
Council Newsletter



CITY MANAGER'S NOTES March 27, 2014

Upcoming Council Meetings

There is no meeting scheduled for **Monday, March 31, 2014.**

City Council will meet on **Monday, April 7, 2014.** The Executive Sessions will begin at 6:00 p.m. in the City Council Conference Room. The Study Session will begin at 7:10 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers.

The next City Council meeting will be **Monday, April 14, 2014.**

Informative Memoranda

The following are memoranda in response to City Council's requests, as well as other informational items.

1. Article from the Colorado Municipal League concerning the National League of Cities Conference in Washington, D. C., March, 2014.
2. Notice of community meeting on April 2, 2014, to discuss new housing development.
3. Memorandum concerning the Board and Commission Interview Process & 2011 Ballot Question.
4. Memorandum concerning the Project Update.
5. Community Development Monthly Update, March, 2014.
6. Calendar of Events.
7. Tentative Study Session Topics.
8. Minutes from the Water and Sewer Board meetings of November 12, 2013, January 14, February 11, March 11 and a phone vote on March 17, 2014.



Parks and Recreation Department

State Results from Night of the Stars Talent Show

On March 8, contestants and families gathered at Chatfield High School for the Night of the Stars State Talent Show. Below are the results from the Englewood competition:

K-4 music: 2nd place Morgan Tucker-electric guitar
K-4 vocal: 2nd place Delany Ridder-voice
5-8 Variety: 2nd place Shellee Schwartz-dance
9-12 Vocal: 2nd place Megan Lucas-voice

We had representatives in seven of the nine categories.

Lifeguards Win International Award

Englewood Recreation Lifeguards have been awarded the Jeff Ellis and Associates, Inc. prestigious “Gold International Aquatic Safety Award” pursuant to consistently “exceeding” their criteria for aquatic safety certification in 2013. The Gold award is only awarded to the clients scoring in the top 30% of the audit criteria.

Emerson Park Trail Connection Complete

The Parks Division completed the Emerson Park Trail Connection, the dedicated bike route across the city now connects to Bates Ave., E 22 and E9.



CML DELEGATION VISITS D.C.

By Sam Mamet, CML executive director, and Kevin Bommer, CML deputy director

EARLIER THIS MONTH, CML ORGANIZED A series of meetings for more than 80 municipal officials from 19 cities and towns in Colorado, including members of both Brighton and Commerce City Youth Commissions, attending the National League of Cities (NLC) Congressional Cities Conference in Washington, D.C.

At a meeting of the Western Municipal Association (WMA), discussion focused on critical federal issues facing western state and local governments, with a particular emphasis on the legalization of marijuana.

Leslie Wollack of the NLC staff conducted a special Colorado issues briefing on transportation.

A lunch briefing on Capitol Hill featured Rep. Mike Coffman, Colorado D.C. Office Director Jena Griswold, and Roger Low from the office



Colorado municipal leaders meet with the community-oriented policing services program Principal Deputy Director Josh Ederheimer and his colleagues at the U.S. Justice Department about community policing and grant programs.

of Sen. Michael Bennet. They discussed some of the state's priorities in Washington.

From the Hill, a group went to the Department of Justice to learn about the community-oriented policing services (COPS) program. Another group went to the Environmental Protection Agency to learn about climate issues and sustainability programs at the federal level.



CML members meet with staff from the Environmental Protection Agency in sustainability and cooperative efforts with municipalities.

The Colorado-to-D.C. experience ended with delegates attending a special breakfast, sponsored by the law firm of Patton Boggs (special thanks to Mike Dino, senior policy advisor with the firm), with Sens. Michael Bennet and Mark Udall. A wide range of issues was discussed.

CUTS TO CDBG, MUNICIPAL BOND INTEREST CAP WOULD BE HARMFUL

AFTER PRESIDENT BARACK OBAMA released his budget proposal for Fiscal Year 2015, National League of Cities (NLC) Executive Director Clarence Anthony issued this statement:

We appreciate President Obama's attention to cities [and towns] in his FY2015 budget proposal through his support of investments in transportation infrastructure, education, green infrastructure, and energy efficiency, as well as his commitment to decrease the deficit. However, the proposed cuts to the Community Development Block Grant (CDBG) program and the cap on tax-exempt municipal bonds would have a severe impact on the ability of cities [and towns] to serve their residents by taking away critical funding mechanisms that support a wide range of local infrastructure programs, economic development, and jobs.

Cities [and towns] rely on CDBG grants to invest in their communities and create jobs by supporting housing, infrastructure, and

economic development. Even though CDBG grants have enjoyed strong bipartisan support, the president's proposal would cut CDBG grants by \$230 million, which would be a setback for the more than 7,000 cities and towns that directly or indirectly receive CDBG funds each year.

We also are deeply concerned by the proposed cap on the exemption for interest earned on municipal bonds. This would mean local governments would have to pay more to finance much-needed projects, leading to less infrastructure investment, fewer jobs, and higher taxes and fees for our residents. This continues to be a proposal we cannot support.

Fortunately, the president remains committed to investments in our nation's transportation infrastructure by calling for increases in funding to support our nation's highways and transit systems. Investment in local infrastructure yields economic growth, jobs, and access to education, providing an opportunity to all residents.

We also are glad to see President Obama's commitment to sustainability by designating 20 percent of the Clean Water and Drinking Water State Revolving Loan Funds (SRFs) to green infrastructure and water and energy efficiency projects. Unfortunately, this comes at the expense of overall funding of SRFs, which were cut by a combined \$581 million.

Importantly, many education programs that cities [and towns] and their residents rely on saw funding levels maintained or increased, including Title I, special education programs, and Pell Grants. We were pleased that the budget calls for \$75 billion over 10 years to support the implementation of high-quality preschool programs that are aligned with primary and secondary education systems.

We urge Congress to carefully consider city [and town] priorities when they begin debate on the FY2015 budget. We cannot afford cuts in the critical areas that help our cities [and towns] and their residents thrive.



CITY OF ENGLEWOOD

COMMUNITY DEVELOPMENT

Representatives of your company are cordially invited to a meeting with City of Englewood staff and a member of the Englewood City Council for the purpose of discussing the development of new housing units in the City. We see activity in surrounding jurisdictions and seek to understand how that building activity can be encouraged in Englewood. We have invited several builders who have worked in Englewood who we hope will share their experiences and challenges. It is anticipated that we may meet three or four times to talk over recommendations and potential courses of action.

