plan, if a Participant goes on a qualifying paid or unpaid leave under the FMLA, the Employer will maintain the Participant's coverage under the Health FSA, the DCAP, and the applicable Component Plans (as required by the FMLA and as determined by the Employer's policies for coverages that are not health benefits subject to the FMLA) on the same terms and conditions as if the Participant were still an active Employee. During any such period, the Participant's share of the premiums shall be paid by the Participant in one of the following ways, as determined by the Employer:

(1) with after-tax dollars, by sending monthly payments to the Employer by the due date established by the Employer;
(2) with pre-tax dollars, by having such amounts deducted from the Participant's ongoing Compensation (if any, including unused sick days and vacation days), or by pre-paying all or a portion of the premium for the expected duration of the leave on a pre-tax basis out of pre-leave Compensation. To pre-pay the premium, the Participant must make a special election to that effect prior to the date that such Compensation would normally be made available (pre-tax dollars may not be used to fund coverage during the next Plan Year)
(3) under another arrangement agreed upon between the Participant and the Employer.

3.5 Other Leaves of Absence. If the Participant goes on an unpaid leave of absence that does not affect eligibility (based on the policies of the Employer), then the Participant will continue to participate and the premium due for the Participant will be paid by pre-payment before going on the leave, by after tax contributions while on leave, or with catch-up contributions after the leave ends, as determined by the Employer.

Article 4. **Election Procedures**

4.1 Elections When First Eligible. For the Premium Payment component, an Eligible Employee who enrolls in one of the Component Plans must complete a Salary Reduction Agreement or enrollment form prior to the effective date of coverage under any of the Component Plans in order for the Employee to participate in any of these plans. For the Health FSA and DCAP, the maximum and minimum permitted elections (if any) are included in the Cafeteria Benefit Plan Description and Adoption Agreement and will be shown on the Salary Reduction Agreement or an attached document. These amounts may change at the beginning of each Plan Year. For the Health FSA and DCAP, an Employee who first becomes eligible to participate in the Plan mid-year may commence participation at the end of the Waiting Period, if any, specified in the Cafeteria Benefit Plan Description and Adoption Agreement if all eligibility requirements have been satisfied, provided that a Salary Reduction Agreement is submitted to the Administrator before the effective date. The amount that the Participant can contribute to the Health FSA and the DCAP Plans will not be pro-rated for a mid-year enrollment, but will be pro-rated for the Premium Payment component. If an Employee does not enroll when first eligible, he or she may not enroll until the next open enrollment period, unless an event occurs that would permit a mid-year election change as described in Article 4.3. The provisions

of this Plan are not intended to override any exclusions, eligibility requirements or waiting periods specified in the Component Plans.

4.2 Election During Open Enrollment Period. For the Health FSA and DCAP Plans, each Participant will be asked to complete a new Salary Reduction Agreement during each open enrollment period that is held prior to the start of any Plan Year. If the Participant fails to return the Salary Reduction Agreement during the open enrollment period, then the Employee's election will be terminated for the Plan Year. Participation in the Component Plans will continue regardless of whether or not the Participant completes a new Salary Reduction Agreement during any open enrollment period.

4.3 Irrevocability of Elections. A Participant's salary reduction election may not be changed during a Plan Year except as described below. For the Premium Payment component, all elections are required to be consistent with any change of election under any Component Plan.

(1) the Participant experiences a Change in Status;
(2) for the Premium Payment component only, an event occurs that triggers one of the HIPAA Special Enrollment Rights, as described in the plan documents for the Component Plans;
(3) the Participant, spouse or a Dependent becomes entitled to coverage under Medicare;
(4) the Participant goes on a FMLA leave of absence or other non-FMLA leave of absence;
(5) the Participant receives a judgment, decree or order resulting from a divorce, legal separation, annulment or change in legal custody (including a Qualified Medical Child Support Order) requiring the Participant to provide coverage for a dependent or requiring another person to provide such coverage;
(6) for the Component Plans only, there is a significant change in cost (whether an increase or decrease) in one of the Component Plans. Participants are required to increase their elective contributions to reflect insignificant increases in their required contributions or to decrease their elective contributions to reflect insignificant decreases in their required contributions. The Employer, in its sole discretion and on a uniform and consistent basis, will determine whether the cost increase or decrease is significant or insignificant. For an insignificant increase or decrease, the change in election will be made automatically on a prospective basis;
(7) for the Component Plans only, there is a significant curtailment of coverage or an addition or significant improvement in a Component Plan. The Employer in its sole discretion and applied on a consistent basis will determine whether there has been a significant curtailment (with or without loss of coverage) or an addition or significant improvement in a Component Plan that entitles a Participant to make a corresponding election change. In the case of curtailment that results in a loss of coverage, the Employer may permit the Participant to withdraw from the Plan.
(8) for the Component Plans or the DCAP Plan, there is a change made under another employer plan and the other plan allows an election change or the other employer plan has a different period of coverage.
(9) For the Component Plans, the Participant, spouse or a Dependent loses coverage under a Medicaid Plan under Title XIX of the Social Security Act;
(10) For the Component Plans, the Participant, spouse or a Dependent loses coverage under State Children's Health Insurance Program (SCHIP) under Title XXI of the Social Security Act;

(11) For the Component Plans, the Participant, spouse or a Dependent is determined to be eligible for group health plan premium assistance under Medicaid or SCHIP plan;

(12) For the DCAP, employees may revoke or change their salary reduction elections if the employee experiences a change in dependent care provider or in dependent care provider cost for services.

4.4 Additional Information Regarding Mid-year Election Changes:

(1) Except in limited circumstances, benefit election changes made on account of a Change in Status as described above must be applied prospectively.

(2) Participants' pre-tax health contributions will automatically be adjusted if there is an increase or decrease in the cost of coverage through the Plan. Such adjustments will be made prospectively.

(3) If a Participant experiences a Change in Status and wants to add an eligible Dependent to his/her coverage, notification to the Employer must be made by the end of the enrollment period. The enrollment period is:

a) 30 calendar days after a Change in Status;

b) 60 calendar days in the case of loss of coverage under Medicaid or CHIP or eligibility based on the determination that the Participant, spouse or Dependent is eligible for premium assistance under Medicaid or CHIP; or

c) 30 calendar days after any other event.

4.5 Election Modifications required by the Employer. The Employer may, at any time, require any Participant or class of Participants to amend the amount of his or her salary reductions during a Plan Year if the Employer determines that such action is necessary or advisable in order to (a) satisfy any of the IRC's nondiscrimination requirements applicable to this Plan; (b) prevent any Employee from having to recognize more income for federal income tax purposes from the receipt of benefits under this Plan than would otherwise be recognized; (c) maintain the qualified status of benefits received under this Plan. Elections may be changed automatically if there is any change in the Participants' share of the costs under any Component Plan or any insurance company or administrator changes its rates.

Article 5. **Methods of Funding**

5.1 Employer and Participant Contributions. For Participants who elect benefits under any Component Plan, the Employer will contribute a portion of the premium as provided in the open enrollment materials furnished to Employees and/or set forth on a Salary Reduction Agreement. All contributions made under this Plan by the Employer will be made directly out of its general assets. Participants who elect coverage under any Component Plan must pay for their share of the cost of coverage, as determined by the Employer. Participants who elect coverage under the Health FSA or the DCAP must pay their elected contributions on a pre-tax salary reduction basis by completing a Salary Reduction Agreement, unless otherwise specified in the Cafeteria Benefit Plan Description and Adoption Agreement.

5.2 Cash Option. If an Employee elects not to participate in any of the Component Plans, the Employee will receive an amount, if any, equal to the Cash Option shown on the Cafeteria Benefit Plan Description and Adoption Agreement. If no amount is shown under this provision, then the Cash Option is not available.

5.3 Salary Reductions. The salary reduction amount for a pay period for a Participant is an amount equal to the total annual premium contribution required for the Component Plans and the total elected contributions under the Health FSA and DCAP payable by the Participant, divided by the number of pay periods during the Plan Year; or an amount otherwise agreed upon by the Employer and the Participant as shown on the Salary Reduction Agreement or other documentation for that Plan Year. Salary reductions that are applied by the Employer to pay for the Participant's share of the cost of coverage for the Component Plans are considered to be Employer contributions.

Article 6. **Premium Payment Plan**

6.1 Benefits. The specific benefits, types and amounts of coverage, requirements for participation, and other terms and conditions of the coverage provided under the Component Plans are fully explained in the plan documents for each of these Plans. A list of the Component Plans that are subject to this Plan is included in the Cafeteria Benefit Plan Description and Adoption Agreement.

6.2 Insurance Benefits Provided under the Applicable Insurance Plan. All insured Component Plans that are available under this Plan will be provided by the Employer's health insurance policy, not this Plan. All self-funded Component Plans are provided in accordance with the plan document for those plans. All claims to receive benefits and issues of coverage will be subject to and governed by the terms and conditions of the applicable plan documents.

