

**Agenda for the
Regular Meeting of the
Englewood City Council
Monday, February 1, 2010
7:30 pm**

Englewood Civic Center – Council Chambers
1000 Englewood Parkway
Englewood, CO 80110

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.
5. Consideration of Minutes of Previous Session.
 - a. Minutes from the Regular City Council Meeting of January 19, 2010.
6. Recognition of Scheduled Public Comment. (Please limit your presentation to ten minutes.)
 - a. Donna Hilton, Food Bank of the Rockies/Aid to Other Agencies recipient will be present to accept the City's financial contributions for 2010.
 - b. City Council will recognize the young people who were nominated for this year's Metropolitan Mayors and Commissioners Youth Award.
 - Emily Borden, a 12th Grader at Colorado's Finest Alternative High School
 - Meghan Branstetter, a 12th Grader at Colorado's Finest Alternative High School
 - Seth Butz-Rokowski, a 12th Grader at Colorado's Finest Alternative High School
 - Danielle Dufourd, a 12th Grader at Colorado's Finest Alternative High School
 - Angelina Follette, a 12th Grader at Colorado's Finest Alternative High School
 - Sam Fontenot, an 8th Grader at Englewood Middle School
 - Angela Hernandez, a 12th Grader at Colorado Finest Alternative High School
 - Jewell Higgs, a 10th Grader at Englewood High School
 - Ashley Leavell, a 12th Grader at Colorado Finest Alternative High School
 - Geobana Leyva-Ramos, a 12th Grader at Colorado Finest Alternative High School
 - Jasmine McCormick, a 12th Grader at Colorado Finest Alternative High School

Please note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood (303-762-2405) at least 48 hours in advance of when services are needed.

- Elyse Michaels, a 10th Grader at Englewood High School
 - Alec Reiman, an 8th Grader at Englewood Middle School
 - Nicole Tcheschke, an 8th Grader at Englewood Middle School
 - Victoria Vallejo, an 8th Grader at Englewood Middle School
 - Amy Villanueva, a 12th Grader at Colorado Finest Alternative High School
- c. Joe Kubik from Jimano's Pizzeria (2950 South Broadway) will be present to introduce his new restaurant.
- d. Jackie Edwards will be present to address City Council regarding medical cannabis.
- e. Mark Swanson will be present to address City Council regarding code enforcement.
7. Recognition of Unscheduled Public Comment. (Please limit your presentation to five minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.)
8. Communications, Proclamations, and Appointments.
- a. A resolution reappointing David Anderson to the Transportation Advisory Committee.
 - b. A resolution reappointing Susan Bayless to the Keep Englewood Beautiful Commission.
 - c. A resolution reappointing Andy Berger to the Transportation Advisory Committee.
 - d. A resolution reappointing John Brick to the Planning and Zoning Commission.
 - e. A resolution reappointing Ken Bronson to the Election Commission.
 - f. A resolution appointing Michael Buchanan to the Public Library Board.
 - g. A resolution reappointing Tom Burns to the Water and Sewer Board.
 - h. A resolution appointing Vic Calonder to the Alliance for Commerce in Englewood Committee.
 - i. A resolution appointing John Champion to the Alliance for Commerce in Englewood Committee.
 - j. A resolution reappointing Brett East to the Keep Englewood Beautiful Commission.
 - k. A resolution reappointing James Garnett to the Keep Englewood Beautiful Commission.

- l. A resolution reappointing Douglas Garrett to the Parks and Recreation Commission.
 - m. A resolution reappointing Austin Gomes to the Parks and Recreation Commission.
 - n. A resolution appointing John Moore to the NonEmergency Employees Retirement Board.
 - o. A resolution appointing Marty Mosman to the Malley Center Trust Fund.
 - p. A resolution reappointing Sue Purdy to the Board of Adjustment and Appeals.
 - q. A resolution reappointing Laura Rogers to the Urban Renewal Authority.
 - r. A resolution reappointing Theresa Sabrsula to the Keep Englewood Beautiful Commission.
 - s. A resolution appointing Catherine Townley to the Keep Englewood Beautiful Commission.
 - t. A resolution appointing Catherine Townley as an Alternate Member to the Urban Renewal Authority.
 - u. A resolution reappointing Mitch Waldman to the Parks and Recreation Commission.
 - v. A resolution reappointing James Weeks to the Transportation Advisory Committee.
 - w. A resolution reappointing Carl Welker to the Planning and Zoning Commission.
9. Consent Agenda Items.
- a. Approval of Ordinances on First Reading.
 - b. Approval of Ordinances on Second Reading.
 - c. Resolutions and Motions.
10. Public Hearing Items (No Public Hearing Scheduled).
11. Ordinances, Resolutions and Motions
- a. Approval of Ordinances on First Reading.
 - b. Approval of Ordinances on Second Reading.