Please join us for a discussion of zoning regulations, the development review process, and other items of mutual interest so that we may better work together to revitalize Englewood's neighborhoods. Also, if you know of other builders or architects who may wish to participate, please invite them too! The meeting is scheduled for:

8:30 AM Wednesday, April 2, 2014
Englewood Civic Center - Community Room – 2nd Floor
1000 Englewood Parkway, Englewood, CO 80110
RSVP ☎ or (303) 762-2348

Tentative Agenda:

1. Introductions
2. Purpose/Objective of Meeting
3. Discussion of Construction Challenges
 - a. Zone District Characteristics – Multi-unit versus Single Unit Districts
 - b. Economics of new construction
 - c. Zoning requirements – setbacks, bulk plane, landscaping, design guidelines
 - d. Development Review Procedures – timeline for review, steps; electronic plan submittal/review
 - e. Incentives to encourage Scrape-offs and Pop-tops
4. Next Steps
 - a. Creation and review of recommendations by staff
 - b. Follow-up meeting to discuss potential changes
5. Next Meeting

We want to hear your concerns and ideas! Please plan to attend.

MEMORANDUM



TO: Board, Commission and Authority Members
FROM: Mayor Penn and Members of City Council
DATE: March 26, 2014
SUBJECT: Board, Commission & Authority Interview Process & 2011 Ballot Question

At the Study Session on March 3, 2008, City Council discussed the board, commission and authority interview process. Changes were made concerning those members who request reappointment to a board, commission or authority. City Council wanted to streamline the application/interview process and make it as seamless as possible.

In an effort to identify vacancies, City Council has created two deadlines for receiving applications. The first deadline is for board, commission and authority members who are seeking **reappointment** to their current position. The second deadline is for **new applicants** and current board, commission and authority members seeking appointment to another board/commission. Interviews will be held for the new applicants and current board, commission and authority members seeking appointment to a new board.

The application deadline for board, commission and authority members who are seeking **reappointment** to their current board, commission or authority is **Friday, April 18, 2014**. City Council will discuss at a Study Session on **Monday, April 28, 2014**, the current vacancies and those who are seeking reappointment. Following that discussion, the remaining vacancies will be posted for those residents who are interested in applying for a position on a board, commission or authority.

The deadline for **new applicants** and board, commission and authority members seeking appointment to a new or different board/commission is **Friday, May 30, 2014**. New applicants and other board, commission and authority members seeking appointment to a new board or commission will be interviewed on **Monday, June 9, 2014**, along with applicants who are seeking reappointment to their current board/commission but failed to meet the **Friday, April 18, 2014 deadline**.

City Council continues to request an attendance report prior to the interviews and comments from the Chairs concerning members who are seeking reappointment. The deadline for comments from Chairs concerning those members who are seeking reappointment is **Thursday, April 24, 2014**.

The City Council values each board, commission and authority member and their contribution to the City of Englewood. Thank you for volunteering for such an important facet of the City.

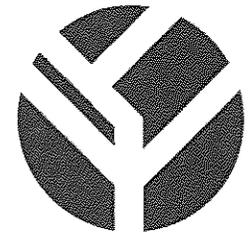
Additionally, on November 1, 2011, residents approved a citizen initiative stating "*Each member of a Board or Commission will have the opportunity to serve up to three terms per Board or Commission, when a term expires that member will have the opportunity to be reappointed to that same Board or Commission after a 4 year period.*" **If a Board or Commission member has served three terms, they can only apply for their current board after a four-year period or may apply immediately for another board or commission.**

Cc: Englewood City Council
City Manager Gary Sears
City Attorney Dan Brotzman
Departmental Directors
Recording Secretaries

BOARD, COMMISSION AND AUTHORITY
APPLICATION DEADLINE AND INTERVIEW SCHEDULE

Friday, April 18, 2014	Application deadline for Board/Commission Members seeking reappointment .
Thursday, April 24, 2014	Deadline for information from Chairs concerning members seeking reappointment.
Monday, April 28, 2014	City Council discussion of Board/Commission Members seeking reappointment at a Study Session.
Friday, May 30, 2014	Deadline for applications for board/commission new vacancies and for current board/commission members who wish to serve on a new/different board, commission or authority.
Monday, June 9, 2014	Interviews with City Council for: (1) new applications, (2) current board/commission members seeking a new board/commission, (3) and current board/commission members applying for their current board/commission that missed the October 25, 2013, deadline.
Monday, July 7, 2014	All Board, Commission and Authority Members reappointed or appointed at the City Council Regular Meeting.

MEMORANDUM



TO: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: David Henderson, Deputy Public Works Director ✓

DATE: March 26, 2014

SUBJECT: PROJECT UPDATE – Duncan Park Improvements, Dartmouth Bridge Repair, Golf Course Wet Well, Street Maintenance Projects 2014, Environmental Remediation Bradley Gas Station, Concrete Utility Project 2014, Little Dry Creek Plaza Repairs, Redevelopment at 5001 S. Broadway, Flood Middle School Redevelopment, Security Camera Project, Servicenter Stormwater Improvements, The Englewood Campus, Craig Hospital Expansion, Xcel Energy Projects, Kent Place, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects,

DUNCAN PARK IMPROVEMENTS

Final plans have been revised to incorporate “value engineering” suggestions to reduce the project cost. The scope of the project is not being reduced. All major elements will remain in the base bid. The project has been advertised and a pre-bid meeting with potential contractors was held on March 20th. **Construction of this project is being managed by Public Works for Parks and Recreation. Bids are due on April 3rd.**

DARTMOUTH BRIDGE REPAIR

This project will design and repair a test section (in the worst area) that can be constructed within the existing budget appropriation. The test section will provide the data needed to evaluate the condition of the deck and help to determine how we should proceed in the future. Construction costs are anticipated to be around \$100,000.

Plans are complete and the project is advertised. A pre-bid meeting was held on March 11th. **Bids are due on April 1st.**

GOLF COURSE WET WELL

City Council approved a contract to replace the wet well and pump house building located between the lakes on the front nine of the Broken Tee Golf Course. The wet well and pumps provide irrigation for the golf course. This project includes the demolition of the existing pump house building, installation of a new lining in the 30-year old wet well pipe, and construction of a new pump house building. **Construction of this project is being managed by Public Works for Parks and Recreation.**

The contractor, Industrial Group, expects to complete the project by the first week of April.

STREET MAINTENANCE PROJECTS 2014

Weather permitting, the Street Division will complete sealing cracks on Broadway next week. The rubber crack sealant protects our pavement from water infiltration, extending pavement life.

Utility cuts are being patched by Street Division crews this week.

Staff continued the process of finalizing a list of streets for the 2014 in-house overlay program. The list will be discussed with Xcel Energy next week to minimize conflicts with their renewal operations.

Alley grading

The Englewood Streets division will begin grading alleys next week. Typically, we grade all alleys three times during the year. It takes our crews 3-4 weeks to work their way through the 48 miles of unpaved alleys.