6.3 Continuation Coverage. Notwithstanding any provision to the contrary in this Plan, to the extent permitted by Code Section 4980B, a Participant who has elected continuation coverage under any Component Plan can continue to participate in this Plan. If there is no compensation paid, all contributions made under the Plan must be made directly by the Participant on an after tax basis. Code Section 4980B will govern if there is any conflict with the terms of this Plan.

6.4 Continuation under USERRA. Coverage and benefits with respect to qualified military service will be provided in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Article 7. **Health FSA Component**

7.1 Benefits. An Eligible Employee can elect to participate in the Health FSA component by electing to receive benefits in the form of reimbursements for Medical Care Expenses. Benefits elected will be funded by Participant contributions as provided above.

7.2 Benefit Premiums. The annual premium is equal to the annual benefit amount elected by the Participant, subject to any maximum or minimum amounts shown in the Cafeteria Benefit Plan Description and Adoption Agreement and the Summary Plan Description.

7.3 Eligible Medical Care Expenses. Under the Health FSA component, a Participant may receive reimbursements for Medical Care Expenses incurred during the Plan Year for which an election is in force.

(1) A Medical Care Expense is incurred at the time the medical care or service giving rise to the expense is furnished, and not when the Participant, spouse or Dependent is billed for, is charged for, or pays for the medical care. For orthodontia expenses, the Administrator will determine the amount that can be reimbursed in any one Plan Year by taking the total charges billed and dividing this amount by the total time over which the services will be rendered. If a fee is paid at the start of orthodontic treatment to cover initial services performed, it can be reimbursed at that time, with the remaining treatment cost pro-rated over the total length of treatment.

(2) "Medical Care Expenses" means expenses incurred by a Participant or his or her spouse or Dependent for medical care, as defined in Code § 213 and in the Summary Plan Description, other than those expenses that are excluded, as described in the Summary Plan Description. Medical expenses that are reimbursed by another accident or health plan are not eligible as Medical Care Expenses under this Plan.

7.4 Uniform Coverage. The maximum dollar amount elected by the Participant for reimbursement of Medical Care Expenses incurred during a Plan Year shall be available at all times during the Plan Year and the Grace Period, reduced by any prior reimbursements under the Plan.

7.5 Grace Period. If a grace period is included in this Plan as shown on the Cafeteria Benefit Plan Description and Adoption Agreement, Participants will have an additional 2 ½ months after the end of any Plan Year in which to incur eligible expenses that can be reimbursed with salary reductions from the previous year. However, claims will be paid in the order received, so that the first claims submitted during the year will be paid using the prior Plan Year's remaining balance, if any.

7.6 Maximum and Minimum Benefits. The maximum and minimum annual benefit amounts that a Participant may elect to receive under this Plan are shown on the Cafeteria Benefit Plan Description and Adoption Agreement and are described in the Summary Plan Description. These maximum and minimum amounts apply regardless of whether the Participant first becomes eligible and elects to participate in the middle of a Plan Year. The annual benefit amount will not be prorated.

7.7 Carry-Forward.
If a Participant (and/or his or her Dependents) incurs, during the Plan Year, aggregate expenses qualifying for reimbursement less than the dollar amount available in the Health FSA for a Plan Year, any amount remaining in the Participant's Reimbursement Account as of the end of the Plan Year will be carried forward up to a maximum of $500.

7.8 Reimbursements after Termination. When a Participant's participation in the Health FSA component ends, the Participant's salary reductions will terminate. The Participant will not be able to receive reimbursement for Medical Care Expenses incurred after the end of the Grace Period, except as provided in Section 7.9 below.

7.9 Continuation of Coverage. Notwithstanding any provision in this Plan to the contrary, to the extent required by COBRA if the Employer is subject to the provisions of COBRA, a Participant (and his or her Dependents) whose coverage terminates under the Health FSA because of a COBRA qualifying event shall be given the opportunity to continue on a self-pay basis the same coverage that he or she had under the Health FSA the day before the qualifying event until the end of the current Plan Year. Coverage under COBRA will be subject to all conditions and limitations imposed by COBRA. Premiums will be considered to be paid on an after tax basis unless otherwise permitted by the Administrator on a uniform and consistent basis. COBRA continuation coverage will only be available for those individuals who have a positive account balance at the time of the qualifying event.

7.10 Heroes Earnings Assistance and Relief Tax (HEART) Act. Military reservists who are called to active duty for at least 180 days may receive a qualified reservist distribution (QRD) from unused funds in his or her Health Care Account without penalties. The Employee may withdraw all or part of the balance in their account, but can only withdraw funds that have been contributed through payroll up to the date of the request and have not been previously reimbursed.

The QRD must be requested on or after the day the Employee is called to active duty, and on or before the last day of the Plan Year or corresponding Grace Period, if any, in which the Employee is called to active duty. The Employee should submit a copy of his or her order or call to active duty to the Employer before the QRD is paid. The QRD will be issued within 60 days after the employee requests a QRD.

The amount of the QRD is included in the Employee's gross income and wages, is subject to employment taxes, and must be reported as wages on the employee's W-2 for the year in which the QRD is paid.

Article 8. **Claim Procedures for Health FSA Component**.

8.1 Submission of Claims. Participants must make claims for reimbursements under the Plan in writing or by using the debit card following such procedures, including deadlines and documentation requirements, and using such forms as are prescribed by the Administrator. The Administrator may contract with a Claims Administrator who will process claims on behalf of the Administrator. The reimbursement application or debit card verification (itemized bill, explanation of benefits or other documentation from your health provider or health plan) must include at least the following:

(1) The person or person on whose behalf the Medical Care Expenses have been incurred;
(2) The nature and date of the expenses;
(3) The amount of the requested reimbursement; and
(4) A statement that such expenses have not otherwise been reimbursed.

8.2 Payment of Approved of Claims. Claims that are approved by the Administrator and/or Claims Administrator will be paid within 30 days after receipt of the appropriate documentation, or as soon as possible thereafter. The Administrator may, at its option, pay any such qualifying reimbursements directly to the person providing or supplying health care instead of reimbursing the Participant.

8.3 Time for Claim Submission. Participants may file claims for expenses incurred during a Plan Year through ninety days following the end of the Plan Year. Participants whose participation terminates must file all claims that were incurred by the Participant and his or her Dependents within ninety days after the termination.

8.4 Denial of Claims. If the Administrator or Claims Administrator receives an incomplete claim, it will provide to the Participant who submitted the claim a description of any additional material or information necessary for the Participant to complete the claim and an explanation of why such material or information is necessary. This notice will be provided within 5 days of receipt of the claim. After receipt of all the information needed to review a claim, if any claim for benefits under the Plan is wholly or partially denied, the Administrator or Claims Administrator will give notice in writing of such denial within a reasonable period of time. Notice of denial will be given no later than 30 days after the claim is filed. Such notice shall set forth the following information:

(1) The specific reason or reasons for the denial;
(2) Specific reference to pertinent Plan provision, internal rule, guideline, protocol or similar criteria on which the denial is based
(3) An explanation that a full and fair review by a claim review committee of the decision denying the claim may be requested by the claimant or his authorized representative by filing with the committee, within 180 days after such notice of denial has been received.

If the claimant requests a review of the claim denial, the claimant or his authorized representative may review pertinent documents and submit issues and comments in writing. The decision of the Administrator on review shall be made promptly, but not later than 30 days after receipt of the request for review, unless special circumstances require an extension of time for processing. The decision on review shall be made in writing and shall include specific reasons for the denial, written in a manner calculated to be understood by the claimant, and shall include specific references to the pertinent Plan provisions on which the denial is based.

8.5 Reimbursements after Termination. When a Participant's participation in the Health FSA ends, the Participant's salary reductions will terminate. The Participant will not be able to receive reimbursement for Eligible Medical Care Expenses incurred after termination of participation, unless the Participant elects to continue coverage under the Plan through COBRA. Participants may continue to submit claims for up to ninety days after termination of participation.

Article 9. **DCAP Component**

9.1 Benefits. An Eligible Employee can elect to participate in the DCAP component by electing to receive benefits in the form of reimbursements for Dependent Care Expenses. Benefits elected by the Participant will be funded by Participant contributions as described in Article 5 – Methods of Funding.

9.2 Benefit Premiums. The annual premium for a Participant's DCAP benefits is equal to the annual benefit amount elected by the Participant, subject to any maximum or minimum limitations shown in the Cafeteria Benefit Plan Description and Adoption Agreement and the Summary Plan Description.

9.3 Eligible Dependent Care Expenses. A participant may receive reimbursement for Dependent Care Expenses incurred during the Plan Year for which an election is in force. A Dependent Care Expense is considered incurred at the time the Qualifying Dependent Care Services giving rise to the expense are furnished, not when the Participant is formally billed for, is charged for, or pays for the expenses.

