
Council Newsletter



CITY MANAGER'S NOTES March 25, 2010

Upcoming Council Meetings

There is **no meeting** scheduled for **Monday, March 29th**.

City Council will meet on **Monday, April 5, 2010**. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers.

The following City Council meeting will be held on **Monday, April 12th**.

Informative Memoranda

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

1. Museum of Outdoor Arts Agreement Extension.
2. Letter from Greenway Foundation concerning the South Platte River.
3. CML Statehouse Report, March 23, 2010.
4. March 25, 2010 YourHub.com article on the Englewood Housing Authority.
5. Memorandum to City Employees with an update on City finances.
6. Memorandum concerning the National League of Cities Conference, March 12-17, 2010.
7. Memorandum concerning the Project Update.
8. Memorandum concerning the Medical District Stakeholders Meeting Schedule.
9. Memorandum concerning a Norovirus outbreak in the Fire Department.
10. Memorandum concerning Portable Breath Tests and Inspections of Liquor Establishments.
11. Calendar of Events.
12. Tentative Study Session Topics.
13. Minutes from the Liquor Licensing Authority meetings of February 17, March 3 and March 17, 2010.



April 25, 2010

Mr. Michael Flaherty
Deputy City Manager
City of Englewood
Englewood, Colorado 80110



Re: MOA – EXERCISE OF OPTION TO EXTEND ENGLEWOOD,
GOVERNMENTAL AGREEMENT AND SUBLEASE (“AGREEMENT”).

Dear Mr. Flaherty:

Reference is hereby made to that certain Governmental Agreement and Sublease by and between the Museum of Outdoor Arts (“MOA”), the City of Englewood (“City”) and the Englewood Environmental Foundation, Inc. (“EEF”), which term shall terminate at 12:00 midnight, on May 15, 2010 (collectively referred to herein in its entirety as “Agreement”).

Pursuant to Article XIV (a) of the Agreement, MOA hereby timely exercises its option to extend the term of the Agreement by an additional five (5) year period commencing at 12:00 midnight, on May 15, 2010.

Except as provided in this exercise notice, all other terms of the Agreement shall remain in full force and effect.



THE MUSEUM OF OUTDOOR ARTS

By: 
Cynthia Madden Leitner
President & Executive Director

Cc: MOA, General Counsel
MOA, Board of Directors



DESTINATION ART

1000 Englewood Parkway Suite 2-230 Englewood Colorado 80110
303 806 0444 fax 303 806 0504



THE GREENWAY FOUNDATION

Planning, Building, Protecting and Enhancing Communities, Parks, Trails and Waterways
Since 1974

March 22, 2010

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Lisa May

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Jolon Clark

Mike Flaherty, Deputy City Manager

Jerrell Black, Director, Department of Parks and Recreation

Dave Lee, Manager of Open Space, Department of Parks and Recreation
City of Englewood

1000 Englewood Parkway
Englewood, CO 80110

Dear Mike, Jerrell and Dave,

As you know, the Greenway Foundation is involved with an ambitious initiative, one that could create long-lasting improvement and emergence of the South Platte as a favorite destination for city-wide residents and visitors: developing a **zero trash tolerance** in and along the banks of the River.

Among the Greenway Foundation's many examples of South Platte stewardship, this newest endeavor may be the one about which we are most impassioned. We are excited about agreement among leaders in the Metro area that trash does **not** belong in and along our River. Yet we are sobered that keeping trash out of the River channel remains an elusive goal.

A group of business leaders, residents, and interested non-profits have joined together in an ad hoc group called PURE (Protect our Urban River Environment). The Greenway Foundation is proud to be among the leaders of PURE, formed to bring this continuing problem into public view so that we can all work together to craft a workable solution.

Ultimately, such an ambitious effort could never be accomplished by one single agency or community. The Greenway Foundation, through the establishment of PURE, intends to **create and subsequently convene the coalition** that can make that happen.

The Greenway Foundation **does not seek to create an unfunded mandate** for the agencies currently working on E. coli abatement by adding trash to that workload. Rather the Foundation hopes that the community effort engendered by a "zero trash tolerance" campaign will help to solve both problems by bringing disparate entities together, along with an informed, empowered and enthusiastic public.

What does "zero trash tolerance" mean, exactly? This is one of the goals that the PURE Steering Committee is determined to define. The community that uses and cares for the South Platte River Greenway, including you, is being invited to gather with the purpose of

"A river is more than an amenity, it is a treasure." Justice Wm. O. Douglas

The Greenway Foundation is supported in part by The Scientific and Cultural Facilities District as well as a gift from the Estate of Robert V. and Billie Mae Behrent.





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Jolon Clark

determining and ranking priorities – by severity of impact, practicality of solution, and availability of funding. **We are truly in this together.**

Please note that we are **not re-inventing the wheel** here. There have been successful zero-trash efforts implemented in Los Angeles and Washington, DC, and we plan to bring those implementers to Denver to learn what we can from them.