ENVIRONMENTAL REMEDIATION BRADLEY GAS STATION

Eagle Environmental will be performing an environmental remediation project west of the gas station located at 4695 S. Broadway. The state oil and gas division has mandated this cleanup work. The contractor will inject a material into the soil that absorbs contaminants.

CONCRETE UTILITY PROJECT 2014

Council approved a motion to award a construction contract to NORAA Concrete Construction. Staff is in the process of marking concrete scheduled for removal and replacement. NORAA expects to begin work around the middle of April. Questions regarding the program should be directed to the Concrete Utility, 303-762-2360 or

LITTLE DRY CREEK PLAZA REPAIRS

Design drawings for landscaping improvements are complete and the project is advertised. Two bids were received at the March 25th bid opening. The bids are being evaluated by Parks & Recreation staff.

REDEVELOPMENT - 5001 S. BROADWAY

The Advance Auto store opened for business on December 21st. Colorado Structures Inc. continued construction of the Sprouts store. Sprouts is expected to open in June, 2014. Site work (completion of the traffic signal and sidewalk warranty work) will be completed this spring, prior to Sprout's opening. Traffic Signal installation work continued.

FLOOD MIDDLE SCHOOL REDEVELOPMENT

Demolition is complete and Wood Partners now owns the site. Wood Partners' contractor continued grading the site and excavating for the parking garage and foundations. Undergrounding of overhead utilities (power lines, phone lines, cable, and traffic) appears substantially complete.

SECURITY CAMERA PROJECT

City Council approved a contract with Long Solutions. Cabling installation continued at the Golf Course Clubhouse, Recreation Center, and Civic Center. Long Solutions provided the attached project schedule.

SERVICENTER STORMWATER IMPROVEMENTS

To assure compliance with state and federal requirements for stormwater runoff, Street Division staff is constructing an area to wash trucks, fire equipment, and street sweepers. The area will be isolated from the storm sewer system that goes to the Platte River. This is a short term solution until we can construct a new addition to the Servicenter that incorporates a truck washing station meeting all applicable standards. The Servicenter has included \$550,000 in the 2014 budget to accomplish this required improvement. Staff attended the February 3rd Study Session and provided an update. We expect to present a motion to award a design contract at the April 7th City Council meeting.

THE ENGLEWOOD CAMPUS

Englewood School District continues construction of the new campus on South Logan Street. Staff is monitoring the public right-of-way construction to assure conformance with approved plans and agreements.

CRAIG HOSPITAL EXPANSION

Construction of the new campus continued.

XCEL ENERGY PROJECTS

Gas Line Replacement Projects

Xcel completed gas line replacement work in the 2900 - 3000 blocks of S. Downing Street, the

3900 – 4000 blocks of S. Grant Street, the 1000 – 1100 blocks of E. Bates Parkway, the 4400 block of S. Delaware Street, the 4400 - 4500 blocks of S. Pennsylvania Street, and the 3500 – 3600 blocks of S. Elati Street. **Pavement restoration will be completed as weather and schedule allow. Gas line replacement in the 1500 – 1700 blocks of East Dartmouth Avenue continues as weather allows.**

Staff continued reviewing additional Xcel permit requests including S. Broadway between Rafferty Gardens and Centennial, and Union Avenue at Santa Fe.

Xcel notified Public Works of a major upcoming gas main replacement project. The project is expected to replace 78,000 feet of gas main in Englewood over the next four years. Staff met with Xcel to discuss the proposed project. **Updates will be provided as information and tentative schedule are available.**

KENT PLACE

The contractor continued work on the residential apartments.

CITYCENTER SITE DEVELOPMENT

Alexan East and West Parcels

438 residential units. Alexan's occupancy level for October, 2013 is 95%. Commercial uses: Let It Bead, Liquor Store, State Farm, Lifetime Family Practice, Cuttin' It Loose, CityCenter Community, Nixon's Coffee House, and King Liquor Store.

Parkway Retail / Office Buildings

Commercial uses: The International House of Pancakes (IHOP), Qdoba, GNC, Supercuts, Nails Center, CityCenter Dental Group, Tableaux Interior Design, Englewood Eyecare, Collective Licensing Int'l, Inc., Quizno's, "Insurance Company of the West", Fred Astaire Dance Studio, Wellness Treatment Center, SB Clark Companies, Unifocus, Bartertown Comics, and XL Edge.

Bally's Building

Tenants include Bally's, "Blondies Fire House Pub and Restaurant", and MaxFour.

Retail South of the Parkway

Tenants: Petco, Ross, Coldstone Creamery, Noodles, Office Depot, and Einstein Bagels.

Gold Mine Pad

Tenants include: Jamba Juice, Tokyo Joe's, and Doctors Express.

CityCenter Site

EEFI continues project management of all infrastructure on the site. Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance. **A meeting with CityCenter stakeholders and the Englewood Police Department was held last week. The goal is "to identify and acknowledge problems with illegal and inappropriate behavior of individuals frequenting CityCenter and develop a cooperative strategy for correcting problems".**

ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)

PA-84 West

The Mike Ward Infiniti dealership opened on Monday, August 29, 2011.

The Larry Miller Nissan Dealership opened on February 11, 2012.

PA-85 (Benjamin Franklin Charter School)

The Benjamin Franklin Charter School is open.

AIR QUALITY/ENERGY SAVING PROJECTS

Flex Fuel Program

Currently, 39 of our fleet vehicles are running on E-85 ethanol fuel. All new replacement vehicles (less than ¾ ton) will be compatible with E-85. Approximately 50 Flex Fuel vehicles will be in our fleet within two years. Currently, the cost of E-85 fuel is approximately \$0.40 per gallon less than regular unleaded gasoline. Ten of our fleet vehicles run on Compressed Natural Gas (CNG). 39 on-road vehicles and 23 off-road (construction equipment) run on biodiesel fuel.

“Green” Programs

We continue to work with our vendors to expand the Green product line as it becomes available. 90% of our custodial paper supplies are from recycled sources. The Servicenter is now “single-streaming” waste at the Servicenter and a dumpster has been supplied for *cardboard only* recycling.

Energy Saving Projects

In 2001, the Public Works Traffic Division began an ongoing program to convert traffic signals from incandescent lamps to Light-Emitting-Diode (LED) bulbs. To date, 80% of our City maintained signals have been converted. LED traffic signals use 90% less energy than incandescent lamps, last five times longer, and provide better visibility.

lt/att

COMMUNITY DEVELOPMENT MONTHLY UPDATE

March 2014

DEVELOPMENT REVIEW PROJECTS

- *2967, 2969, and 2971 South Lincoln Street*
Project: Tri-plex
 - These newly constructed units are being offered for sale at a price of \$480,000 each.