(1) "Dependent Care Expenses" are expenses that are considered to be employment-related expenses under Code § 21(b)(2) and expenses for incidental household services, paid by the Participant for care of a Qualifying Individual, but only to the extent that the Participant or other person incurring the expense is not reimbursed for the expense and the expense is not reimbursable through insurance or any other plan. Dependent Care Expenses do not include amounts paid to (1) an individual with respect to whom a personal exemption is allowable under Code § 151(c) to a Participant or his or her spouse, (2) a Participant's spouse, or (3) A Participant's child who is under 19 years of age at the end of the year in which the expenses were incurred.

(2) "Qualifying Individual" means a Participant's Dependent who is under age 13 or a Participant's Dependent or spouse who is mentally or physically incapable of self-care. Determination of whether a Dependent is a Qualifying Individual must be made at the time the services are performed. A Qualifying Individual is the Qualifying Individual of the custodial parent even if the non-custodial parent may claim the dependency exemption for that child for that taxable year. The custodial parent is the parent having custody for the greater portion of the calendar year, calculated based on the number of nights each parent has custody.

(3) "Qualifying Dependent Care Services" means services that both (1) relate to the care of a Qualifying Individual that enable the Participant and his or her spouse to remain gainfully employed after the date of participation in the DCAP component and during the Plan Year; and (2) are performed either in the Participant's home or outside the Participant's home for (a) the care of a Participant's Dependent who is under age 13; or (b) the care of any other Qualifying Individual who regularly spends at least 8 hours per day in the Participant's home. If the expenses are incurred for services provided by a dependent care center, the center must comply with all applicable state and local laws and regulations. Qualifying Dependent Care Services do not include educational services.

9.4 Maximum and Minimum Benefits. The maximum dollar amount elected for reimbursement of Dependent Care Expenses shall only be available during the Plan Year to the extent of the actual amounts credited to the Participant's DCAP Account at the time the claim for reimbursement is submitted. No reimbursements will be made that would exceed the applicable statutory limit. The applicable statutory limit for a Participant is the smallest of the following:

(1) The Participant's earned income for the calendar year;

(2) The earned income of the Participant's spouse for the calendar year;

(3) Either:

(a) $5,000 if one of the following applies (i) the Participant is married and files a joint return; or (ii) the Participant is married, but a) furnishes more than one-half the cost of maintaining the Dependent for whom the Participant is eligible to receive reimbursements under the DCAP; b) the Participant's Spouse maintains a separate residence for the last 6 months of the calendar year; and c) the Participant files a separate tax return; or (iii) the Participant is single or is the head of the household for tax purposes; or

(b) $2,500 for the calendar year if the Participant is married and resides with the Spouse, but files a separate federal income tax return.

9.5 Reimbursement Procedures.

(1) Timing. Within 30 days after receipt by the Administrator or its designee of a reimbursement claim from a Participant, the Employer will reimburse the Participant for any qualifying Dependent Care Expenses or will notify the Participant that his or her claim has been denied. This time period may be extended by an additional 15 days for matters beyond the control of the Administrator, including cases where a reimbursement claim form is incomplete. The Administrator or its designee will provide written notice of any extension, including the reasons for the extension, and will allow the Participant 45 days in which to complete and incomplete claim.

(2) Claims Substantiation. All claims for reimbursement under the DCAP must be in writing on a form approved by the Administrator and must be sent or provided to the Administrator by no later than October 31st following the end of the Plan Year and the Grace Period. Each claim must include:

- The person on whose behalf Dependent Care Expenses have been incurred;
- The nature and date of the expenses;
- The amount of the requested reimbursement;
- The name of the person (and relationship to the Participant, if any), organization or entity to whom the expense was or is to be paid and the taxpayer identification number (or social security number if an individual);
- A statement that such expenses have not otherwise been reimbursed and that the Participant will not seek reimbursement through any other source;

- If the services were performed outside the home, a statement as to whether the Dependent for whom such services were performed spends at least 8 hours a day in the Participant's household.
- If the services were performed by a Day Care Center, a statement that:
  - The day care center complies with all applicable laws and regulations of the state in which it is located;
  - The day care center provides care for more than 6 individuals; and
  - The amount of the fee paid to the provider.
- If the Participant's spouse is not employed, a statement that he or she is incapacitated or that he or she is a full-time student attending an educational institution and the months during the year that he or she attended the institution.

9.6 Grace Period. If permitted by the Plan as shown on the Cafeteria Benefit Plan Description and Adoption Agreement, Participants will have an additional 2 ½ months after the end of any Plan Year in which to incur eligible expenses that can be reimbursed with salary reductions from the previous year. However, claims will be paid in the order received, so that the first claims submitted during the year will be paid using the prior year's remaining balance, if any.

9.7 Reimbursements after Termination. When a Participant's participation in the DCAP ends, the Participant's salary reductions will terminate. The Participant will not be able to receive reimbursement for Dependent Care Expenses incurred after the termination date. Participants may continue to submit claims through the Plan Year runout date (October 31st following the current Plan Year.)

Article 10. **Accounts: Recordkeeping and Administration**

10.1 General. The Administrator shall have complete control of the administration of the Plan with all powers to enable it to carry out its duties in that respect, subject at all times to the limitations and conditions specified in or imposed by the Plan.

10.2 Establishment of Accounts. The Administrator, or its designee, will establish and maintain a Health FSA Account for each Participant who has elected to participate in the Health FSA and a DCAP Account for each Participant who has elected to participate in the DCAP, but will not create a separate fund or otherwise segregate assets for this purpose. The Accounts will be recordkeeping accounts with the purpose of keeping track of contributions and determining forfeitures.

10.3 Amounts Available under Health FSA and DCAP Plans. A Participant's Health FSA will be credited at the beginning of each Plan Year with an amount equal to the amount of the Participant's salary reduction elected for that Plan Year. A Participant's DCAP Account will be credited periodically with the monthly amount of the Participant's salary reduction elected for that Plan Year. A Participant's Health FSA and DCAP Account will be debited during each Plan Year for any reimbursement of Health Care Expenses or Dependent Care Expenses incurred and submitted for reimbursement during the Plan Year. The amount available for reimbursement under the Health FSA and the DCAP Plans may not exceed the year-to-date amount credited to that Account less any prior reimbursements.

10.4 Forfeiture of Accounts. If any balance remains in a Participant's Health FSA or DCAP Account at the end of a Plan Year after reimbursements for all timely claims have been made for the Plan Year, such balance shall not be carried over to the next Plan Year, unless otherwise described in the Cafeteria Plan Description and Adoption Agreement. The Participant shall forfeit all rights with respect to any outstanding balance. All forfeitures under this Plan shall be used as follows: (a) first, to offset any losses experienced by the Employer during the Plan Year as a result of making reimbursements with respect to a Participant in excess of the premiums paid by the Participant through salary reductions; (b) second, to reduce the cost of administering the applicable component; and (c) third, to provide increased benefits or compensation to Participants in subsequent years in any weighted or uniform fashion that the Administrator deems appropriate, consistent with applicable regulations.

10.5 Duties and Policies of the Administrator. The Administrator and/or the Claims Administrator shall have the following duties, responsibilities and authority with respect to the administration of the Plan:

(1) To interpret the Plan and decide all questions of eligibility;
(2) To prescribe procedures to be followed by Participants in making elections;
(3) To prepare and distribute information explaining the Plan to Participants and Dependents;
(4) To receive from the Employer and from Participants such information as shall be necessary for the proper administration of the Plan;
(5) To furnish the Employer and Participants such annual reports with respect to the administration of the Plan as are reasonable and appropriate;
(6) To keep reports of claims and disbursements for claims under the Plan;
(7) To modify elections under the Plan;
(8) To promulgate, as needed, election and claim forms to be used by Participants;
(9) To prepare and file any reports or returns with respect to the Plan required by applicable governmental agencies.

(10) To provide each participant, with respect to each calendar year, a written statement showing the total reimbursements to the Participant under this Plan.
(11) To correct any reimbursement of expenses made in error.
(12) To take all other steps deemed necessary to properly administer the Plan in accordance with its terms and the requirements of applicable law.

Article 11. **Privacy and Security**.

11.1 General. This provision applies only to the Health FSA. The other Component Plans may also be subject to HIPAA, but the privacy provisions for those plans, if any, are described in a separate Plan Document.

The Health FSA will use a Participant's, a spouse's or a Dependent's PHI, in accordance with HIPAA, only to make required disclosures or for purposes related to treatment, payment, and the Healthcare Operations of the Health FSA. However, if a Participant or Dependent requests to see the information or provides a signed authorization, the Plan may use and disclose PHI as permitted and directed by the request or the authorization.