In the coming months we will be developing an outreach effort that seeks to educate and empower our citizens and government entities, as well as the hundreds of property owners along the South Platte River to “become the solution” to this problem.

This effort cannot succeed without your input, cooperation and support.

IT'S YOUR RIVER. IT'S YOUR BIRTHRIGHT.

I have attached a Scope of Work for the initial efforts related with this important endeavor. I am asking the City of Englewood to consider supporting the efforts of the Greenway Foundation and PURE in the amount of \$10,000 for the remainder of the 2010 calendar year. Your funds will be matched several times over with those of the other entities with whom we've met and are approaching in the same manner as we are with you.

Please let me know your thoughts on this very important effort and your willingness to be a source of funding for this effort. Also, we are obviously desirous and hopeful you will agree to serve on the PURE Steering Committee and thereby be a part of initiating the solutions PURE hopes to achieve in the future.

Thank you again for all you continue to do to help protect our Region's Greatest Natural Resource!

Yours truly,

Jeff Shoemaker
Executive Director, The Greenway Foundation
(303) 818-8078
jeff@greenwayfoundation.org

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PURE (Protect our Urban River Environment)

MISSION

To Create a Zero Trash Tolerance Policy for the South Platte River and its tributaries in the Denver Metro Area through:

- Education
- Prevention
- Collection

To improve the water quality for the South Platte River and its tributaries in the Denver Metro Area through collaboration between the above efforts and all of federal, state and local efforts already in place.

APPROACH

Create a PURE Steering Committee of affected public and private entities and organizations, all focused on accomplishing the goal of a trash-free South Platte River in the Denver Metro area through a collaborative and integrated series of work sessions as well as public outreach meetings.

GOALS

Research existing avenues of remediation.

- Learn from other communities engaging a similar goal.
 - Los Angeles River
 - Anacostia River Trash Initiative

Determine and prioritize the category sources of trash within the banks and channels of the South Platte River and its tributaries, including:

- Storm Sewers
- Windblown
- Recreational Users
- Transient Population

PROCESS

As a community, rank and prioritize future actions and next steps according to:

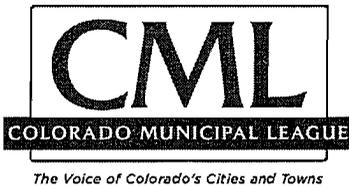
- Severity of impact
- Practicality
- Fundability

Hold monthly Steering Committee meetings to share information and prioritize future actions.

Host three Public Outreach Meetings (one each in Arapahoe, Denver and Adams counties) to discuss the challenges of trash in Denver's urban waterways and discuss the methods described above to enact the Zero Trash Tolerance goal.

FINAL DELIVERABLE

Draft a consensus document, a "Trash Treaty," to ensure our River and its tributaries remain a source of beauty, recreation, and impetus for economic development.



STATEHOUSE report

MARCH 23, 2010

BUILDING A STRONG PARTNERSHIP WITH COLORADO'S CITIES AND TOWNS

LATEST ECONOMIC FORECAST SHOWS SIGNS OF IMPROVEMENT

By Kevin Bommer, CML legislative & policy advocate

THE GENERAL ASSEMBLY'S LEGISLATIVE COUNCIL RELEASED THE MARCH ECONOMIC FORECAST ON FRIDAY, AND THE RESULTS were pleasantly surprising. Taking into account the latest data — and including cash fund transfers and other budget balancing legislation not yet signed by the governor — the state may actually finish the current fiscal year on June 30 as much as \$150 million in the black. Higher than expected collections over the past few months of corporate- and individual-income tax were major contributors to the surplus and give hope that the economy is showing signs of life.

However, a large portion of that predicted surplus comes as a direct result of backfill of the state general fund with local governments' severance tax and federal mineral lease revenue. Around \$65 million of local governments' severance tax and federal mineral lease money is being transferred to the state's general fund as a direct result of HB 10-1327, which is on its way to Gov. Bill Ritter for his signature. One of the options available to the governor is to veto HB 1327 and leave local governments' energy impact money where it can be used to fund infrastructure projects that would help local governments and create jobs in areas of the state hardest hit by the sagging economy. At this point, CML is not requesting such an action, and Gov. Ritter stated that he would not reverse any of the cuts in the current year.

While the forecast shows better than expected revenue collections by the state, there is concern about the FY 2011-12 forecast. In that fiscal year, starting July 1, 2011, the state will not have the luxury of using any American Recovery & Reinvestment Act (ARRA) money to help balance the budget like it has been able to do during the current fiscal year and plans to do for FY 2010-11. Currently, the legislature's Joint Budget Committee is writing the budget for FY 2010-11, and will not start its work on the FY 2011-12 budget until this fall.

While Colorado municipalities have fewer direct connections to the state budget than our counterparts in other states, the areas where cash fund transfers and other budget decisions impact municipalities are usually significant. Severance tax and federal mineral lease dollars absorbed by the state budget mean energy-impacted local governments in mostly rural Colorado are left with staggering infrastructure needs, regardless of the state of energy production. Increases in direct costs to municipalities to fund state government, like those that are expected to be proposed to fund additional FTE in the Water Quality Control Division in FY 10-11 and beyond, will impact smaller municipalities and special districts already struggling to stay afloat.