- *3550 South Inca*
 - A DRT meeting was held in May with the architect for the Rocky Mountain Veterinary Neurology Clinic. The plans call for demolishing the existing building and constructing a new 10,000 SF facility.
 - A follow-up DRT meeting was held January 21. The architects will begin preparing construction drawings for a possible start date in Spring.

- *Craig Hospital Expansion (3425 South Clarkson)*
 - Craig Hospital closed Clarkson permanently on January 22.
 - Construction is underway.

- *Englewood Shrine Club (Floyd and Logan)*
 - Shadow Creek Homes has purchased the Shrine Club building and is interested in developing the property with a residential use. A DRT application was submitted on September 23.
 - The developer is requesting a PUD that includes renovating the former Shrine Club building into four rental homes. The proposal also includes the construction of four detached single-family homes, each with the potential for flexible living space located above the detached garages. A pre-application neighborhood meeting was held at 6:30 pm on Thursday, November 7th, 2013 at 3299 S. Logan Street.
 - **A public hearing before Planning Commission is scheduled for April 22, 2014. The proposal includes:**
 - **Two dwelling units in the existing Shrine Club building with detached garages and one accessory dwelling unit**
 - **Two new single family homes with detached garages and two accessory dwelling units**
 - **Maintenance of the existing single family home at 3265 South Logan Street.**

- *Flood Middle School Redevelopment (Broadway and Kenyon)*
Project: 306 luxury apartment complex
 - Edward Barsocchi closed on the property with Wood Partners, who will ultimately develop the site. Building permits have been submitted and are pending final approval.

- A Building Permit was issued on January 3, 2014 for construction. Construction is underway.
- *General Iron Works (Bates and Galapago)*
 - Met with developer on February 24 to discuss an affordable housing project on five acres of the site.
 - Owner expects to receive no further action letter from Colorado Public Department of Health and Environment (CDPHE). This concludes actions under the Voluntary Clean-up Plan filed with CDPHE.
- *Groove Toyota (5460 South Broadway)*
 - Construction is underway for a \$6.7 million project.
 - Groove Subaru is planning a remodeling project that would go forward later this year. The project is in the early stage of discussions.
- *Hill Top Motel (3800 South Broadway)*
 - Met with franchisee for Dunkin Donuts about a possible redevelopment of this property into a 2,200 s.f. facility with drive-thru.
 - Met with artist seeking to construct flexible artist loft space with some commercial, e.g. coffee shop.
- *Kent Place (University and Hampden)*
 Project: 300 for-lease residential units; 48,175 square feet of retail/commercial
 - The commercial and retail space is 100% leased.
 - Construction continues on the residential portion of the project on 300 residential units.
 - Phase I residential leasing to commence in June 2014 with occupancy beginning in the Fall of 2014.
- *Larry Miller Nissan (5001 South Broadway)*
 Project: 41,189 square feet for retail/commercial development
 - Advance Auto Parts is now open.
 - Sprouts Farmers Market construction is well underway, with an anticipated opening in June.
 - **The permit for the middle building has been issued. Tenants for the middle building have been identified as: Mattress company, salon, and Five Guys Burgers and Fries. There remains 1,100 square feet of available space in the middle building and Cadence is seeking a viable tenant for this space.**
- *Lone Star Trust (NEC Clarkson and US 285)*
 - Property is currently being considered for development to become a memory care and assisted living facility. Zoning is in place to allow this use.
 - **The prospective user is conducting due diligence on the potential acquisition of this property.**

- *Masonic Property (3500 South Sherman)*
 - A variance was granted for a reduction in the required amount of ground floor commercial space for this zone district. **The variance expires July 4, 2014.**
 - The broker for the property is actively contacting developers and neighboring property owners to seek buyers for the property.

- *Martin Plastics (Oxford and Navajo)*
 Project: A maximum of 252 residential units
 - Staff met with LCP to discuss the possibility of phasing the project and possibly keeping the bow-truss building. According to the PUD, an administrative modification can be made if the increase in ground coverage of structures is 20% or less. LCP will look into total ground cover and submit at a later date for a DRT meeting.
 - Staff met with the developer to discuss PUD amendment and fire access issues.

- *Nathan's Fantastic Fun (Broadway and Dartmouth)*
 Project: Redevelopment to a Chick-Fil-A restaurant
 - The Planning Commission voted 7-2 to forward PUD to Council.
 - City Council voted 6 - 1 to approve the Chick-Fil-A PUD and the Speer's Broadway Addition Major Subdivision on December 2, 2013.
 - Abatement on the commercial building has begun. Once the abatement is complete demolition of all structures will start.

- *Scientology Building (3385 South Bannock)*
 - Based on a conversation with the Architect, the property recently sold and the developer plans to scrape the structure and construct an apartment building, with some ground floor live work space or office space.
 - DRT meeting with applicants was held on February 11, 2014. Applicant is researching issues with using alley for access and possible deck encroachments over public rights-of-way.

BOARDS & COMMISSIONS

- *Board of Adjustment and Appeals*
 - The Board has not met yet in 2014.

- *Keep Englewood Beautiful*
 - Planning session will be held at the April meeting to discuss events for the upcoming year.

COUNCIL REQUESTS

- CR14-002: Kent Place Construction Cranes
- CR14-028: Creative District Information
- **CR14-038: Zoning Inquiry regarding Homeless Center**
- **CR14-044: Grow Center Impact on Development**

- **CR14-048: Council Bill No. 60 Inquiries – Zoning vs. Community Covenants and Restrictions**
- **CR14-057: Cultural District Follow-up**

HOUSING

- *Rehab*
 - Under Construction
4896 South Delaware Street
 - 3686 South Fox Street
Outside legal counsel filed a Complaint with Arapahoe County Court seeking a judgment against the former owner. The Court will consider the Complaint at 9:30 o'clock on March 7, 2014. When granted the eviction, coordinated through the Arapahoe County Sheriff's Department, will begin.

On March 5, 2014, the former owner signed a Personal Property Release granting the City the right to remove all personal property from the premises. Outside legal counsel then filed a Motion for Dismissal with the Arapahoe County Court. The personal property has been removed and the rehab will begin in the next several months.