11.2 Disclosures to Employer. With respect to PHI, the Employer will:

(1) Not use or further disclose PHI other than as permitted or required by this Plan Document or as required by law;
(2) Ensure that any agents, including a subcontractor, to whom the Employer provides PHI received from the Plan agree to the same restrictions and conditions that apply to the Employer with respect to such PHI;

(3) Not use or disclose PHI for employment-related actions and decisions unless authorized by the individual that is the subject of the PHI;
(4) Not use or disclose PHI in connection with any other benefit or employee benefit plan of the Employer unless authorized by the individual that is the subject of the PHI;
(5) Make PHI available to an individual in accordance with HIPAA's access requirements;
(6) Make PHI available for amendment and incorporate any amendments to PHI in accordance with HIPAA;
(7) Make available upon request an accounting of disclosures;
(8) Make available to the Secretary of the Department of Health and Human Services internal practices, books and records relating to the use and disclosure of PHI received from the Plan, for purposes of determining the Plan's compliance with HIPAA; and
(9) If feasible, return or destroy all PHI received from the Plan when such PHI is no longer needed for the purpose for which disclosure was made;
(10) Provide written notice or a substitute notice (if the last known contact address is insufficient) for each individual within 60 days following discovery of any breach of Unsecured PHI. The notice will include:
    a. A brief description of what happened including the date of the breach and the date of discovery, if known;
    b. A description of the types of unsecured PHI that were involved in the breach;
    c. Any steps the individual should take to protect him/herself from potential harm resulting from the breach;
    d. A brief description of what the Employer is doing to investigate the breach in accordance with HIPAA breach notification requirements;

e. Contact procedures for individuals to ask questions or learn additional information
    i. If a breach of Unsecured PHI involves more than 500 residents of a state, provide notice to local media outlets serving the state within 60 days of discovering the breach;
    ii. If a breach of unsecured PHI involves more than 500 covered person, provide notice to the DHHS not later than 60 days after the end of the calendar year in with the breach occurred.
    iii. Use DHHS approved methods to secure and destroy PHI.

(11) Allow only specified employees of the Employer to have access to PHI,

(12) Provide a mechanism for resolving issues of noncompliance with these requirements, including disciplinary sanctions.

11.3 HIPAA Definitions

(1) "Breach" means the unauthorized acquisition, access, use, or disclosure of PHI in a manner not permitted by HIPAA privacy rules that compromises the security or privacy of the PHI.

(2) "DHHS" means the federal Department of Health and Human Services.

(3) "Electronic PHI" is health information about a plan participant that is in an electronic format. Health information includes information about the individual's past, present, or future physical or mental condition, the provision of health care to the individual, or the past, present, or future payment for the provision of health care to the individual.

(4) "Health Care Operations" means activities of the Plan related to its health care functions, including quality assessment, case management, care coordination, reviewing competence of health care professionals, evaluating provider performance, health plan performance, cost management, resolution of grievances, or any other related activities.

(5) "HIPAA" means the Health Insurance Portability and Accountability Act of 1996, as amended.

(6) "HITECH Act" means the Health Information Technology for Economic and Clinical Health Act, which amends HIPAA.

(7) "Payment" includes all activities regarding the provision of benefits under the Plan.

(8) "Protected Health Information or PHI" means individually identifiable health information in oral, electronic or written form that relates to the past, present or future mental or physical condition of a Participant or Dependent. Protected Health Information also includes information for which there is a reasonable basis to believe that it can be used to identify an individual. Protected Health Information includes Electronic PHI.

(9) "Unsecured PHI" means PHI that is not secured through the use of a technology or methodology described in regulations to the HITECH Act or otherwise approved by the Secretary of the DHHS.

Article 12. **General Provisions**

12.1 No Contract of Employment. Nothing herein contained is intended to be or shall be construed as constituting a contract or other arrangement between any Employee and the Employer. All Employees are considered to be employed at the will of the Employer.

12.2 Amendment and Termination. The Employer reserves the right to amend or terminate the Plan. However, such amendment or termination shall not allow Plan Assets to be used for any other purpose other than for the exclusive benefit of Participants and for the payment of Plan Expenses.

12.3 No Guarantee of Tax Consequences. Neither the Plan Administrator nor the Employer makes any commitment or guarantee that any amounts paid to or for the benefit of a Participant under this Plan will be excludable from the Participant's gross income for federal or state income tax purposes, or that any other federal or state tax treatment will apply to or be available to any participant. It shall be the obligation of each Participant to determine whether each payment under the Plan is excludable from the Participant's gross income for federal or state income tax purposes, and to notify the Employer if the Participant has reason to believe that any such payment is not so excludable.

12.4 Reimbursement by Participants. If any Participant receives reimbursement under this Plan for any expenses that are not qualifying health care expenses or dependent care expenses or that are otherwise reimbursed to Participant, such Participant will reimburse the employer for the expenses or for any liability the Employer may incur for failure to withhold appropriate taxes.

12.5 Governing Law. This Plan shall be construed, administered and enforced according to the laws of the State of Maryland, to the extent no superseded by the IRC or any other federal laws.

12.6 Nondiscrimination. It is the intent of this Plan to comply with the nondiscrimination provisions of IRC Section 125. Any actions deemed necessary by the Employer to comply with these requirements shall be carried out in a uniform and non-discriminatory manner.

Cafeteria Benefit Plan Description and Adoption Agreement

The undersigned Employer hereby adopts the attached Cafeteria Benefit Plan for those Employees who qualify as Participants hereunder. The Employer hereby selects the following Plan specifications:

EMPLOYER INFORMATION

Name of Employer:	City of Westminster
Address of Employer:	56 West Main Street Westminster, MD 21157 (410) 848-2702
Employer Identification #:	52-6000811

PLAN INFORMATION

Plan Name:	City of Westminster Cafeteria Plan
Plan Number:	501
Original Effective Date of Plan:	January 1, 1999
Effective Date of Most Recent Amendment:	July 1, 2020
Plan Year Start Date:	July 1st
Plan Year End Date:	June 30th
Grace Period:	September 15th (Dependent Care Assistance Plan only)
Carry-over Amount:	$500 (Health Care Flexible Spending Plan only)
Claims Administrator	Connecticut General Life Insurance Company PO Box 182223 Chattanooga, TN 37422-7223 (800) 244-6224

ELIGIBILITY REQUIREMENTS

Length of Service required for participation:	One (1) full calendar month of employment
Minimum Hours worked Per week required for participation:	Full-time employees - Thirty-five (35) hours Part-time employees – Twenty-five (25) hours
Age requirement for participation:	None

Effective Date of Coverage: ☐ Date all eligibility requirements are met
☒ First day of month following date eligibility requirements are met

Additional Eligibility Requirements: None

CASH OPTION

The following amount, if any, is allowed as a cash option under the Plan: $2,000 if the employee waives medical coverage and/or $105 if the employee waives dental coverage if the employee has other group health insurance and submits proof of such coverage. The cash option amount will be distributed in equal amounts each pay period throughout the Plan Year. The cash option will cease upon enrollment in the City of Westminster group medical and/or dental plan.

PARTICIPATION IN PREMIUM PAYMENT PLAN

Are Employees required to participate in this Plan if they elect to participate in any of the Component Plans?

☐ Yes, Employee must participate in this Plan to make premium contributions.

☒ No, Employees will be permitted to make their premium contributions with after tax payroll deducted payments.

COMPONENT PLANS

Each of the following Component Plans are part of this Plan:

☒ Medical

☒ Dental

☒ Vision

☐ Long Term Disability

☐ Short Term Disability

☐ Group Term Life

☒ AFLAC — Hospital Confinement Indemnity, Hospital Confinement Sickness Indemnity, Dental, Vision, Hospital Intensive Care, Accident, Cancer/Specified Disease, Critical Care and Recovery (Specified Health Event)

☒ Health FSA Plan

Minimum Contribution:	$0 per plan year
Maximum Contribution:	$2,750 per plan year
Claims Administrator:	Connecticut General Life Insurance Company PO Box 182223 Chattanooga, TN 37422-7223 (800) 244-6224

☒ DCAP

Minimum Contribution:	$0 per plan year
Maximum Contribution:	$5,000 per plan year
Claims Administrator:	Connecticut General Life Insurance Company PO Box 182223 Chattanooga, TN 37422-7223 (800) 244-6224

This Plan shall be construed, enforced, administered and the validity determined in accordance with the applicable provisions of the Internal Revenue Code of 1986 (as amended) and the laws of the State of Maryland. Should any provision be determined to be void, invalid, or unenforceable by any court of competent jurisdiction, the Plan will continue to operate, and for purposes of the jurisdiction of the court only, will be deemed not to include any provision determined to be void.

This Plan is hereby amended and restated as of this 1st day of July, 2020.

City of Westminster (the "Employer")

_____

By (written name):

The following Related Employers have also adopted this Plan: None

THIS DOCUMENT IS NOT COMPLETE WITHOUT THE ATTACHED CAFETERIA PLAN DOCUMENT.

Summary of the City of Westminster Cafeteria Benefit Plan

General Information

WHAT IS THE PURPOSE OF THE PLAN?
The purpose of the Plan is to allow eligible employees to select the benefits that they want and to pay for their share of these benefits with pre-tax salary reductions.

