
Council Newsletter



CITY MANAGER'S NOTES August 27, 2015

Upcoming Council Meetings

A City Council Study Session is scheduled for **Tuesday, September 8, 2015**. **Please note, the meeting will be held on Tuesday due to the Labor Day Holiday**. The study session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. Sandwiches will be available at 5:30 p.m.

The next Study Session is scheduled for **Monday, September 14, 2015**. The Study Session will begin at 6:00 p.m. in the Community Room.

Informational Items

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

1. *YourHub* Featured Events: Brews for Books, Coffee with a Cop, The Story of Beer, Graffiti Paint Out, Crazy-4-Line Dance Extravaganza, Comic Book Workshop
2. *The Villager* picture from the Tri-City Charter
3. Fact Sheets for Englewood's Ballot Questions
4. Public Works Memo regarding Broadway and Kenyon E/W Lanes Configuration
5. *Better Cities & Towns* article: "Why won't you build condos?"
6. Calendar of Events
7. Tentative Study Session Topics



Council Newsletter Parks and Recreation

Parks Staff Resurfaced Courts

The tennis court at Romans Park and all of the basketball courts (Centennial, Jason, Bates-Logan, Cushing and Romans Park) have been resurfaced and painted. The new overlay should last up to two years depending on weather conditions.

Englewood Recreation Center will be closed Monday, August 31-Monday, September 7 for Annual Maintenance

The Englewood Recreation Center closes for a week every year to complete various maintenance projects. The pool will close on Sunday, August 30.

During this time we will:

- Sanitize and deep clean all equipment
- Regrout, drain and deep clean the pool
- Reseal hardwood floors
- Add a hot water booster for bathrooms, kitchen, preschool, RecZone
- Repair cracks, reseal and repaint the front parking lot
- Clean the tile and grout in the locker rooms
- Begin work to replace the roof
- Prepare to replace the skylights over the gym and pool

Today27

"The Water Boy" with T.J. Ward. At 7:30 p.m. at the Alamo Draffthouse, 7301 S. Santa Fe Drive, join Broncos safety T.J. Ward to watch one of his favorite movies, "The Water Boy." Proceeds will benefit the T.J. Ward Foundation. Tickets are \$40 at draffthouse.com and include Creole-style gumbo, cookies and ice cream.

Coffee with a cop. Join officers from the Englewood Police Department for coffee and discussion from 7:30-9 a.m. at Nixon's Coffee House, 871 Englewood Parkway.

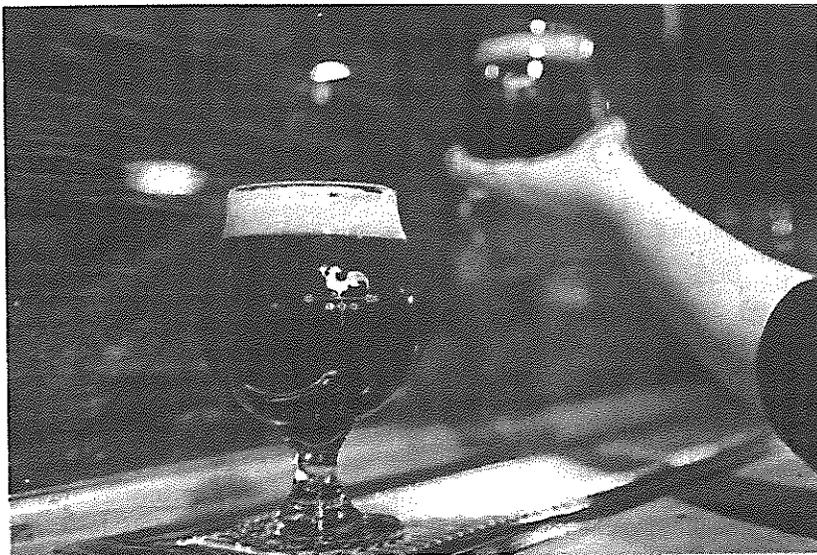
Friday28

The Story of Beer. From 10-11 a.m. at the Malley Senior Recreation Center, 3380 S. Lincoln St., Englewood, Active minds will discuss the origins and history of beer, how it is made, different types of beer, the rise of several great American brewers and beer families and current trends of microbrews and craft beers and their strong Colorado connections. It's free to attend. Call 303-762-2660 to learn more.