- *Energy Efficiency Englewood (E³)*
 - The City received a Notice to Proceed for the 2013/2014 Energy Efficiency Englewood (E³) program. Community Development Block Grant funding was received for 12 income-eligible homeowners. Each grant is \$8,000, with a 20 percent match from the homeowner, for eligible energy saving home improvements. Applications have been mailed and interviews are starting. There are currently 45 people on the waiting list.
 - All 12 homeowners have received their energy audits and are proceeding with their energy saving upgrades.
 - **Amendment No. One to the CDBG Agreement has been fully executed, authorizing the reallocation of \$27,500 from the Rehab Project to the E3 project. The additional funding will provide grants to 3 additional income-eligible families.**

SPECIAL PROJECTS

- *Englewood Light Rail Corridor Plan*
 - Community Development submitted an application to DRCOG for a second round of planning funding to explore in greater detail key implementation projects identified in the original Plan. DRCOG notified Community Development on September 19 that the City's application was approved for funding for fiscal years 2014-2015 by the DRCOG Board of Directors. The total approved funding amount for this project is \$300,000.
 - An IGA with RTD is currently being prepared and is projected to come to Council in April. A request for consultant proposals is expected to be released in May, with the final selection to be made in July.

- *Development of Acoma/Englewood Parkway*
Project: 109 residential units; 23,000 retail/commercial space; parking structure and surface parking
 - On August 21, the Authority unanimously voted to pursue exclusive negotiations with Medici Communities on the Acoma/Broadway/Englewood Parkway property. City Council will be briefed on the project at the September 3 Study Session.
 - Troy Gladwell of Medici Communities held a community meeting on October 16 to review the proposal and answer questions. Approximately 50 people attended. A second community meeting was held on November 12.
 - Second reading was held on November 4 on the sale of the City's parcel to the Englewood Urban Renewal Authority.
 - Medici held a third community meeting on December 10 in the Community Room.
 - Medici will be submitting a DRT application the week of January 20. Medici is submitting an application to CHFA for housing tax credits. Support letters from City Council, EURA and Community Development have been provided to the developer. A redevelopment and sale agreement has been drafted and is being reviewed by Medici.
 - DRT was held on February 11. Revisions to the site plan include a reduction in dwelling units to 109 and an increase in parking of approximately 25 spaces. Alternatives for on-street parking on Acoma are being evaluated.

ZONING

- *Home Occupations*
 - City Council asked staff to research possible changes to the Home Occupations policy in order to allow home businesses in the R-1-A zone.
 - Public Hearing with Planning and Zoning Commission was held on October 8, 2013. The Commission voted to recommend approval to City Council.
 - Approved at first reading with City Council on January 21, 2014. Public hearing scheduled for February 3, 2014. A second public hearing was held on February 18, 2014.
 - **Council approved Ordinance by 7-0 vote on March 17, 2014. Ordinance becomes effective on April 19, 2014.**

- *PUD Process Amendment*
 - On September 4, 2013 Planning & Zoning Commission reviewed proposed changes to the PUD review process. The Commission supports the two-step process, which allows a District Plan and Site Plan to be reviewed separately, allowing developers some level of entitlements before proceeding with a more detailed site plan.
 - **Study Session with Planning & Zoning Commission is scheduled for April 8, 2014. A public hearing is tentatively scheduled for April 22, 2014.**

- *Non-Conforming Structures*
 - The Community Housing Development Association requested a zoning text amendment to the UDC, so that their recently renovated apartments (Canterbury East and Canterbury South; 3550 and 3600 South Delaware Street) would not be non-conforming due to higher density.
 - Planning & Zoning Commission reviewed the request on September 17, 2013 and requested additional information on the number of structures in the City over the allowed density. Most Commissioners did not support a text amendment for a specific property or specific to affordable housing, but potentially would support rezoning for higher density in this area.
 - Staff has found 104 structures that are nonconforming due to density. Staff continues to research options that preserve existing development and the right to rebuild following damage or destruction.
 - A Public Hearing with Planning & Zoning Commission was held on February 20, 2014. The Commission recommended approval.
 - **First reading at City Council is scheduled for April 7, 2014.**

- *Small Lot Development Standards*
 - A Study Session was held at Planning and Zoning Commission on October 22, 2013. The study session focused on proposed amendments to the UDC that establish dimensional standards for small lots. The amendments provide property owners and lenders with a high degree of certainty for the purposes of appraisal, sale, additions, redevelopment, etc.
 - A public hearing is scheduled with Planning Commission on November 19, 2013.
 - The Planning Commission recommended approval of the Small Lot Development Standards at the November 19 public hearing.
 - Additional review criteria and a change in appeal process recommended by City Attorney's Office. An additional public hearing with the Planning and Zoning Commission is scheduled for March 4, 2014.
 - **Planning & Zoning Commission held a public hearing on March 18, 2014. The Commission voted to recommend approval to Council.**

- *Zoning Site Plans*
 - Staff is working on changes to the Zoning Site Plan review process. Changes are proposed to address cases where a site work is proposed or a building permit is not required, but applicants are looking for some assurance of development approval.
 - A public hearing was held on February 20, 2014; the Commission recommended approval to City Council.
 - **First reading at Council is tentatively scheduled for April 21, 2014.**

- **Transit Station Area Zoning Regulations**
 - Staff is working with the Planning and Zoning Commission to revise Transit Station Area (TSA) zoning regulations that will eventually be adopted for portions of the Englewood Light Rail Corridor.

ART SHUTTLE

- **The Intergovernmental Agreement (IGA) between the City of Englewood and RTD for 2014 funding of the art shuttle was approved on March 17, 2014. Through the IGA, RTD will provide \$257,411 for shuttle operations, maintenance, and fuel. The City's share will be \$59,838.**
- **The Shuttle Services Operations Contract with MV Public Transportation, Inc. was approved by Council on March 17, 2014. The contract covers the operation and maintenance of the art shuttle for 2014 for a total contract amount of \$268,729.20.**

BUSINESS NEWS

- *Arapahoe County Enterprise Zone*
 - Craig Hospital was approved by the State's Economic Development Commission as a qualified contribution project. Craig Hospital has initiated the capital fundraising campaign and contributions through the Arapahoe County Enterprise Zone are being processed.
 - The Colorado Office of Economic Development and International Trade has changed the software backing the enterprise zone and administrators across the state are working on implementing this new requirement. The impact to businesses is minimal – only 2013 precertification authorizations will be temporarily delayed.
 - The State's Economic Development Commission approved a \$12,000 grant to support the administration of the Arapahoe County Enterprise Zone. OEDIT staff is drawing up the grant contract and this will be sent to Council for approval.

- *Commercial Catalyst Program*

Medical Office Building	3555 S Lafayette	Pending	Façade and signage
Bill Smith Plumbing	4101 S Broadway	Complete	Signage
Uhrig Holdings, LLC	4351 S Broadway	Approved	Façade and signage
Kraft Development	3141 S Broadway	Construction	Façade and signage
Englewood Lock and Safe	4310 S Broadway	Pending	Signage

Other Business Activities:

- 2749 South Broadway – Vacant thrift store recently sold and will be remodeled for use by another retailer. Property is cleaned up and cleaned out and the owner is seeking viable tenant(s). **Several prospective tenants have expressed an interest in**

this location and staff is working with the listing broker to stay informed about prospective users for the site.

