



Agenda Memorandum

Agenda Item – {{section.number}}.B.

City Council Meeting
September 9, 2024



Strategic Priority 3: Community Health and Safety

Invest in innovative and collaborative approaches to provide a continuum of services that preserve, promote, and protect the health, safety, and environment of Westminster.

Subject: Resolution No. 25 Re: Intent to Withdraw from the Rocky Flats Stewardship Council

Prepared By: Paul Knippel, Public Works and Utility Director
David Frankel, City Attorney

Recommended City Council Action:

Adopt Resolution No. 25 Providing Notice of Intent to withdraw from the Rocky Flats Stewardship Council.

Summary Statement:

- The Intergovernmental Agreement (IGA) establishing the Rocky Flats Stewardship Council (RFSC) was entered into on February 13, 2006.
- The RFSC includes 10 local government members and serves as the Local Stakeholder Organization (LSO) for the Department of Energy Office of Legacy Management to provide a platform for local engagement on the various issues regarding the post-closure management of Rocky Flats.
- Pursuant to the terms of the IGA, the RFSC shall cease if the governmental membership drops below six members and, in recent weeks, Golden, Superior, Thornton, Northglenn, Broomfield, and Boulder County have provided their notices to withdraw from the RFSC.
- With the threshold being met, the RFSC will begin the process of legally dissolving at its September 9, 2024 Board of Directors meeting, with the completion of the dissolution anticipated in the first quarter of 2025.
- Dissolution of the RFSC will not diminish Westminster's commitment to ensure its interests are

met with regards to long-term stewardship of Rocky Flats, nor will it impact notification of water quality issues or protection of Standley Lake.

Fiscal Impact:

\$0 in expenditures.

Source of Funds:

Not applicable.

Policy Issue(s):

Should City Council adopt a Resolution providing notice of intent to withdraw from the RFSC?

Alternative(s):

City Council could choose not to adopt this Resolution, which would still result in the dissolution of the RFSC due to the governmental membership dropping below six members.

Background Information:

The RFSC was formed in February 2006 to meet the mandates of Congressional legislation that requires all former Department of Energy (DOE) facilities, once closed, to have an LSO to provide ongoing local government and community engagement of the post-closure management of Rocky Flats. The RFSC was created by an IGA between the Cities of Westminster, Arvada, Boulder, Golden, Northglenn, Thornton, the Town of Superior, the City and County of Broomfield, and the Counties of Boulder and Jefferson.

The RFSC provides a platform for local engagement on the various issues regarding the post-closure management of Rocky Flats. The ongoing management responsibilities of the Rocky Flats site (the Central Operable Unit) lie with the DOE, with regulatory oversight by Colorado Department of Public Health and Environment (CDPHE) and the Environmental Protection Agency (EPA). The RFSC does not have any regulatory authority over federal operations.

With the impending retirement of its Executive Director, David Abelson, the RFSC has been discussing its future. These discussions have resulted in a majority of the governmental members preferring the organization to cease. Pursuant to the terms of the IGA, the RFSC shall cease if the governmental membership drops below six members and, in recent weeks, Golden, Superior, Thornton, Northglenn, Broomfield, and Boulder County have provided their notices to withdraw from the RFSC. With the threshold being met, the RFSC will begin the actions towards legal dissolution at its September 9, 2024 Board of Directors Meeting, with the completion of the dissolution anticipated in the first quarter of 2025.

Dissolution of the RFSC will not alter DOE's management responsibilities of Rocky Flats or its obligations to provide updates and reports. In addition, regulatory oversight will continue unimpeded by CDPHE and the EPA. Importantly, dissolution will also not diminish Westminster's commitment to ensure its interests are met with regards to long-term stewardship of Rocky Flats, nor will it impact notification of water quality issues or protection of Standley Lake.

Close coordination with Northglenn, Thornton, and Broomfield is well established and will continue past the dissolution of the RFSC to ensure continued focus on site water quality monitoring and maintenance and related environment issues.

The City's Strategic Priority of Community Health and Safety will be met by ensuring that withdraw from the RFSC will not reduce Westminster's focus on the long-term management of Rocky Flats and protection of the City's water resources.

Respectfully submitted,

Jody Andrews

Jody L. Andrews
Acting City Manager

Attachments:

Attachment 1 – Resolution No. 25 re: Withdraw from the Rocky Flats Stewardship Council