Saturday29

Graffiti paint out. Join neighborhood volunteers to help clean up graffiti around town from 9-11:30 a.m. To sign up, call the Englewood Police Department at 303-762-2490 or sign up online at bit.ly/1MGnuVc.

Crazy-4-Line Dance Extravaganza. Line dancers of all ages and dance levels are welcome for a day of music and dancing at the Malley Senior Recreation Center, 3380 S. Lincoln St., Englewood. From 10 a.m.-3 p.m., there will be professional dance instruction, a catered lunch, a snack, drinks and a step sheet booklet. Tickets are \$25. Space is limited to 85 dancers. For more information or to reserve a spot, call the Malley Center at 303-762-2660.



Seth McConnell, YourHub file

Brews for Books

Saturday, Aug. 29. The Englewood Education Foundation's annual fundraiser, Brews for Books, will be held from 6-10 p.m. at Brew on Broadway, 3445 S. Broadway, Englewood. The evening includes games, live entertainment, a silent auction, dinner and unlimited drinks. All money raised goes to support Englewood students and teachers with scholarships and creativity grants. Tickets are \$50 and can be purchased at the door or in advance at any Englewood school.

Southwest Plaza Farmers Market. Shop for fresh flowers and plants, beef, honey, rice, fresh European breads and pastries, herbs, spices and condiments, ready-to-eat foods and more at the Southwest Plaza Farmers Market, 8501 W. Bowles Ave., Jefferson County. It's open from 8 a.m.-2 p.m. Saturdays through October 31.

Comic book workshop. Children and teens from fourth- to 12th-grade can attend this comic book workshop to work on their art and get help from real artists. It starts at 2 p.m. at Englewood Public Library, 1000 Englewood Parkway. It's free and no registration

is required.

Sunday30

Affordable Arts Festival. Arapahoe Community College, 59000 S. Santa Fe Drive, Littleton, is hosting the Affordable Arts Festival, where all of the art costs \$100 or less. There will be artists from more than 17 states selling work that is sometimes discounted 90 percent or more. Proceeds from the ticket sales go to the Arapahoe Community College Foundation to help students with scholarships. The festival lasts from 10 a.m.-4 p.m. For more information, contact Jim DeLutes at jdphotos@earthlink.net or 303-678-9089. Arrive early to beat the crowd.



Theresa Martens, Alan McQueen and Englewood City Councilman Rick Gillit were on hand in support of TriCity Academy, a recently approved charter school.

Photos by Peter Jones

Leigh Ann Hoffhines

From: Englewood Website Administrator <info@englewoodgov.org>
Sent: Monday, August 24, 2015 7:00 PM
To: Leigh Ann Hoffhines
Subject: City of Englewood, Colorado: Fact sheets available for Englewood's ballot questions

Fact sheets available for Englewood's ballot questions

Post Date: 08/24/2015 3:35 PM

The City of Englewood has referred two questions to the ballot for the November 3, 2015, Election: one is an Englewood Charter amendment to address an election timing issue; the other is a question regarding future sales of utility property in Douglas County owned by the City of Englewood.

Voters interested in learning more about these ballot questions can review the fact sheets posted on our website: [2015 Englewood Ballot Questions](#). Hard copies of the ballot question fact sheets are available in the Englewood City Clerk's Office, 1000 Englewood Parkway (3rd floor), Englewood, Colorado).

An Election Edition of the [Englewood Citizen](#) newsletter will be published in early October, before the mail ballots are sent by Arapahoe County. The newsletter will include profiles of the candidates running for Englewood City Council and additional information on the election.

For more information on voter registration and other issues related to the November 3 election, visit www.Arapahoevotes.com.

Fact Sheet

City of Englewood Referred Ballot Question No. _____

November 3, 2015 General Election

The City of Englewood has referred a question to the November 3, 2015 ballot regarding future sales of utility property in Douglas County owned by the City of Englewood.

The ballot language is as follows:

Question No. ____

Shall the Englewood City Council be allowed, by Ordinance, to sell Utility Department property described in Council Bill No. 28, Series of 2015, held in Douglas County at the end of the initial lease term; the initial lease term being not less than twenty years?

Yes No

Background

The City of Englewood purchased several properties in southwestern Arapahoe County and northwestern Douglas County east of Highway 85 (Santa Fe) in 1948 to secure water rights and for future construction of a water storage reservoir. Because the properties are associated with Englewood's water utility, they are considered utility property.

Construction on the planned water storage reservoir, McLellan Reservoir, was completed in 1965.