- 180 East Hampden – The property is under new ownership. Staff has contacted the new owner to discuss a possible catalyst grant to support facade enhancements.
- Chase Bank – A 5,000sf pad site is being considered for construction at the Chase Bank property. This pad site would be adjacent to US 285 and Elati.
- Landmark Lincoln – The property owner for Landmark Lincoln is working towards a substantial façade enhancement. This project involves a significant investment in rebranding the building to be consistent with corporate requirements and involves a small expansion of the building.
- 65 West Floyd – The owner is considering a major remodel for this building and will seek to attract new tenants for the newly vacated space.
- 3855 South Broadway – Denver Media Center recently opened a recording studio at this location. **The tenant produces a show on PBS Channel 12 called Dig In and has expressed interest in profiling an Englewood “green” activity.**
- Olde Town Group – Met with investor/developer seeking to acquire and restore historic structures in Englewood. **Staff meet with the owners of Olde Town Group and toured their completed rehab projects in Arvada. They are still seeking historic commercial buildings in Englewood to rehab and place back into productive reuse.**
- 2950 South Broadway – Tocabe American Indian Restaurant considering space at this location. This would be their second Denver-metro location.
- **Business Summit 2014 - The date and speakers for the 2014 Englewood Business Summit have been confirmed. The event will be on Thursday, May 15 from 7:30 AM to 10:00 AM. This event will focus on emerging demographic trends and how businesses are responding to the upcoming demographic shift. Marketing for the event has begun and will utilize e-mail invitations and marketing channels through the City of Englewood, Greater Englewood Chamber of Commerce, and the South Metro Denver Chamber of Commerce.**

**CITY OF ENGLEWOOD
2014 CALENDAR OF EVENTS**



Mon., March 31	Cancelled	Study Session
Wed., April 2	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., April 7	6:00 p.m.	Executive Session, City Council Conference Room
	7:10 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., April 8	5:00 p.m.	Water and Sewer Board, Comm. Dev. Conf. Room
	6:30 p.m.	Keep Englewood Beautiful, City Council Conf. Rm.
	7:00 p.m.	Planning and Zoning, Community Development Conference Room/Council Chambers
Wed., April 9	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
	Cancelled	Board of Adjustment and Appeals, Council Chambers
Thurs., April 10	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, Broken Tee Englewood Golf Maintenance Facility
Mon., April 14	6:00 p.m.	Study Session, Community Room
Tues., April 15	4:30 p.m.	Budget Advisory Committee, City Council Conf. Room
Wed., April 16	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., April 21	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., April 22	7:00 p.m.	Planning and Zoning, Community Development Conference Room /Council Chambers
Mon., April 28	6:00 p.m.	Study Session, Community Room
Mon., May 5	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers

Tues., May 6	7:00 p.m.	Planning and Zoning, Community Development Conference Room /Council Chambers
Wed., May 7	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Thurs., May 8	11:00 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	2:30 p.m.	Police Officers Pension Board, Public Works Conf. Rm.
	3:00 p.m.	Firefighters Pension Board, Public Works Conf. Rm.
	5:30 p.m.	Parks and Recreation Commission, Duncan Park
	6:30 p.m.	Transportation Advisory Board, City Council Conf. Room
Mon., May 12	6:00 p.m.	Citizen of the Year Celebration
Tues., May 13	3:00 p.m.	NonEmergency Employees Retirement Board, Public Works Conference Room
	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful, City Council Conf. Rm.
Wed., May 14	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
Mon., May 19	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., May 20	4:30 p.m.	Budget Advisory Committee, City Council Conf. Room
	7:00 p.m.	Planning and Zoning, Community Development Conference Room /Council Chambers
Wed., May 21	6:30 p.m.	Code Enforcement Advisory Committee, City Council Conf. Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., May 26		City Hall closed — Memorial Day

TENTATIVE



**STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL**

- March 31 No meeting scheduled – 5th Monday
- April 7 Study Session & Regular Meeting
 Executive Session – litigation (water)
 Executive Session - CM Qualifications
 Executive Session - litigation
 Library Security Guard
 BID final disposition of funds/liens
- April 14 Study Session
 Fire Training Center Update
 Fire Study
 IGA w/CO State concerning staffing/operation of wildland engine
 Selection of CM Search Firm Finalists
- April 21 Study Session & Regular Meeting
 Executive Session – Union Negotiations
 Financial Report
 Board/Commission Appreciation
- April 28 Study Session
 2015 Proposed Budget
 Board and Commission Members Reappointment Discussion
 NLC and CML Reports
 City Council Technical Allowance
- May 5 Study Session & Regular Meeting
 CM Search Firm Interviews
- May 12 Citizen of the Year Celebration – Malley Center
- May 19 Study Session & Regular Meeting
 Executive Session – Union Negotiations
 CAFR/Holscher, Mayberry & Company
 Financial Report
 Board and Commission Reports

May 26	Memorial Day Holiday – No meeting scheduled
June 2	Study Session & Regular Meeting Executive Session – Union Negotiations
June 9	Study Session Board and Commission Interviews
June 16	Study Session & Regular Meeting Financial Report Board and Commission Reports (CML Conference – 6/17-20/14)
June 23	Study Session Tour of River Run facility Tour of Fire Training Facility Tour of Humane Society of South Platte River
June 30	No meeting scheduled – 5 th Monday
July 7	Study Session & Regular Meeting
July 14	Study Session Financial Report 2015 Proposed Budget
July 21	Study Session & Regular Meeting
July 28	Study Session Executive Session – CM Selection Board and Commission Reports

FUTURE STUDY SESSION TOPICS

Recreational Marijuana Regulations (June/July)
 Marijuana Tax Question for 2014 Ballot
 Medical Marijuana (Zoning method for posting/mailings)
 Medical Marijuana – good cause/neighborhood concerns
 Cultural District

Moved: Olson Seconded: Burns

Motion approved unanimously.

3.  INFOSEND CONTRACT

The Board received a copy of the InfoSend Service Agreement necessary to proceed with the implementation of the TeleWorks System that will enable payments using credit cards, debit cards and checks. It will also offer paperless billing and payments. The contract will allow the Utilities' bills to be redesigned and viewed on line. The contract will provide for complete bill printing, mailing and imaging services. The annual cost of the contract to Infosend is \$57,679.37. City Attorney has approved.

Motion: To recommend Council approval of the InfoSend contract in the amount of \$57,679.37.

Moved: Burns Seconded: Penn

Motion approved unanimously.