- c. Resolutions and Motions.
 - i. Recommendation from the Community Development Department to approve a resolution establishing a temporary suspension or moratorium for a six-month period on the discretionary approval process included under Title 16-6-13(3)(b) and 16-6-13(4) of the Englewood Municipal Code. **STAFF SOURCE: Alan White, Community Development Director.**

- 12. General Discussion.
 - a. Mayor's Choice.
 - b. Council Members' Choice.

- 13. City Manager's Report.

- 14. City Attorney's Report.

- 15. Adjournment

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING DAVID ANDERSON TO THE ENGLEWOOD
TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD,
COLORADO.

WHEREAS, the Englewood Transportation Advisory Committee has been established as an advisory committee focused on transportation issues in the City of Englewood and shall seek to promote close cooperation between the City, individuals, businesses, institutions and agencies concerned with transportation related activities; and

WHEREAS, the Englewood Transportation Advisory Committee was established by the Englewood City Council with the passage of Ordinance No. 65, Series of 2001; and

WHEREAS, David Anderson is a current member of the Englewood Transportation Advisory Committee; and

WHEREAS, David Anderson's term expired February 1, 2010; and

WHEREAS, David Anderson has applied for reappointment to the Englewood Transportation Advisory Committee for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. David Anderson is hereby reappointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. David Anderson's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING SUSAN BAYLESS TO THE KEEP ENGLEWOOD
BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, Susan Bayless was a member of the Keep Englewood Beautiful Commission; and

WHEREAS, Susan Bayless' term expired February 1, 2010; and

WHEREAS, Susan Bayless has applied for reappointment to the Keep Englewood Beautiful Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Susan Bayless is hereby reappointed to the Keep Englewood Beautiful Commission effective immediately with term expiring February 1, 2012.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING ANDY BERGER TO THE ENGLEWOOD
TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD,
COLORADO.

WHEREAS, the Englewood Transportation Advisory Committee has been established as an advisory committee focused on transportation issues in the City of Englewood and shall seek to promote close cooperation between the City, individuals, businesses, institutions and agencies concerned with transportation related activities; and

WHEREAS, the Englewood Transportation Advisory Committee was established by the Englewood City Council with the passage of Ordinance No. 65, Series of 2001; and

WHEREAS, Andy Berger is a current member of the Englewood Transportation Advisory Committee; and

WHEREAS, Andy Berger's term expired February 1, 2010; and

WHEREAS, Andy Berger has applied for reappointment to the Englewood Transportation Advisory Committee for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Andy Berger is hereby reappointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. Andy Berger's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING JOHN BRICK TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Planning and Zoning Commission makes recommendations to City Council regarding the master plan, the comprehensive zoning ordinance, proposed subdivisions and capital improvements; and

WHEREAS, John Brick is a current member of the Englewood Planning and Zoning Commission; and

WHEREAS, John Brick's current term expired February 1, 2010; and

WHEREAS, John Brick has applied for reappointment to the Englewood Planning and Zoning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. John Brick is hereby reappointed to the Englewood Planning and Zoning Commission. John Brick's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING KEN BRONSON TO THE ELECTION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Election Commission is established by the Englewood Home Rule Charter to establish precincts, appoint election judges and clerk, prescribe procedures, and any other duties as required by law; and

WHEREAS, Ken Bronson is a current member of the Englewood Election Commission; and

WHEREAS, Ken Bronson's term expired February 1, 2010; and

WHEREAS, Ken Bronson has applied for reappointment to the Englewood Election Commission for another term; and