In the late 1990s, the City of Englewood cooperated with the Colorado Department of Transportation, Douglas County, and Mission Viejo (Highlands Ranch) to secure the Colorado Highway 470 interchange when Lucent Boulevard was built adjacent to Englewood's parcels of land.

The City of Englewood has continued its cooperation with Highlands Ranch and Shea Homes (the successor to Mission Viejo) in matters related to water rights and leasing of water, as well as to facilitate future development of the City of Englewood's properties along the C470 corridor.

In 1999, Englewood City Council established the Englewood McLellan Reservoir Foundation (EMRF) to oversee the development of property, to enhance and diversify the City's long-term revenues, and to protect the water supply in and around McLellan Reservoir.

The Englewood McLellan Reservoir Foundation has entered into long-term leases on three parcels of McLellan property for the benefit of the City of Englewood and continues to market the remaining parcels. Current annual revenues from these leases are approximately \$850,000. It is anticipated that McLellan property leases will provide a continuing revenue source to fund City services and capital improvements, subject to appropriation by City Council.

The EMRF board entered into discussions with prospective developers who are interested in purchasing the land at the end of a 20-year lease term. It has become clear that the remaining parcels may be challenging to market successfully as long-term leases due to the size of the parcels, and the complexity and cost of development.

The EMRF board believes if the parcels were made available for sale to the businesses holding the leases (following the initial minimum 20-year lease), the chances of development are much more likely. Future leases and sales will result in significant revenues for the City of Englewood.

Ballot Question

The ballot question proposes that the City of Englewood be allowed to sell Utility Department property near McLellan Reservoir property following an initial lease term of not less than 20 years, subject to City Council approval.

According to the City of Englewood Charter, property purchased for utility purposes may not be sold without a majority vote of the registered electors of the City (Article XIII, Section 121).

The EMRF board has requested that City Council place the future sale option of EMRF properties on the November 3, 2015 ballot and Englewood City Council has, by ordinance, authorized the ballot question (Ordinance 33, Series of 2015).

FACT SHEET
CITY OF ENGLEWOOD REFERRED BALLOT QUESTION NO. ____

The Englewood City Council has approved an Ordinance submitting to a vote of the registered electors in the City of Englewood, at the November 3, 2015 Coordinated Election, a proposed ballot question to amend the Englewood Home Rule Charter.

This Charter amendment has been proposed to address an election timing issue.

This amendment would change Special Election timeframe restrictions.

Pursuant to Colorado Revised Statutes § 1-13.5-110. Special elections - "Special elections must be held on such date as may be provided by law by the local government calling the special election."

Englewood's Home Rule Charter, Article II § 14 Special elections states that "no special election shall be held within forty-five (45) days before or after a general municipal or state election."

Holding a Special Election 45 days prior to a general municipal or state election would cause election administration problems. The County is willing to work with the City in the event the City would have to call for a Special Election. But from late August on, their equipment is tied up. The County has procedures, equipment and best practices in place to facilitate a Mail Ballot Election, such as the ability to provide signature verification. This amendment would make sure the City is not forced to hold a Special Election too close to the November election, so that the City would not be able to contract with the County for election services. The Election Commission feels it is in the best interest of our citizens to coordinate with the County.

The proposed Charter amendment is as follows:

ARTICLE II. ELECTIONS

14: Special elections.

We would like to amend the Charter § 14 Special elections to read: "No special election shall be held within ninety (90) ~~forty-five~~ days before or forty-five days (45) after a general municipal or state election."

Please note: ~~the strike-outs and underscores will not appear on the actual ballot due to a limitation in the Arapahoe County election software.~~

As a result, the actual ballot question will read:

QUESTION NO. ____

Shall the Home Rule Charter of the City of Englewood, Article II, Section 14, be amended to read as follows:

ARTICLE II. ELECTIONS

14: Special elections.

(1) General Provisions. Subject to the limitations imposed by this Charter, Council may call special elections as necessary either by resolution or by ordinance. Notice of such special elections shall be published and shall cite the section of this Charter which governs the proposition to be submitted to the electors. No special election shall be held within ninety (90) days before or forty-five (45) days after a general municipal or state election. General state elections may be used for submission of city propositions, except as limited by this Charter, and shall not be considered as special elections for city purposes. Any proposal, question or proposition may be submitted at any general or special municipal election except as hereinafter limited. The ballot for all elections, except election of officers, shall state briefly the nature of the proposition and shall provide appropriate means to vote for or against the proposition.