4.  MEADOW GOLD ADMINISTRATIVE COMPLIANCE ORDER.

The Board received a copy of the Administrative Compliance Order to Meadow Gold Dairies. Jonathan Bridges discussed the five violations noted in the compliance order, including mismanagement of wastewater, discharging non-stormwater material to the storm drainage system and mismanagement of waste material. It was noted that Meadow Gold has now had three compliance orders issued. One in 2010, one in early 2013 and now the latest one in November, 2013.

The recommended enforcement action penalty from the Littleton/Englewood Wastewater Treatment Plant - Industrial Pretreatment Division Enforcement Response Plan, is \$15,000. Mr. Bridges will be including a State stormwater official in a future meeting with Meadow Gold Dairies.

This is an informational item only.

5.  WATER BOARD DINNER.

The Board received an invitation to the Englewood Water Board Christmas dinner in honor of services received from the Water Board members during the past year.

The meeting adjourned at 5:55 p.m.

The next meeting will be Tuesday, January 14, 2014 in the Community Development Conference Room.

Respectfully submitted,

Cathy Burrage
Recording Secretary

Jennifer agreed that put recognizes that this is a variance and City not accountable and recorded against deed. Two houses on sewer line that will continue. Staff recomm. To grant waiver to work out and be recorded.

Going to tear down old house and build new one. A City requirement that the sewer be replaced and she has stated that putting in new sewer would create a hardship. If the existing sewer line is deemed in adequate shape that the Board grant a waiver this would be conditioned on Jennifer agreeing that staff and City Attorney put together wording that she would accept stating that she recognizes that this is a variance and she would not hold the City responsible if something went wrong and this would be recorded against her deed, so future purchasers would be aware of this variance. There are two houses on this same sewer line and would be allowed to remain that way. Grant waiver subject to the wording be put together and being recorded against the title.

Randy Penn wanted a follow-up on the final language.

Motion: To approve Ms. Danielson's request to waive Ordinance 12-2-4 B requiring her to replace her sewer line subject to an agreement on the final language and the waiver being recorded against the titled.

Moved: Burns Seconded: Oakley

Motion approved unanimously.

3. PURCHASE OF LOADER/BACKHOE.

The proposed loader/backhoe is used for excavating dirt and fill for water, sewer and stormwater projects. The purchase is recommended to replace the existing 13-year old Unit #1359 according to the CERF replacement schedule. Honnen Equipment Company is the lowest recommended bidder at \$114,655 for the basic loader/backhoe. Options for an extendible dipperstick with auxiliary hydraulic lines and the mechanical front wheel drive were added making the total cost \$131,555. This purchase was approved in the 2014 budget and will be funded by the CERF Fund.

Motion: To approve the bid from Honnen Equipment Company for a loader/backhoe in the amount of \$131,555.

Moved: Waggoner Seconded: Habenicht

Motion approved unanimously.



3. GUEST: GARY STEVENS & CHRISTIAN AGGELER – GLOBEL STORAGE,
2690 W. UNION AVE.

In the case of Global Storage vs. Arapahoe Storage, the City was asked to turn off the water at 2690 W. Union Ave. There was a tap made for Emma Parr at 2690 W. Union. Without notifying the City, a water tap was made to a structure at 2710 W. Union on the tap at 2690.

**

Two separate properties for some time. One tap from Union Ave. that serves 2690 W. Union. One tap was purchased in 1989. 2710 was illegally tapped into that line. Submitted picture of taps and illegal tap from 2690. They want a separation of taps. Cannot coexist with one tap and asking for a separation and that 2710 W. Union Ave. get their own tap. 2690 is on meter. Mr. Waggoner recommended installing another meter. Mr. Stevens noted that may want to develop property in future.

Dan Brotzman noted we would need proof of an easement for 2710 to have a water line. Long court process between two properties. Putting in a meter would need an easement for line. If line stays were is would jeopardize future development plans. Wanted line shut off to winterize house.

Wayne Oakley asked about dump station for motor homes. Noted has only two units on site.

Penn asked who owns right of way used as a driveway. Water lines go down road. Property was on a well before tapped on.

Dan: The issue is making two houses uninhabitable. That is the City's point is that the City is not going to turn off at the street as long as bill is paid. Owner can turn off to other house and would be a civil matter. City is not requesting an easement. Two private service lines coming in from Union. No main in the right of way. Water would only be turned off for non-payment. Line as already been disconnected. Board does not have to do anything. Owner does not have permission to reconnect illegal tap.

Can he use well for house use – the one turned off. Can use according to John.

Board decided to take no action.

Dan – he will have to show that he has an easement where he wants to run a water line. Easements are not clear. Question if road is an easement. There is a street then an easement on roadway. Easements would have to be clear before running a water line.

No action was taken.

Asking to turn off water to property in back. Property is generally grandfathered in. Property illegally tapped. Do not believe should turn off water. Both houses would be inhabitable. Private parties could turn off, but City could not. Staff recommendation that it is not done.

Christian Aggler, Gary Stevens – Global storage.
Owner of 2690 W. Union and 2710 is Larry Parr property. Provided notice that would be discussed tonight. Two separate properties. Emrna Parr conveyed to Larry Parr 2710. One tap comes off W. Union Ave. serves 2690. Showed picture of well structure on 2690. Someone tapped into water line going to 2690 and done without notice to City. Mr. Stevens discovered paying for water on other tap. Mr. Stevens shut off and Parr said his water is off.

Referred to municipal code. Asking for a separation of services. 2710 should get own tap. Was one property originally. Tap purchased 1989 for 2710. Tapped into in 2007 for 2690. On meter on 2690. Kells recommended putting in meter for 2710. Owner wants to develop property and line would obstruct development. Line would require an easement through the property.

Dan opinion that if turned off in street it turns off both. City not going to turn off at street. Larry would have to purchase his own tap and run a line. Do not know where the easement stands. Service line would be a 500' service line to connect in Union. Board does not have to do anything. He does not have permission to reconnect.

Take no action. Have Mr. Parr come in and discuss what he wants to do. He will have to show that he has an easement to run a line. Will have to clearly show that have an easement. Street has sign that says Union but is clay. Is dedicated to s. end of development. Would have to put in long service line. There is street and an easement. Will have to make clear when connecting water line.

Trying to make point that it is his issue. Water Board not involved at this point. Board would be involved after agreement.

Asking to turn off water to property in the rear. Staff would turn off water to both houses to both houses and rendering them uninhabitable.

Is a civil matter.



5. WATER CONSERVATION PLAN REVIEW.

The Board received a copy of a letter dated December 19, 2013 responding to comments received from the Colorado Water Conservation Board. A memo dated December 23, 2013 was also attached outlining conservation plan steps that have been implemented.