WHAT BENEFITS ARE PROVIDED BY THE PLAN?
The plan includes a Health Care Flexible Spending Plan (also referred to as a Health FSA), a Dependent Care Assistance Plan (also referred to as the DCAP), and a premium payment component that allows you to pay your premium contributions for participation on a pre-tax basis in the group medical, prescription, vision, and dental plans as well as certain AFLAC products. Other AFLAC products are available on a post-tax basis.

WHAT IS THE HEALTH FSA?
The Health FSA allows employees to pay for eligible health care expenses on a pre-tax basis. The program is established under Internal Revenue Code § 105.

WHAT IS THE DCAP?
The DCAP permits an employee to pay for his or her qualifying Dependent Care Expenses with pre-tax dollars.

WHO CAN PARTICIPATE IN THE PLAN?
Full-time Employees of City of Westminster who are regularly scheduled to work 35 or more hours per week and part-time employee who are regularly scheduled to work 25 or more hours per week are eligible to participate in the City of Westminster Cafeteria Benefit Plan.

HOW LONG MUST I WORK FOR CITY OF WESTMINSTER BEFORE I BECOME ELIGIBLE TO PARTICIPATE IN THE PLAN?
You must be an employee of City of Westminster for 1 full calendar month before you will be eligible to participate in the Plan.

HOW DO I ENROLL IN THIS PLAN?
To enroll in this Plan, you must first satisfy the eligibility requirements. Then, you must complete an enrollment form. Every year you will be asked to complete a new enrollment form in order to change the amount that you contribute pre-tax to your Health FSA and your DCAP.
You must complete and return your enrollment form to the Employer either within 30 days of becoming eligible to participate in the Plan or during an open enrollment period. If you become an employee after the effective date of this Plan, you are eligible to participate in this Plan as of the first day after you meet the eligibility requirements.

On the enrollment form, you will indicate the amount that you want to contribute to your Health FSA and the DCAP for the year, if any. The amount that you elect to contribute to your Health FSA and the DCAP, if any, along with your contributions for the group health plans will be deducted from your paycheck in equal installments on a pre-tax basis.

If you do not submit a new enrollment form during any open enrollment period, your elections for medical, dental, and vision coverage for premium payment for the prior year will continue for the next Plan Year; however, your elections for the Health FSA and DCAP will be terminated. If you want to terminate your participation in the medical, dental, or vision Plan, you will need to indicate this on your completed enrollment form.

WHEN DOES MY COVERAGE BECOME EFFECTIVE IN THE PLAN?
Coverage will become effective on the first day of the month following the date that you meet all of the eligibility requirements and have completed an enrollment form, through which you elect to participate in any portion of the Plan.

IF I DO NOT ENROLL INITIALLY CAN I ENROLL LATER?
Yes. Each year the City of Westminster will sponsor one or more open enrollment periods during which you can elect to participate in the Health FSA, the DCAP and/or any other plans offered by the Employer for which you are required to contribute. Other than during an open enrollment period, you can only enroll in the Plan or make changes to the amount that you are contributing if you experience a qualifying life event.

Qualifying life events include:

- Marriage or divorce
- Death of a spouse or dependent
- Birth or adoption (or placement for adoption) of a child
- Change in dependent child's custody
- Any other event that changes the number of your dependents
- Change in employment status that causes a gain or loss of Plan eligibility
- Eligibility for Medicare, Medicaid or CHIP
- Loss of eligibility for Medicaid or CHIP coverage
- Determination of eligibility for Medicaid or CHIP premium assistance
- For DCAP, change in dependent care provider or dependent care provider cost.

Changes to participation and/or to contribution amounts during the plan year must be made on account of and consistent with the qualifying life event and must be made within 60 days of the event for changes due to loss of eligibility for Medicaid or CHIP or determination of eligibility for premium assistance under Medicaid or CHIP. For all other changes, enrollment must be made within 30 days.

WHAT IS THE MAXIMUM AMOUNT THAT I MAY CONTRIBUTE TO THIS PLAN?

The *Maximum Contribution* for the Health FSA is $2,750 per plan year. If both you and your spouse are employees of City of Westminster you can both contribute up to $2,750. The *Maximum Contribution* for the DCAP is $5,000 per plan year. However, if you are married and reside with your spouse, but you file a separate income tax return, then the maximum that you may elect is $2,500. (This maximum includes any amount contributed by both you and your spouse). Also, your contribution to the DCAP cannot exceed your or your spouse's earned income for the year.

IS THERE A MINIMUM CONTRIBUTION AMOUNT?

No. You may contribute as little as you wish to either the Health FSA or the DCAP to participate in that portion of the Plan.

WHAT HAPPENS WHEN AN EMPLOYEE'S HEALTH FSA FUNDS ARE NOT USED DURING THE PLAN YEAR?

Any unused funds remaining in an Employee's Health FSA at the end of the Plan Year and the claims submission period will be carried over to a maximum of $500.

HOW WILL CARRY OVER AMOUNT WORK?

All claims will be paid out of any balance remaining in your account from the prior Plan Year until that balance is used. This means that if you have an expense that was incurred during the prior year (but have not yet submitted it), and you submit a claim incurred during the current Plan Year, first, the claim first submitted will be paid out of last year's account balance. If you wait to submit a claim from the prior year, you may find that last year's Account balance has been spent and the claim is not eligible for payment using this year's funds.

WHAT HAPPENS TO ANY MONEY IN MY ACCOUNTS THAT I DON'T USE?

The IRS requires that you forfeit any unclaimed money in your Health FSA and DCAP at the end of each Plan Year or after termination of participation in the Plan, except that you will have a Grace Period of 2 ½ months during which you can continue to incur eligible DCAP expenses. In addition, you may carry over up to $500 under the Health FSA for use in the next Plan Year. You can submit DCAP claims through October 31st after the end of the Grace Period. In the case of termination of coverage, you can submit Health FSA claims for up to 90 days after your participation terminates and DCAP claims through October 31st.

HOW WILL REIMBURSEMENT WORK DURING THE GRACE PERIOD?

All claims will be paid out of any balance remaining in your account from the prior Plan Year until that balance is used. This means that if you have an expense that was incurred during the prior year (but have not yet submitted it), and you submit a claim incurred during the current Plan Year, this claim will be paid out of last year's account balance. If you wait until the end of the grace period to submit a claim from the prior year, you may find that last year's Account balance has been spent and the claim is not eligible for payment using this year's funds.

Details of Health Care Flexible Spending Account

HOW DOES THE HEALTH CARE FLEXIBLE SPENDING ACCOUNT WORK?

The Health FSA works like this:

- During enrollment, you specify how much you want to set aside from your paycheck each month up to the Maximum Contribution;
- This amount is deposited in your Health Care Account, though the account exists only as a paper record;
- When you have an eligible expense, you will submit a claim form or use your debit card and submit, when applicable, either an Explanation or Benefits from the insurance company or a detailed receipt from the provider to the Claims Administrator as verification of the expense;
- If the claim is eligible for reimbursement, the Claims Administrator will send you or the provider of services a check and subtract that amount from your balance (if submitting a paper claim) or, if using the debit card, the amount will be subtracted directly from your balance once the expense has been substantiated.

HOW DOES THE HEALTH CARE FLEXIBLE SPENDING ACCOUNT SAVE ME MONEY?

You save money on both federal income tax and FICA (Social Security) taxes by participating in the Plan. Your Health FSA contributions are deducted from your paycheck on a pre-tax basis. This means that you do not have to pay taxes on the money deducted from your pay.

The tax savings are reflected in your paycheck each month, all year.

The savings depend on your particular tax situation. You can look at Internal Revenue Service Publication 502 (www.IRS.gov) or consult your tax advisor for additional information.

WHOSE HEALTH CARE EXPENSES CAN BE REIMBURSED WITH THE MONEY IN MY HEALTH CARE FLEXIBLE SPENDING ACCOUNT?

The health care expenses of the following individuals are eligible for reimbursement:

- An eligible employee of City of Westminster who participates in the Plan (once enrolled, an employee will be considered a "Participant");
- A Participant's spouse; and/or
- Any child (as defined in Internal Revenue Code §152(f)(1)) of the Participant who, as of the end of the taxable year, has not attained age 27 and any other individual who is a dependent as defined as in Code §152 , determined without regard to subsections (b)(1), (b)(2), and (d)(1)(B) thereof and related IRS publications.

You may be asked to list each eligible dependent on the enrollment form.

WHAT EXPENSES ARE ELIGIBLE FOR REIMBURSEMENT UNDER MY HEALTH CARE FLEXIBLE SPENDING ACCOUNT?

To be eligible for reimbursement, health care expenses must meet the statutory requirements of IRC § 213d and be included on the list below. However, the City of Westminster cannot provide tax advice. You are responsible for making sure that all expenses submitted for reimbursement are eligible.