(2) Number, Limited.

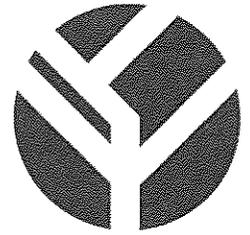
A. Not more than one special election shall be held, under provisions of Section 46 of this Charter, during any twelve month period; provided, however, that proposed initiated ordinances, questions or measures may be submitted at any general municipal or state elections, or at special elections called under provision of other sections of this Charter as limited in Section 14(3) hereof.

B. Any proposition submitted under Section 77 of this Charter shall not again be submitted under Section 77 for one year thereafter.

(3) Subject, Limited. Elections held under provisions of Section 6, Section 77 and Section 104 of this Charter shall be held separate and apart from all other elections and shall be limited to submission of only one proposition in any one election.

_____ Yes _____ No

MEMORANDUM



TO: Eric A. Keck, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: Ladd Vostry, Traffic Engineer ✓

DATE: August 24, 2015

SUBJECT: Broadway and Kenyon E/W Lanes Configuration

A citizen recently asked about the possibility of changing the configuration of the lanes on Kenyon Avenue at the Broadway and Kenyon intersection. Presently, Kenyon (a minor collector street) has pavement markings designating shared lanes for left-turning, through, and right-turning vehicles for both the eastbound (EB) and westbound (WB) directions. The suggestion was to modify the existing lanes configuration to include three lanes in both travel directions (see attached):

- Kenyon west of Broadway to include one WB lane and two EB lanes (EB left turn and through shared lane, EB right turn lane)
- Kenyon east of Broadway to include one EB lane and two WB lanes (WB left turn and through shared lane, WB right turn lane).

The recommended minimum width for urban street lanes (without bus and truck traffic) is ten feet, and eleven feet for lanes with opposing traffic. Therefore, minimum pavement width needed to accommodate the suggested lanes configuration is 32 feet (36 feet measured curb to curb, including two foot pans). **The pavement width on Kenyon, at either side of Broadway, is about 29 feet 8 inches (33 feet 8 inches measured curb to curb) – more than 2 feet less than the required minimum street width.**

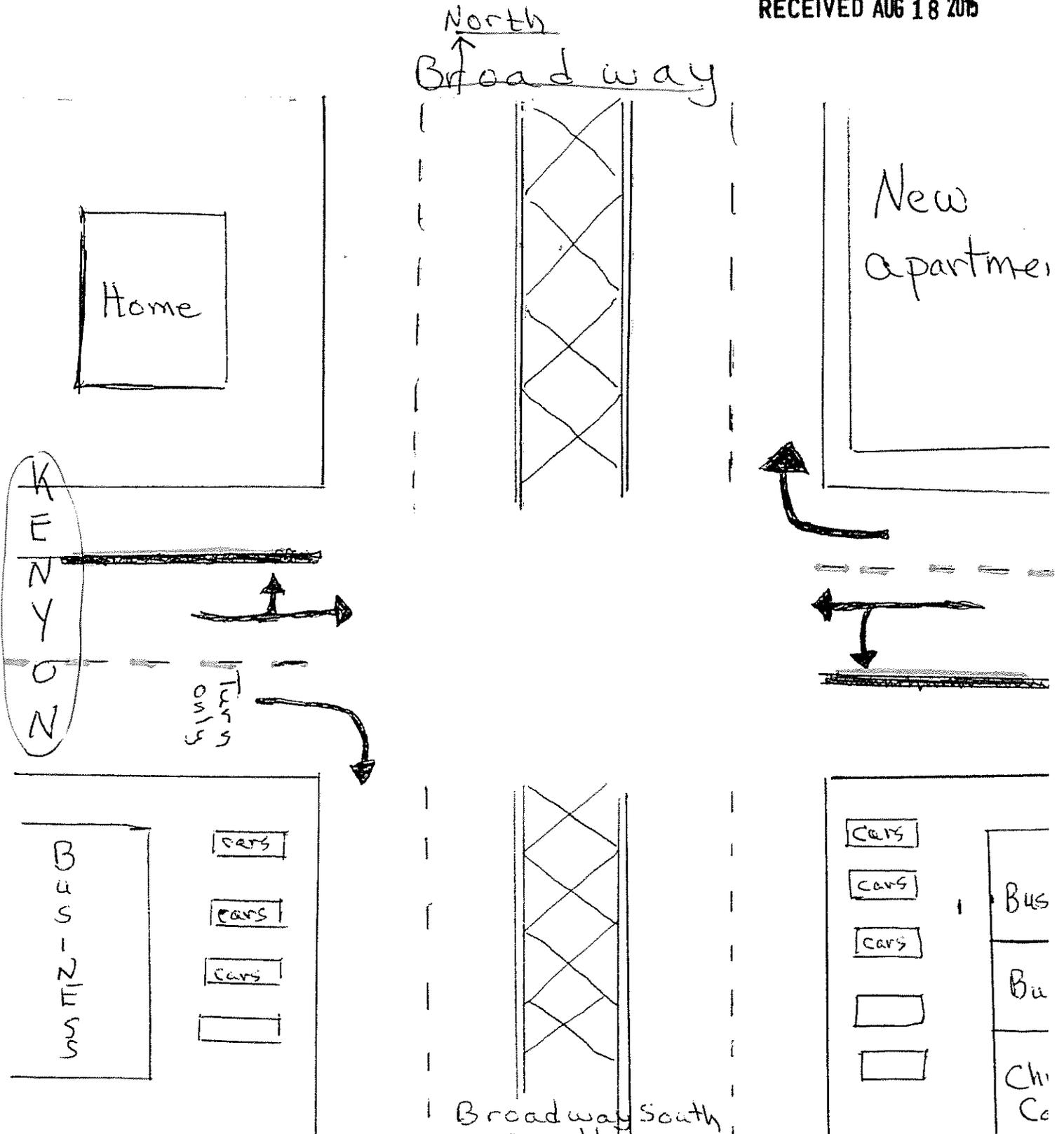
Since there is not sufficient street width available for the suggested lanes configuration, staff does not recommend any changes to present pavement markings at the Broadway and Kenyon intersection at this time. Also note that the lane configuration changes would restrict parking in front of two houses along the north side of Kenyon, west of Broadway.