WHEREAS, the Englewood City Council desires to reappoint Ken Bronson to the Englewood Election Commission for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Ken Bronson is hereby reappointed to the Election Commission for the City of Englewood, Colorado. Ken Bronson's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION APPOINTING MICHAEL BUCHANAN TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Public Library Board prepares and recommends to City Council a master plan for the development and maintenance of the City library system as well as policy issues; and

WHEREAS, there is a vacancy on the Englewood Public Library Board; and

WHEREAS, Michael Buchanan has applied to serve as a member of the Englewood Public Library Board;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Michael Buchanan is hereby appointed to the Englewood Public Library Board. Michael Buchanan's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING TOM BURNS TO THE WATER AND SEWER BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Water and Sewer Board plans for the continued adequacy of the domestic water supply and system and sanitary sewer system and shall have the power to protect the domestic water supply of the City from injury and pollution; and

WHEREAS, Tom Burns is a current member of the Englewood Water and Sewer Board; and

WHEREAS, Tom Burns' current term expired February 1, 2010; and

WHEREAS, Tom Burns has applied for reappointment to the Englewood Water and Sewer Board; and

WHEREAS, the Englewood City Council desires to reappoint Tom Burns to the Englewood Water and Sewer Board;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Tom Burns is hereby reappointed to Englewood Water and Sewer Board. Tom Burns' term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION APPOINTING VIC CALONDER TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Alliance For Commerce In Englewood was established by the Englewood City Council with the passage of Ordinance No. 5, Series of 2001; and

WHEREAS, the Alliance For Commerce In Englewood advises the Englewood City Council, focusing on the creation of an environment in which existing business can thrive and new business can prosper; and

WHEREAS, there is a vacancy on the Alliance for Commerce in Englewood; and

WHEREAS, Vic Calonder has applied to serve as a member of Alliance For Commerce In Englewood; and

WHEREAS, the Englewood City Council desires to appoint Vic Calonder to Alliance For Commerce In Englewood;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Vic Calonder is hereby appointed to Alliance For Commerce In Englewood. Vic Calonder's term will be effective immediately and expiring July 1, 2012.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION APPOINTING JOHN CHAMPION TO THE ALLIANCE FOR COMMERCE
IN ENGLEWOOD (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Alliance For Commerce In Englewood was established by the Englewood
City Council with the passage of Ordinance No. 5, Series of 2001; and

WHEREAS, the Alliance For Commerce In Englewood advises the Englewood City Council,
focusing on the creation of an environment in which existing business can thrive and new
business can prosper; and

WHEREAS, there is a vacancy on the Alliance for Commerce in Englewood; and

WHEREAS, John Champion has applied to serve as a member of Alliance For Commerce In
Englewood; and

WHEREAS, the Englewood City Council desires to appoint John Champion to Alliance For
Commerce In Englewood;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
ENGLEWOOD, COLORADO, THAT:

Section 1. John Champion is hereby appointed to Alliance For Commerce In Englewood.
John Champion's term will be effective immediately and expiring July 1, 2010.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the
above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING BRETT EAST TO THE KEEP ENGLEWOOD
BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, Brett East was a member of the Keep Englewood Beautiful Commission; and

WHEREAS, Brett East's term expired February 1, 2010; and

WHEREAS, Brett East has applied for reappointment to the Keep Englewood Beautiful Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Brett East is hereby reappointed to the Keep Englewood Beautiful Commission effective immediately with term expiring February 1, 2012.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING JAMES GARNETT TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, James Garnett was a member of the Keep Englewood Beautiful Commission; and

WHEREAS, James Garnett's term expired February 1, 2010; and

WHEREAS, James Garnett has applied for reappointment to the Keep Englewood Beautiful Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. James Garnett is hereby reappointed to the Keep Englewood Beautiful Commission effective immediately with term expiring February 1, 2012.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
 SERIES OF 2010

A RESOLUTION REAPPOINTING DOUGLAS GARRETT TO THE PARKS
 AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City has established a Parks and Recreation Commission to advise on all matters pertaining to recreation; to prepare an annual Parks and Recreation Master Plan and to review the annual Parks and Recreation Budget; and

WHEREAS, Douglas Garrett is a current member of the Englewood Parks & Recreation Commission; and

WHEREAS, Douglas Garrett's current term expired February 1, 2010; and

WHEREAS, Douglas Garrett has applied for reappointment to the Englewood Parks and Recreation Commission for another term; and