Here are some of the requirements for expenses to be considered eligible:

- The expense must be incurred during the Plan Year, which is July 1st through June 30th, or the grace period, which is July 1st through September 15th of the next year. An expense is incurred when the care is provided rather than when you are billed or when you pay for the service. However, for orthodontia expenses, the Employer will determine the amount that can be reimbursed in any one Plan Year by taking the total charges billed and dividing this amount by the total time over which the services will be rendered. If a fee is paid at the start of orthodontic treatment to cover initial services performed, this can be reimbursed up front, with the remaining treatment cost pro-rated over the total length of treatment.
- The expense must be primarily for medical care.
- If you enroll in the Plan in the middle of a Plan Year, expenses incurred before your effective date are not eligible (This is also true for any dependents who are enrolled during a Plan Year).
- Any expenses incurred after your participation in the Plan ends are not eligible, though you will have 90 days after termination of your coverage to submit any expenses incurred during your participation. See the section on COBRA continuation for a discussion of extended coverage.

- The health care expense is not eligible for reimbursement under this Plan if it is eligible for reimbursement under any other health care plan.

Some expenses currently considered reimbursable by the IRS include:

- Prescription drugs, vaccines, doctor prescribed birth control pills;
- Services performed by medical doctors, dentists, eye doctors, chiropractors, osteopaths, podiatrists, dermatologists, psychologists and physical therapists;
- Medical treatment including alcohol and substance abuse, hospital services, lab fees, legal abortion, organ transplants, in-vitro fertilization, x-rays for medical reasons, sterilization, vasectomy, insulin treatment and well-baby care;
- Medical equipment such as hearing aids, eyeglasses, contact lenses, braces, crutches, artificial limb, abdominal supports, back supports and orthopedic shoes; and
- Ambulance service, transportation costs essential to medical care.

Items not covered under this Plan include:

- Expenses reimbursed through any other insurance plan;
- Over-the-counter drugs, unless obtained with a prescription;
- Health care premiums; and
- Treatments or drugs for cosmetic purposes.

Details of the DCAP

HOW DOES THE DCAP WORK?

The DCAP works like this:

- During enrollment, you may specify how much you want to set aside from each paycheck up to the Maximum Contribution;
- This amount is withheld from your pay in equal installments;
- When you have an eligible expense, you will submit a claim form to the Claims Administrator, along with paperwork to substantiate the expense;
- The Claims Administrator will send you a reimbursement check to the extent that the claim has been substantiated and funds are available. The amount of funds available will be based on how much has been withheld from your pay and how much has been previously reimbursed.

HOW DOES THE DCAP SAVE ME MONEY?

You save money on both federal income tax and FICA (Social Security) taxes by participating in the Plan. Your contributions to your DCAP are made on a pre-tax basis.

WHOSE DEPENDENT CARE EXPENSES CAN BE REIMBURSED WITH THE MONEY IN MY DCAP?

Each dependent, considered a qualifying dependent, for whom you incur reimbursable expenses must be:

- A person under age 13 for whom you are entitled to claim a dependency exemption on your federal income tax return (if you are a divorced parent, a child is your dependent if you have custody of the child, even if you are not entitled to claim the dependency exemption); or
- Your spouse or a person who is your dependent under federal tax law (whether or not you are entitled to claim the dependency), but only if he or she is physically or mentally incapable of self-care.

WHAT EXPENSES ARE ELIGIBLE FOR REIMBURSEMENT UNDER MY DCAP?

Dependent Care Expenses mean employment-related expenses incurred on behalf of any dependent under federal tax law who meets the requirements to be a qualifying dependent as described in this Summary Plan Description.

Dependent Care Expenses must also meet the following requirements:

- The expenses must be incurred after the date of election to receive Dependent Care benefits and during the Plan Year or during the grace period for the Plan Year to which the election applies. A Dependent Care Expense is incurred when the service that gives rise to the expenses is provided, regardless of when the expenses is billed or paid. A childcare expense is not incurred until the end of the period for which you have paid.
- The expenses must have been incurred to enable you (and your spouse, if you are married) to be gainfully employed, which generally means working or looking for work. (Exception – if your spouse is not working or looking for work when the expenses are incurred, he or she must be a full-time student or physically or mentally incapable of self-care).

- You (or you and your spouse together) are providing at least 50% of the cost of maintaining your household, and the expenses are incurred when at least one member of your household is a qualifying dependent.
- The expenses are incurred for the care of a qualifying dependent or for household services attributable in part to the care of a qualifying dependent.
- If the expenses are incurred for services outside your household, they are incurred for the care of (1) a person under age 13 who is your dependent under federal tax law; or (2) your spouse or a person who is your dependent under federal tax law and who is physically or mentally incapable or self-care, and regularly spends at least eight hours per day in your household. You must provide over 50% of the dependent's financial support.
- If the expenses are incurred for services provided by a dependent care facility, the center complies with all applicable state and local laws and regulations and is licensed to care for more than 6 children at a time.
- The person who provided care was not your spouse or a person for whom you are entitled to a personal exemption under Code § 151(c). If your child provided the care, he or she must be age 19 or older at the end of the year in which the expenses are incurred.
- The care may not be provided at a nursing home facility.
- The expenses are not paid for services outside your household at a camp where the dependent stays overnight.

You can get more information about what items are and are not deductible Dependent Care Expenses in IRS Publication 503.

Reimbursement Information

HOW DO I FILE CLAIMS FOR REIMBURSEMENT?
You can get a copy of the claim forms from the Employer or the Claims Administrator. The Claims Administrator may have additional rules that you will be required to follow when submitting a claim. You have until October 31st after the end of any Plan Year (or corresponding grace period) or through the Plan Year runout date (October 31st of the applicable Plan Year) after termination of your participation to submit a claim.

For the Health FSA you must include a copy of the health plan Explanation of Benefits with your claim. If you did not submit the claim for reimbursement, you are permitted to submit a copy of a detailed bill or receipt. You will have access to the total amount that you elected for the Plan Year as soon as any eligible expenses are incurred.

For the health FSA, as an alternative you may pay for your eligible expenses using your debit card. You may be asked to certify your expenses are eligible under the Plan.

For the DCAP, you must include written statements and/or bills from independent third parties stating that the dependent care expenses have been incurred, and the amount of such dependent care expenses, along with your claim form. You will be reimbursed for dependent care expenses only to the extent that you have the money available in your dependent care account.

Claims for both Accounts can be submitted through October 31st after the end of the Grace Period following the Plan Year – for expenses incurred during that Plan Year or the corresponding Grace Period. Claims following termination of your participation in the Plan must be submitted within 90 days of termination for Health FSA claims and within the Plan Year runout date (October 31st of the applicable Plan Year) for DCAP claims.

WHEN CAN I EXPECT MY REIMBURSEMENT?
All claims will be processed and paid (if eligible under the Plan) within 30 days of receipt of a completed reimbursement form. However, the Claims Administrator may request a 15-day extension for matters beyond its control.

WHAT HAPPENS IF MY CLAIM IS DENIED?
If your claim is denied because it is incomplete, the Claims Administrator will provide you with a description of any additional material or information necessary and an explanation of why this material or information is necessary. This notice will be provided within 5 days of receipt of the claim.

After receipt of all the information needed to review a claim, if any claim for benefits under the Plan is wholly or partially denied, the Claims Administrator will give notice in writing of the denial within 30 days after the claim is filed. This notice will include the following information:

- The specific reason or reasons for the denial;
- Specific reference to the Plan provision, internal rule, guideline, protocol or similar criteria on which the denial is based;
- An explanation that a full and fair review by a claim review committee of the decision denying the claim may be requested within 180 days after the notice of denial has been received.

If you request a review of the claim denial, you may review pertinent documents and submit issues and comments in writing. The decision of the Employer on review will be made promptly, but not later than 30 days after receipt of the request for review, unless special circumstances require an extension of time for processing. The decision on review will be made in writing and will include specific reasons for the denial, written in a manner that you can understand, and will include references to the Plan provisions on which the denial is based.

IF THE CLAIMS ADMINISTRATOR APPROVES AND PAYS MY CLAIM DOES THIS MEAN THAT THE AMOUNT OF THE CLAIM IS NOT SUBJECT TO TAXATION?

No. It is your responsibility to make sure that expenses you submit for reimbursement are eligible under the IRS regulations. You are responsible for taxes and penalties associated with any ineligible expenses if the IRS audits you.

Other Information

WHAT HAPPENS TO MY ACCOUNT BALANCES IF I LOSE COVERAGE UNDER THE PLAN?

If you lose coverage under the Plan, you will lose any amount remaining in your Health FSA and DCAP, except for any money that is reimbursed for a claim that is submitted within 90 days of termination for your Health FSA or within the Plan Year runout date (October 31st of the applicable Plan Year) for DCAP claims, but which was incurred while you were still covered by the Plan. If you resume employment with City of Westminster within 30 days, your Plan elections will be automatically reinstated.

WHAT HAPPENS TO MY ACCOUNT BALANCES IF I AM DISABLED AND/OR ON A LEAVE OF ABSENCE?