Staff will continue to closely monitor this intersection and will make needed adjustments to ensure that traffic movements through this signalized intersection are as safe and efficient as possible.

lt/attach

Immediate Attention Needed at
 intersection of Broadway and Kenyon
 To avoid terrible traffic problems
 New Lanes need to be painted on roadways

RECEIVED AUG 18 2015





Better Cities & Towns

Better *places*, stronger communities. | BCT Weekly Update | betterc

Why won't you build condos?

John Anderson, Better! Cities & Towns

Big building. Complex Mechanical Systems. Lots of specialized details to make the exterior envelope keep the weather out. Condo Ownership. What could possibly go wrong?

Disclosure: Many of my Architect and Developer colleagues disagree with me on the subject of building condominium ownership. They think the risk can be handled with the right insurance and the right attorneys. My question for them; "As long as there are other non-condo projects to be built, why bother with this insurance/lawyer critical mess?"

The Construction Defects Plaintiffs' Bar is a very good reason to stay the hell away from for-sale condominium projects. The General Liability insurance policies for builders and developers are more expensive than for fee simple for-sale or for rent project. For Architects and Engineers Professional Errors and Omissions insurance coverage gets really expensive once you start doing any significant portion of your work on condo projects. The result is that Architects either do a lot of condo work, or they do very little.

There is a statute of limitations for construction defects, typically 10 years in most states. In year 9 the staffers of the big construction defect law firms start to send "trolling" letters to owners of the condominium units hoping to hook a couple people interested in suing. The addresses are easy to find, since they are required to be recorded with the State Board of Real Estate or the State Attorney General's office. The letter tells the condo owner that the law firm is currently representing other owners in the condominium association in a lawsuit against the Developer, the builder, and the architect. The lawsuit is being handled on a contingency basis, so there will be no up front cost for the condo owner to join the lawsuit. The law firm gets 40% of any settlement or judgement if they win. The insurance companies for the developer, the builder and the architect, and maybe a few of the mechanical trades often just settle with the firm. Then they jack up the rates of their customers or just cancel their policies.

So without any actual construction defects the tidy little extortion scam just ends up making the insurance needed to build condo's more expensive. There are actual defects in some of these lawsuits, but the deals cut between the insurance companies to spread the paid of settlement around are sleazy at best. A hugely bad structure for managing risk. This is why we advise Small Developer/Builders to avoid condominium projects whenever possible and to keep the scale of your projects small and your project LLC separate to mitigate your risk of bullshit litigation.