WHEREAS, the Englewood City Council desires to reappoint Douglas Garrett to the Englewood Parks and Recreation Commission for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Douglas Garrett is hereby reappointed to the Parks and Recreation Commission for the City of Englewood, Colorado. Douglas Garrett's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

 James K. Woodward, Mayor

 Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

 Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING AUSTIN GOMES TO THE PARKS
AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City has established a Parks and Recreation Commission to advise on all matters pertaining to recreation; to prepare an annual Parks and Recreation Master Plan and to review the annual Parks and Recreation Budget; and

WHEREAS, Austin Gomes is a current member of the Englewood Parks & Recreation Commission; and

WHEREAS, Austin Gomes' current term expired February 1, 2010; and

WHEREAS, Austin Gomes has applied for reappointment to the Englewood Parks and Recreation Commission for another term; and

WHEREAS, the Englewood City Council desires to reappoint Austin Gomes to the Englewood Parks and Recreation Commission for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Austin Gomes is hereby reappointed to the Parks and Recreation Commission for the City of Englewood, Colorado. Austin Gomes' term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION APPOINTING JOHN MOORE TO THE NON-EMERGENCY EMPLOYEES RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Non-Emergency Employees Retirement Board is the trustee of the Non-Emergency Employees Retirement Plan Fund and has the power to establish investment or purchasing plans as necessary; and

WHEREAS, there is a vacancy on the Englewood Non-Emergency Employees Retirement Board; and

WHEREAS, John Moore has applied to serve as a member of the Englewood Non-Emergency Employees Retirement Board; and

WHEREAS, the Englewood City Council desires to appoint John Moore to the Englewood Non-Emergency Employees Retirement Board;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. John Moore is hereby appointed to Englewood Non-Emergency Employees Retirement Board. John Moore's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of January, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION APPOINTING MARTY MOSMAN TO THE MALLEY CENTER TRUST FUND BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Malley Center Trust Fund was established for the use and benefit of the Englewood Senior Citizen Recreation Center known as the Elsie Malley Centennial Center; and

WHEREAS, the Trustees recommend to the City Council appropriations from the Trust Fund for the use and benefit of the Elsie Malley Centennial Center; and

WHEREAS, there is a vacancy on the Malley Center Trust Fund Board; and

WHEREAS, Marty Mosman has applied to serve as a member of the Malley Center Trust Fund Board; and

WHEREAS, the Englewood City Council desires to appoint Marty Mosman to the Malley Center Trust Fund Board;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Marty Mosman is hereby appointed to the Malley Center Trust Fund Board. Marty Mosman's term will be effective immediately and will expire February 1, 2013.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING SUE PURDY TO THE BOARD OF ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Board of Adjustments and Appeals has the authority to hear and determine appeals from the refusal of building permits and other decisions regarding the enforcement of the zoning regulations, to make exceptions to the zoning regulations and to authorize variances from the strict application of zoning regulations; and

WHEREAS, Sue Purdy is a current member of the Englewood Board of Adjustment and Appeals; and

WHEREAS, Sue Purdy's term expired February 1, 2010; and

WHEREAS, Sue Purdy has applied for reappointment to the Englewood Board of Adjustment and Appeals for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Sue Purdy is hereby reappointed to the Board of Adjustment and Appeals for the City of Englewood, Colorado. Sue Purdy's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING LAURA ROGERS TO THE URBAN
RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Urban Renewal Authority has the statutory authority to undertake projects which it finds necessary for the physical development of municipal land use including the improvement of areas within the City; and

WHEREAS, Laura Rogers was a member of the Englewood Urban Renewal Authority; and

WHEREAS, Laura Rogers' term expired February 1, 2010; and

WHEREAS, Laura Rogers has applied for reappointment to the Englewood Urban Renewal Authority; and

WHEREAS, the Mayor, with the approval of the Englewood City Council, desires to reappoint Laura Rogers to the Englewood Urban Renewal Authority;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Laura Rogers is hereby reappointed to Englewood Urban Renewal Authority. Laura Rogers' term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
 SERIES OF 2010

A RESOLUTION REAPPOINTING THERESA SABRSULA TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, Theresa Sabrsula was a member of the Keep Englewood Beautiful Commission; and