If you are not working for a period of time, your account will remain in force, but you will need to continue to pay your contributions, either on a post tax basis or on a pre-tax basis prior to or after the leave. You will need to determine how you will make these payments prior to the leave.

If you take a paid leave of absence, your contributions will continue to be made to the plan.

WHAT HAPPENS TO MY ACCOUNT BALANCES IF I DIE?

If you die while you are actively employed, your spouse or estate can file claims for eligible expenses incurred while you were still alive. Your spouse and dependents will also have the opportunity to elect COBRA for the Health FSA as described below. Claims can be submitted until October 31st following the end of the Plan Year in which you die.

CAN I ELECT COBRA IF I LOSE COVERAGE UNDER THIS PLAN?

You may elect to continue your coverage under the Health FSA up until the end of the current Plan Year after you are no longer employed by City of Westminster or otherwise lose coverage because of a "qualifying event". You will need to follow the procedures set forth in the Notice that you will receive when your participation ends. Coverage will continue only if you make direct, after-tax payments to your Health FSA through the end of the Plan Year.

To: Mayor and Common Council

From: Barbara B. Matthews, City Administrator

Date: May 7, 2020

Re: Ordinance Deferring the Effective Date of the Plastic Bag Distribution Restrictions

Background

On May 13, 2019, the Common Council adopted Ordinance No. 911, imposing certain restrictions on the distribution at business establishments of single-use plastic bags. Ordinance No. 911 is currently scheduled to take effect on July 1, 2020.

The COVID-19 pandemic has created challenges for the business community. To alleviate any unnecessary burden, the Mayor and Common Council have discussed delaying the effective date of Ordinance No. 911.

Emergency Ordinance No. 923 would defer the effective date of the City's plastic bag distribution restrictions until January 1, 2021.

Recommendation

Staff recommends that the Common Council introduce Emergency Ordinance No. 923. Following introduction, the Common Council can then proceed with a motion to adopt the ordinance.

Attachments

- Emergency Ordinance No. 923
- Ordinance No. 911

EMERGENCY ORDINANCE NO. 923

AN ORDINANCE OF THE CITY OF WESTMINSTER, DEFERRING THE EFFECTIVE DATE OF THE CITY'S PLASTIC BAG DISTRIBUTION RESTRICTIONS AS SET FORTH IN CHAPTER 73, "ENVIRONMENTAL SUSTAINABILITY", ARTICLE I, "PLASTIC BAGS" UNTIL JANUARY 1, 2021

WHEREAS, pursuant to the Local Gov't Art., § 5-206 of the Maryland Annotated Code, the Mayor and Common Council of Westminster ("the City") has the authority to enact ordinances to assure the good government of the municipality; protect and preserve the municipality's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the municipality; and

WHEREAS, upon findings related to the gravity of the harm caused to the environment and by extension to the City's residents by virtue of the presence of plastic bags in the waste stream, the City enacted Ordinance No. 911, imposing certain restrictions on the distribution at business establishments of single-use plastic bags, in order to protect the environment in the City and the planet; to reduce the presence of unsightly plastic bags in the public streets, gutters, rights-of-way, and trees; to protect the City's watershed, protect wildlife such as birds from injury due to plastic bags; and to reduce the City's impact on climate change; and

WHEREAS, the effective date of Ordinance No. 911, as adopted, is July 1, 2020; and

WHEREAS, many of the City's retail businesses, like businesses across the country, are struggling to survive in the current COVID-19 pandemic environment and the Mayor and Common Council wish to alleviate any unnecessary burden on them during this state of emergency caused by the COVID-19 virus that might otherwise arise on account of the plastic bag distribution restrictions in Ordinance No. 911.

Section 1. NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of Westminster, that the effective date of Ordinance No. 911 be and hereby is deferred until January 1, 2021.

Section 2. AND BE IT FURTHER ORDAINED by the Mayor and Common Council that this Ordinance is declared to be an emergency measure, under Section 41 of the Council's Rules of Procedure, permitting this Emergency Ordinance to take effect immediately upon adoption, in order to ensure that local businesses covered by the provisions of Ordinance No. 911 will be able to avoid unnecessary expenditures to prepare for implementation as of the original effective date hereof.

INTRODUCED this ____ day of May, 2020

_____

Shannon Visocsky, City Clerk

PASSED this _____day of May, 2020

_____
Shannon Visocsky, City Clerk

APPROVED this _____day of May, 2020

_____
Joe Dominick, Mayor

Approved as to form and legal sufficiency
this _____ day of May, 2020

_____
Elissa D. Levan, City Attorney

Sponsored by: Gregory Pecoraro, Council member
Dr. Mona Becker, Council member

ORDINANCE NO. 911 (AMENDED BY INTERLINEATION)

AN ORDINANCE AMENDING THE CODE OF THE CITY OF WESTMINSTER, TO ADD CHAPTER NNN, "ENVIRONMENTAL SUSTAINABILITY", ARTICLE I, "PLASTIC BAGS", SECTION NNN-1, "PURPOSE"; SECTION NNN-2, "DEFINITIONS"; SECTION NNN-3, "PROHIBITIONS"; SECTION NNN-4, "EXCEPTIONS"; AND SECTION NNN-5, "VIOLATIONS AND PENALTIES"

WHEREAS, pursuant to the Local Gov't Art., § 5-206 of the Maryland Annotated Code, the Mayor and Common Council of Westminster ("the City") has the authority to enact ordinances to assure the good government of the municipality; protect and preserve the municipality's rights, property, and privileges; preserve peace and good order; secure persons and property from danger and destruction; and protect the health, comfort, and convenience of the residents of the municipality; and

WHEREAS, hundreds of thousands of sea turtles, whales and other marine mammals die every year from eating discarded plastic bags mistaken for food and once swallowed, plastic bags choke animals or block their intestines, leading to death; and

WHEREAS, many land animals also accidentally ingest plastic bags while foraging for food; and

WHEREAS, beaches around the globe are being adversely impacted by the unsightly accumulation of plastic waste, including plastic bags, and plastic bags frequently degrade public aesthetics by lodging in trees and in streets and gutters everywhere; and

WHEREAS, in a landfill, plastic bags take up to 1,000 years to degrade and, as litter, they breakdown into tiny bits, contaminating the soil and water that can pose threats to marine life and contaminate the food web; and

WHEREAS, collection, hauling and disposal of plastic bag waste create an additional environmental impact, because billions of pounds of plastic bags, wraps and sacks enter the waste stream every year in the United States alone, putting an unnecessary burden on diminishing landfill space and causing air pollution if incinerated; and

WHEREAS, recycling requires energy for the collection and processing; and

WHEREAS, the Mayor and Common Council deem the adoption of restrictions on the distribution at business establishments of single-use plastic bags is a necessary and appropriate measure to protect the environment in the City and the planet; to reduce the presence of unsightly plastic bags in the public streets, gutters, rights-of-way, and trees; to protect the City's watershed, protect wildlife such as birds from injury due to plastic bags; and to reduce the City's impact on climate change.

UNDERLINED SMALL CAPS	: Indicate matter added to existing law.
~~Double strikethrough~~	: Indicates matter deleted from ordinance after introduction.
Double underlining	: Indicates matter added to ordinance after introduction.

Section 1. **NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Mayor and Common Council of Westminster, that Chapter NNN, "Environmental Sustainability", Article I, "Plastic Bags", is added to the Westminster City Code, to read as follows:

SEC. ___-1. PURPOSE.

A. THIS CHAPTER IS ADOPTED TO IMPROVE THE ENVIRONMENT OF THE CITY BY REDUCING THE NUMBER OF SINGLE-USE PLASTIC BAGS IN THE STREAM OF COMMERCE.

B. BUSINESS ESTABLISHMENTS WITHIN THE CITY ARE ENCOURAGED TO PROVIDE PROMINENTLY DISPLAYED SIGNAGE ADVISING CUSTOMERS OF THE BENEFIT OF REDUCING, REUSING AND RECYCLING, AND PROMOTING THE USE OF REUSABLE CARRYOUT BAGS AND RECYCLABLE PAPER CARRYOUT BAGS BY CUSTOMERS. ALL BUSINESS ESTABLISHMENTS ARE ENCOURAGED TO MAKE REUSABLE CARRYOUT BAGS OR RECYCLABLE PAPER BAGS AVAILABLE TO CUSTOMERS.

SEC. ___-2. DEFINITIONS.

THE FOLLOWING WORDS, TERMS AND PHRASES, WHEN USED IN THIS CHAPTER, SHALL HAVE THE MEANINGS ASCRIBED TO THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING:

A. BUSINESS ESTABLISHMENT. ANY COMMERCIAL ENTERPRISE THAT PROVIDES CARRYOUT BAGS TO ITS CUSTOMERS THROUGH ITS EMPLOYEES OR INDEPENDENT CONTRACTORS ASSOCIATED WITH THE BUSINESS. THE TERM INCLUDES SOLE PROPRIETORSHIPS, JOINT VENTURES, PARTNERSHIPS, CORPORATIONS, OR ANY OTHER LEGAL ENTITY, WHETHER FOR PROFIT OR NOT FOR PROFIT.