Yasser appeared before the Board to discuss the Water Conservation Plan. CWCB gave conditional approval. Based on request for 100% metering issue. Sent draft letter to see if would accept. They agreed to modify by letter. Pending a grant or loan from State. Did not definite end. Wanted Utilities based initiative. Volunteer based for 3 years. Then 100 a year. Then finish in 7 years and State agreed. Wanted more utilities based not customer based. Want an additional 100 meters a year after an initial volunteer based three years. Completely metered in 7 years. First 3 years would demonstrate that volunteer plan is working. If does not, then City will install 100 meters a year. Utilities would pay for additional meters to make 100 meters a year.

Modify letter and future study session go to Council to explain how plan was modified. This letter would be part of intergovernmental agreement and mayor can sign. If does not work in 3 years, then we could consider being more aggressive and the Utilities would install the meters.

Motion: Recommendation to Council to have the Mayor sign the letter to the Water Conservation Board responding to comments received regarding Englewood's September 2013 Water Conservation Plan.

Moved: Burns Seconded: Kells

Motion passed unanimously.



6. INTEREST ON LATE FEES.

The Board received a memo from John Bock regarding interest on late fees. The memo notes that while Municipal Code #12-1D-4 and 12-2-3G allows us to collect interest, the Utilities Department has elected not to, but does collect delinquency charges on an unpaid balance. John reviewed existing system for late fees.

Mr. Derby's letter was reviewed.

Want general concurrence.

Complaint from customer. Late fee 2-1/2%. General concurrence to continue to charge late fees on late fees.

Motion: To continue interest on late fees as established.



7. INFORMATIONAL ITEM: DENVER POST ARTICLE DATED DEC. 4, 2013
“WATER LINES: DENVER-WEST SLOPE WATER AGREEMENT FINALLY
FINAL.”

The Board received a copy of the above Denver Post article discussing the Colorado Cooperative Agreement between Denver Water and 42 West Slope water providers and local governments.

8. OTHER

The meeting adjourned at 6:30 p.m.

The next meeting will be Tuesday, February 11, 2013 at 5:00 in the Community Development Conference Room.

Respectfully submitted,

Cathy Burrage
Recording Secretary

WATER & SEWER
MINUTES
TUESDAY, FEBRUARY 11, 2014

Present: Oakley, Wiggins, Habenicht, Waggoner, Burns, Penn, Olson, Lay, Gillet,
Moore

Absent: None

Also present: Stewart Fonda, Director of Utilities
John Bock, Manager of Administration
Tom Brennan, Utilities Engineer
Mitch Riley, Distribution Collection Supt.

The meeting was called to order at 5:00 p.m.



1. MINUTES OF THE JANUARY 14, 2014 MEETING.

The Board reviewed the Minutes of the January 14, 2014 meeting. A correction was noted.

Motion: To approve the Minutes of the November 12, 2014 Water Board meeting
as corrected.

Moved: Habenicht Seconded: Waggoner

Motion approved unanimously.



2. GUEST: MAUREEN FOLEY - 590 PENNWOOD CIR.

The owner of 590 Pennwood Cir., Maureen Foley, Appeared to discuss damages that resulted from a City water main break on December 8, 2013 and request compensation. Belfor Property Restoration responded for cleanup and is authorized by the City to perform flood cuts to enable the area behind the drywall to dry out so mold will not form. With the existing contract, the drywall removed for the flood cut is not replaced.

Ms. Foley requested compensation for displacing the tenant and drywall repair. The Board had previously ruled on a policy that in the case of a City main caused incident, the City will provide

percentage of acres owned. Regency claims they were not aware of the water and sewer connection credits at the time applications and fees were submitted.

The Denver Seminary land was purchased by Continuum Partners and carried with it water and sewer tap credits which could have been applied as various builders requested taps from the City. Continuum sold the residential portion of the land to the Forum Co. and the commercial section to Regency Co. and entered a partnership with Regency. Regency Centers then instructed the City to withhold the tap credits and collect water and sewer tap fees from the various builders, which the City did.

It is the City Attorney's position that refunds shall be made first to the businesses or individuals who unnecessarily paid for the taps on this site. To receive a refund, the owners must submit a written agreement signed by each party and the four business owners that have paid tap fees to the City, clearly stating that the payees are waiving their rights to a refund and authorizing payment to the owner of Kent Place Properties.

District Court would be the next step for remediation if all parties do not agree. It was noted that unused tap credits will not be reimbursed.



5. ALUM SLUDGE REMOVAL.

Tom Brennan appeared to discuss alum residuals produced by the settling and filter backwashing process. Residuals are produced year-round and processed and stored until disposal. Storage space has since run out, and the Allen Filter Plant needs to dispose of these residuals. Bids were received by two vendors. Secure On-Site Services USA is the recommended acceptable bidder at \$174,635.06 for one year's production of 750 yards.

Tom Brennan noted that the Utilities Department staff is working with the State Health Department and alternate landfills for alternative solutions for disposing of alum sludge. Disposing of the 750 yards will allow a year to investigate alternatives for a cheaper solution and longer contracts.

Motion: To recommend Council approval, by motion, of the proposal for the Allen Water filtration Plant residuals removal and disposal to Secure On-Site Services in the amount of \$174,635.06 for disposal of 750 cubic yards of production.

Moved: Waggoner Seconded: Gillet

Motion passed unanimously.

6. WEBSITE COMMENT FORM.

The Board received a copy of a comment form that was submitted to the City Manager's office from a citizen noting an improvement in water quality.

7. WATER AND SEWER BACKUP REMEDIATION POLICY.

The Board noted they would like to discuss the existing water and sewer main backup remediation policy at a future meeting.

The meeting adjourned at 6:20 p.m.

The next meeting will be Tuesday, March 11, 2014 at 5:00 in the community Development Conference Room.

Respectfully submitted,

Cathy Burrage
Recording Secretary

WATER & SEWER BOARD

PHONE VOTE - MONDAY, MARCH 17, 2014

Phone Vote Roll Call.

Contacted: Clyde Wiggins, Chuck Habenicht, Tom Burns, Kells Waggoner, Rick Gillet, Linda Olson, Jo Lay, Wayne Oakley, Randy Penn

Not Responded: John Moore

1. MINUTES OF THE MARCH 11, 2014 MEETING.

Motion: Approve minutes of the March 11, 2014 Water and Sewer Board meeting.

Moved: Habenicht **Seconded:** Waggoner

Motion passed unanimously.

The next Water and Sewer Board meeting will be Tuesday, April 8, 2014 at 5:00 p.m. in the Community Development Conference Room.

Respectfully submitted,

/S/ Cathy Burrage
Recording Secretary