WHEREAS, Theresa Sabrsula's term expired February 1, 2010; and

WHEREAS, Theresa Sabrsula has applied for reappointment to the Keep Englewood Beautiful Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Theresa Sabrsula is hereby reappointed to the Keep Englewood Beautiful Commission effective immediately with term expiring February 1, 2012.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

 James K. Woodward, Mayor

 Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

 Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION APPOINTING CATHERINE TOWNLEY TO KEEP ENGLEWOOD
BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, there is a vacancy on the Keep Englewood Beautiful Commission; and

WHEREAS, Catherine Townley has applied to serve as a member of the Keep Englewood Beautiful Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Catherine Townley is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Catherine Townley's term will be effective immediately and will expire February 1, 2012.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
 SERIES OF 2010

A RESOLUTION APPOINTING CATHERINE TOWNLEY AS AN ALTERNATE MEMBER
 TO THE URBAN RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD.

WHEREAS, the Englewood Urban Renewal Authority has the statutory authority to undertake projects which it finds necessary for the physical development of municipal land use including the improvement of areas within the City; and

WHEREAS, Catherine Townley has graciously offered to serve on the City of Englewood's boards and commissions; and

WHEREAS, currently there are no vacancies on the boards and commissions; and

WHEREAS, the Englewood City Council desires to appoint Catherine Townley as alternate member to the Urban Renewal Authority; and

WHEREAS, City Council has requested staff to send this alternate member packets for the Board she will be serving on so that she can maintain an understanding of the current issues and rules; and

WHEREAS, while the alternate will not be able to vote at the meetings, she is nevertheless requested to attend as many meetings as possible to get a feel for the membership and issues; and

WHEREAS, Council wishes to express its gratitude for the volunteerism and service that this individual wishes to bestow upon the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. The Englewood City Council hereby appoints Catherine Townley as an alternate member of the Englewood Urban Renewal Authority.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

 James K. Woodward, Mayor

 Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

 Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
 SERIES OF 2010

A RESOLUTION REAPPOINTING MITCH WALDMAN TO THE PARKS
 AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City has established a Parks and Recreation Commission to advise on all matters pertaining to recreation; to prepare an annual Parks and Recreation Master Plan and to review the annual Parks and Recreation Budget; and

WHEREAS, Mitch Waldman is a current member of the Englewood Parks & Recreation Commission; and

WHEREAS, Mitch Waldman's current term expired February 1, 2010; and

WHEREAS, Mitch Waldman has applied for reappointment to the Englewood Parks and Recreation Commission for another term; and

WHEREAS, the Englewood City Council desires to reappoint Mitch Waldman to the Englewood Parks and Recreation Commission for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Mitch Waldman is hereby reappointed to the Parks and Recreation Commission for the City of Englewood, Colorado. Mitch Waldman's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

 James K. Woodward, Mayor

 Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

 Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING JAMES WEEKS TO THE ENGLEWOOD
TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD,
COLORADO.

WHEREAS, the Englewood Transportation Advisory Committee has been established as an advisory committee focused on transportation issues in the City of Englewood and shall seek to promote close cooperation between the City, individuals, businesses, institutions and agencies concerned with transportation related activities; and

WHEREAS, the Englewood Transportation Advisory Committee was established by the Englewood City Council with the passage of Ordinance No. 65, Series of 2001; and

WHEREAS, James Weeks is a current member of the Englewood Transportation Advisory Committee; and

WHEREAS, James Weeks' term expired February 1, 2010; and

WHEREAS, James Weeks has applied for reappointment to the Englewood Transportation Advisory Committee for another term;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. James Weeks is hereby reappointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. James Weeks' term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION REAPPOINTING CARL WELKER TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Planning and Zoning Commission makes recommendations to City Council regarding the master plan, the comprehensive zoning ordinance, proposed subdivisions and capital improvements; and

WHEREAS, Carl Welker is a current member of the Englewood Planning and Zoning Commission; and

WHEREAS, Carl Welker's current term expired February 1, 2010; and

WHEREAS, Carl Welker has applied for reappointment to the Englewood Planning and Zoning Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. Carl Welker is hereby reappointed to the Englewood Planning and Zoning Commission. Carl Welker's term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk

COUNCIL COMMUNICATION

Date: February 1, 2009	Agenda Item: 11 c i	Subject: A Resolution establishing a moratorium on the discretionary approval process for signs under 16-6-13(3)(b) and 16-6-13(4) of the Englewood Municipal Code
Initiated By: Community Development Department		Staff Source: Alan White Community Development Director

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

Council was previously briefed on the decision of the Court of Appeals in the case of Mike Mahaney vs. City of Englewood.