B. CUSTOMER. A PERSON WHO PURCHASES MERCHANDISE FROM A BUSINESS ESTABLISHMENT.

C. SINGLE-USE PLASTIC CARRYOUT BAG. A BAG PROVIDED BY A BUSINESS ESTABLISHMENT TO A CUSTOMER TYPICALLY AT THE POINT OF SALE FOR THE PURPOSE OF TRANSPORTING PURCHASES, WHICH IS MADE PREDOMINANTLY OF PLASTIC DERIVED FROM EITHER PETROLEUM OR A BIOLOGICALLY-BASED SOURCE AND INCLUDING COMPOSTABLE BAGS, BUT NOT INCLUDING REUSABLE CARRYOUT BAGS.

SEC. ___-3. PROHIBITIONS.

A. NO PERSON MAY PROVIDE SINGLE-USE PLASTIC CARRYOUT BAGS AT ANY CITY FACILITY, CITY-SPONSORED EVENT, OR ANY EVENT HELD ON CITY PROPERTY.

B. NO BUSINESS ESTABLISHMENT WITHIN THE CITY MAY PROVIDE SINGLE USE PLASTIC CARRYOUT BAGS TO ITS CUSTOMERS.

SEC. ___-4. EXEMPTIONS.

THIS CHAPTER SHALL NOT APPLY TO:

A. LAUNDRY DRY CLEANING BAGS, DOOR-HANGER BAGS, NEWSPAPER BAGS, OR PACKAGES OF MULTIPLE BAGS INTENDED FOR USE FOR DISPOSITION OF GARBAGE, PET WASTE, OR YARD WASTE;

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B. BAGS PROVIDED BY PHARMACISTS OR VETERINARIANS TO CONTAIN PRESCRIPTION DRUGS OR OTHER MEDICAL NECESSITIES, AS REQUIRED BY THE U.S. FOOD AND DRUG ADMINISTRATION (FDA);

C. BAGS USED INSIDE A BUSINESS ESTABLISHMENT TO:

1. CONTAIN BULK ITEMS, SUCH AS PRODUCE, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS;
2. CONTAIN OR WRAP FROZEN FOODS, MEAT, OR FISH, WHETHER OR NOT PREPACKAGED;
3. CONTAIN OR WRAP PLANT MATERIAL, FLOWERS OR POTTED PLANTS TO PREVENT SPOILAGE OF THE ITEM OR MOISTURE DAMAGE TO OTHER PURCHASES; OR
4. CONTAIN UNWRAPPED PREPARED FOODS OR BAKERY GOODS.

D. BAGS OF ANY TYPE THAT THE CUSTOMER BRING TO THE BUSINESS ESTABLISHMENT FOR HIS OR HER OWN USE FOR CARRYING AWAY FROM THE STORE GOODS THAT ARE NOT PLACED IN A BAG PROVIDED BY THE BUSINESS ESTABLISHMENT.

E. BAGS USED FOR BY RESTAURANTS FOR TAKE-OUT BY CUSTOMERS OR FOR DELIVERY OF FOOD TO RESIDENTIAL CUSTOMERS.

F. BAGS USED BY BUSINESS ESTABLISHMENTS WITH FEWER THAN TWENTY-FIVE (25) EMPLOYEES AT ALL OF THE BUSINESS ESTABLISHMENTS OWNED BY THE SAME PERSON OR ENTITY, WHEREVER SUCH BUSINESSES MAY BE LOCATED. THE EXEMPTION SET FORTH IN THIS SUBSECTION SHALL NOT APPLY TO FRANCHISED ESTABLISHMENTS.

SEC. ____-5. VIOLATIONS AND PENALTIES.

A. ANY BUSINESS ESTABLISHMENT THAT VIOLATES OR FAILS TO COMPLY WITH THE PROVISIONS OF THIS CHAPTER SHALL BE DEEMED GUILTY OF A MUNICIPAL INFRACTION, PUNISHABLE BY A FINE OF ONE HUNDRED DOLLARS ($100.00) FOR A FIRST VIOLATION; TWO HUNDRED DOLLARS ($200.00) FOR A SECOND VIOLATION WITHIN ANY TWELVE-MONTH PERIOD; AND FIVE HUNDRED DOLLARS ($500.00) FOR EACH ADDITIONAL VIOLATION WITHIN ANY TWELVE-MONTH PERIOD. A TRANSACTION INVOLVING MULTIPLE PLASTIC BAGS DISTRIBUTED TO A SINGLE CUSTOMER SHALL CONSTITUTE ONE OFFENSE.

B. IN ADDITION TO THE PENALTIES SET FORTH IN THIS SECTION, REPEATED VIOLATIONS OF THIS CHAPTER BY A PERSON WHO OWNS, MANAGES, OPERATES, IS A BUSINESS AGENT OF, OR OTHERWISE CONTROLS A BUSINESS ESTABLISHMENT MAY RESULT IN THE SUSPENSION OR REVOCATION OF THE BUSINESS LICENSE ISSUED TO THE PREMISES ON WHICH THE VIOLATIONS OCCURRED. NO BUSINESS LICENSE SHALL BE ISSUED OR RENEWED UNTIL ALL FINES OUTSTANDING AGAINST THE APPLICANT FOR VIOLATIONS OF THIS CHAPTER ARE PAID IN FULL.

C. AN ADDITION TO THE PENALTIES PROVIDED IN SUBSECTION A OF THIS SECTION, MULTIPLE VIOLATIONS OF THIS CHAPTER BY A BUSINESS ESTABLISHMENT ARE DECLARED TO BE A PUBLIC NUISANCE, WHICH MAY BE ABATED BY THE CITY BY RESTRAINING ORDER, PRELIMINARY AND PERMANENT INJUNCTION, OR OTHER MEANS PROVIDED FOR BY LAW, AND THE CITY MAY TAKE ACTION TO RECOVER THE COSTS OF THE NUISANCE ABATEMENT.

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~~D. PLASTIC BAGS INTENDED FOR A USE THAT VIOLATES THIS CHAPTER ARE DECLARED TO BE CONTRABAND AND, FOLLOWING THE ENTRY OF AN ORDER OF ABATEMENT BY A COURT OF COMPETENT JURISDICTION AND SUBJECT TO ANY LIMITATIONS IMPOSED BY THE COURT IN SUCH ORDER, CITY CODE ENFORCEMENT OFFICERS OR LAW ENFORCEMENT OFFICERS MAY ENTER THE BUSINESS ESTABLISHMENT TO SEIZE AND REMOVE ANY ADDITIONAL PLASTIC BAGS OF THE SAME TYPE AND MANUFACTURE AS THE PLASTIC BAGS THAT HAVE BEEN DISTRIBUTED BY THE BUSINESS ESTABLISHMENT IN VIOLATION OF THIS CHAPTER.~~

Section 2. **BE IT FURTHER ORDAINED** by the Mayor and Common Council of Westminster that this Ordinance shall take effect on July 1, 2020, unless it is returned unsigned by the Mayor at the next meeting of The Mayor and Common Council, together with the Mayor's reasons for withholding his signature therefrom, and is not passed thereafter by the votes of four-fifths of the members of the Common Council, and further provided that it is posted after adoption for not less than two (2) weeks in some conspicuous location in the City Hall and recorded in a book provided for that purpose.

INTRODUCED this 13th day of ~~April~~ May, 2019.

Shannon Visocsky

Shannon Visocsky, City Clerk

PASSED this 13th day of May, 2019.

Shannon Visocsky

Shannon Visocsky, City Clerk

APPROVED this 13th day of May, 2019.

Joe Dominick, Mayor

Approved as to form and legal sufficiency
this 13th day of May, 2019.

Elissa D. Levan, City Attorney

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Brittany Smetzer

Hi!

Not sure if the rumor I hear going around is true or not but closing the Westminster family fitness center would be detrimental to our little cities economy, aesthetic, and atmosphere. There is absolutely no positive effect that this can have. The events that the city puts in are highly advertised at this gym Many if not all of the members who belong to this gym use it religiously and attend all of these city wide events to help support each other, our town and our gym. You will be severing a huge family of Westminster city supporters by closing down our one space where we can safely meet and support one another.

In short, by closing this gym you will lose advertisement for your city events which will in turn effect participation, which will then effect the extra funds you would have received from these events. Let's face it. Our city needs all the funding it can get to remain liveable for many. This gym is the only affordable option of its kind and is a bright spot in a seemingly dark part of town.

You have no idea the family that unites within these walls and the support they give one another physically, mentally and emotionally. If you did this would not be an option.

I hope you will hear my words and feel the emotions that are tied to allowing this service to remain for its members.

Have a nice evening.