**CITY OF ENGLEWOOD
2015 CALENDAR OF EVENTS**



Tues, Sept. 1	4:30 p.m.	Budget Advisory Committee, City Council Conference Room
Wed., Sept. 2	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	Cancelled	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Fri., Sept. 4	8:00 a.m.	Meeting with Congresswoman DeGette, Community Room
Mon., Sept. 7		City Hall closed – Labor Day holiday
Tues., Sept. 8	6:00 p.m.	Study Session, Community Room
	Cancelled	Keep Englewood Beautiful, Public Works Conference Room
	7:30 p.m.	Council Meeting, Council Chambers
Wed., Sept. 9	5:00 p.m.	Water and Sewer Board, Public Works Conference Room
	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
	7:00 p.m.	Planning & Zoning Commission, Council Chambers
	Cancelled	Board of Adjustments and Appeals, Council Chambers
Thurs., Sept. 10	5:30 p.m.	Parks and Recreation Commission, River Run Trailhead
	6:30 p.m.	Transportation Advisory Board, City Council Conference Room
Mon., Sept. 14	6:00 p.m.	Study Session, Community Room
Tues., Sept. 15	7:00 p.m.	Library Board, Library Board Room
Wed., Sept. 16	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., Sept. 21	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Sept. 22	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room/Council Chambers
Mon., Sept. 28	6:00 p.m.	Study Session, Community Room

Mon., Oct. 5	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Oct. 6	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room/Council Chambers
Wed., Oct. 7	11:30 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	4:00 p.m.	Englewood Housing Authority Meeting, EHA Board Room
	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., Oct. 8	5:30 p.m.	Parks and Recreation Commission, Broken Tee Golf Maintenance Facility
Mon., Oct. 12	6:00 p.m.	Study Session, Community Room
Tues., Oct 13	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	Cancelled	Keep Englewood Beautiful, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Oct. 14	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
	7:00 p.m.	Board of Adjustments and Appeals, Council Chambers
Mon., Oct. 19	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Oct. 20	4:30 p.m.	Budget Advisory Committee, City Council Conference Room
	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room/Council Chambers
Wed., Oct. 21	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., Oct. 26	6:00 p.m.	Study Session, Community Room
Mon., Nov. 2	2:00p.m.	Malley Trust Fund Board meeting
	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers

TENTATIVE
STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL



August 31	No meeting scheduled – 5th Monday
September 4	Meeting with Congresswoman Diana DeGette
September 8	Study Session & Regular Meeting – Tuesday Golf Course Alternative Uses Public Smoking Ban
September 14	Study Session Development Planning/Strategies Final Recommendations for Walk & Wheel Study Englewood Forward Comprehensive Plan Property Abatement
September 21	Study Session & Regular Meeting Financial Report Branding Recommendation Budget Public Hearing (at Regular Meeting)
September 28	Study Session 2016 Proposed Budget Workshop
October 5	Study Session & Regular Meeting
October 12	Study Session
October 19	Study Session & Regular Meeting Financial Report
October 26	Study Session Aid To Other Agencies Discussion
November 2	Study Session & Regular Meeting Board and Commission Members Reappointment Discussion Marijuana Social Clubs
November 9	Study Session Cancelled
November 16	No Study Session Regular Meeting Only New Council Swearing-In Ceremony/Selection of Mayor/Pro Tem
November 23	Study Session

Ethics and Public Service Training with CIRSA
Financial Report

November 30	No meeting scheduled – 5th Monday
December 7	Study Session & Regular Meeting Council Liaisons on Boards and Commissions
December 14	Study Session Financial Report
December 21	Regular Meeting Only No Study Session Scheduled - Holiday Dinner
December 28	Christmas Holidays – No meeting scheduled

FUTURE STUDY SESSION TOPICS

Trash Hauling Regulations Review
Capital Project Approval Process/Purchasing Policy
Trash Franchise
Alternative Financing Solutions
RiverRun Easement
Tale of Two Cities presentation: What Can or Should Our City Look Like in the Future?
Hotel/Motel Regulations
Bike Paths
Construction Defects Ordinance
Citizen of the Year Selection Process
Recreational Marijuana Options
Xcel “Partners in Energy” Program
Property/Code Enforcement
Property Abatement
Energy Conservation/Green Initiatives
Historic Preservation
Neighborhood Character (Zoning Issues)