RECOMMENDED ACTION

The attached resolution establishes a temporary suspension or moratorium for a six-month period on the discretionary approval process included under Title 16-6-13(3)(b) and 16-6-13(4) of the Englewood Municipal Code. Adoption of this resolution enacting a moratorium immediately addresses the procedures deemed unconstitutional in the City's approval process for wall murals cited in the decision of the Court of Appeals. The resolution provides a procedure to review wall murals should any applications be received before revised sign regulations are presented to Council.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

In the recent Court of Appeals decision, the Court found certain sections of the City's sign code unconstitutional. This finding was due to the absence of a time frame for review and the absence of review criteria for signage plans requiring approval by the City Manager or designee. Signs requiring approval through a signage plan include wall murals.

This resolution establishes a moratorium on the requirement to submit and receive approval of a signage plan for a wall mural. If the resolution is adopted, the moratorium will be in effect for a period of six months. Wall murals will still be permitted and still be subject to a size limitation (125 square feet). Instead of through a signage plan, murals will be reviewed as a regular sign permit and subject to the review times specified for all other signs.

This moratorium will also allow the Planning and Zoning Commission time to consider how to address wall murals in the sign code revisions they are currently considering.

FINANCIAL IMPACT

There is no financial impact to the City as a result of adopting this resolution.

LIST OF ATTACHMENTS

Resolution

RESOLUTION NO. _____
SERIES OF 2010

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO THE ESTABLISHMENT OF A TEMPORARY SUSPENSION OR MORATORIUM ON THE DISCRETIONARY APPROVAL PROCESS BY THE CITY MANAGER OR DESIGNEE FOR SIGNS UNDER 16-6-13(3)(b) AND 16-6-13(4) E.M.C. FOR A SIX MONTH PERIOD.

WHEREAS, the Colorado Court of Appeals has found the requirement for City Manager review and approval of certain types of signs is unconstitutional; and

WHEREAS, the City of Englewood is currently rewriting the Sign Code to address this as well as other issues and such a rewrite is a lengthy process to allow for public input; and

WHEREAS, enumerated signs, including wall murals will still be permitted and still be subject to a size limitation under the moratorium; and

WHEREAS, instead of special review and approval those signs listed in 16-6-13(3)(b), murals will continue to be reviewed as a regular sign permit and subject to the review times specified for all other signs; and

WHEREAS, staff will need sufficient time to review and coordinate recommendations relating to the provisions in the Englewood Municipal Code; and

WHEREAS, City Council deems it necessary to coordinate the review of the Unified Development Code and finds it appropriate to temporarily suspend enforcement of select provisions of the Sign Code relating to the special review procedure in 16-6-13(3)(b) E.M.C.; and

WHEREAS, the moratorium would temporarily stop enforcement of those sections; and

WHEREAS, review or revision to the Unified Development Code will help protect the public health, safety and welfare by preserving a safe, healthy, and sound environment within the City; and

WHEREAS, the City Council finds that a six month moratorium or temporary suspension of the enforcement of certain provisions of the Englewood Municipal Code 2000 is necessary to implement and begin review of the Unified Development Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. The City Council of the City of Englewood, Colorado recommends the City Manager establish a moratorium or temporary suspension on the enforcement of the Englewood Municipal Code 2000 as to the special review procedure under 16-6-13(3)(b) and 16-6-13(4) E.M.C. signs from February 2, 2010 to August 1, 2010.

Section 2. All signs, even those subject to this moratorium, shall still be required to comply with all other provisions of the Englewood Municipal Code 2000.

Section 3. The City Council finds the provisions of this Resolution are temporary in nature and are intended to be replaced by subsequent legislative enactment so that the moratorium or temporary suspension as specified in this Resolution should terminate on August 1, 2010.

ADOPTED AND APPROVED this 1st day of February, 2010.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2010.

Loucrishia A. Ellis, City Clerk