While many of those types of changes may occur anyway, it is clear that the best possible cure for budget woes at both the state and local level is the continued thaw of the economy and the flow of revenue that would come with it.

Affordable housing: Voluntary rent agreements

President Pro Tem Betty Boyd, the Senate sponsor of HB 10-1017, guided the legislation through the Senate Health and Human Services Committee last week. While the opposition continues to frequently use the words "rent control" when speaking about the bill in hopes that legislators will believe that is what it does, HB 1017 actually creates an exception to the "rent control" statute that allows public entities and developers to mutually agree upon binding rental agreements and deed restrictions. We expect a close vote in the Senate and continue to strongly encourage members to contact their senators to express support for the bill.

Bill: HB 10-1017, Voluntary agreements affecting rent

Sponsors: Rep. Daniel Kagan, D-Denver; Sen. Betty Boyd, D-Lakewood

Status: S. 2nd Reading

Position: Support

Lobbyist: Kevin Bommer

Annexation: Technical amendments

Following extensive amendment at the League's urging in the House Local Government Committee, the House Judiciary Committee passed HB10-1259 to the House floor without further amendment. The Local Government Committee amendments resolve the substantial concerns that the League had with the bill as introduced. The

bill now makes some helpful technical amendments to the municipal annexation statutes and inserts references to a constitutional provision bearing on annexation (Colo. Const. Art II, sec.30, aka "Poundstone II") throughout the statute. Although the bill is now in good shape, we will be watching this one closely all the way through the process, in case of troublesome amendments. The bill has passed the House and is to be heard shortly in the Senate Local Government Committee.

Bill: HB 10-1259, Annexation amendments

Sponsors: Rep. B.J. Nikkel, R-Loveland; Sen. Ken Lundberg, R-Loveland

Status: S. Local Government Committee

Position: No position

Lobbyist: Geoff Wilson

INSIDE STATEHOUSE REPORT

Page 1: Affordable housing, Annexation; Page 2: Get to know Sen. Mike Johnston, Beer and liquor; Construction, Labor, Medical marijuana; Page 3: Your CML advocacy team, Public safety 9-1-1, Railroad right-of-ways, Seat belts, Solar Energy; Page 4: Transit-oriented development, Urban renewal; Page 5: Workers compensation
Attachments: Box score, General Assembly by municipalities, Committee assignments

Beer and liquor: Grocery store liquor licenses

The House Business Affairs and Labor Committee will hold the first hearing on this legislation on Wednesday, March 24. Earlier this session, the same committee passed

HB 10-1186, which would have allowed convenience stores to apply for a license to sell full-strength beer. That bill was later killed 8-3 by the House Finance Committee. It is possible the fate of HB 1279 may be similar, but CML is comfortable with authority retained by liquor licensing authorities under the bill.

As introduced, the bill allows a retail liquor store within 1,000 feet of a grocery store to sell his or her license and transfer it to the grocery store upon approval by the local and state licensing authorities, at which time the license would be converted to a liquor licensed pharmacy license. If the bill does move forward, then municipalities can be assured they retain the full authority for local control of licensing as with any license. CML also believes the sale of the license would also be a taxable sale. CML's decision to maintain "no position" is based on all of the licensing provisions remaining in the bill, and the League is thankful the sponsor is including an amendment CML requested clarifying local public meeting options.

Bill: HB 10-1279, Grocery store liquor licenses

Sponsors: Rep. "Buffie" McFadyen, D-Pueblo; Sen. Suzanne Williams, D-Aurora

Status: H. Business Affairs & Labor

Position: No position

Lobbyist: Kevin Bommer

Construction: Contract retainage

HB 10-1162 is in House Appropriations but not yet calendared. The bill changes the rules for retainage — which is the percentage of a construction contract amount that can be withheld from payment pending satisfactory completion of the work. The bill reduces allowable retainage from the current 10 percent to 5 percent during the first half of a project and 2.5 percent thereafter. It also requires the retainage amount to be held in escrow with any interest earned to be paid the subcontractor. Subcontractors would be allowed to substitute letters of credit and other securities for retainage.

Bill: HB 10-1162, Construction contract retainage

Sponsors: Rep. John Soper, D-Thornton; Sen. Bob Bacon, D-Fort Collins

Status: H. Appropriations

Position: Oppose

Lobbyist: Mark Radtke

GET TO KNOW OUR STATE LEGISLATORS



GET TO KNOW Senator Mike Johnston

D-Denver

What motivated you to get involved in public service?

As a high school English teacher and high school principal for eight years, I have spent my life devoted to making sure all kids have access to the American dream. All children — regardless of the ZIP code in which they were born, how much money their parents make, or the color of their skin — should have access to a good education, adequate health care, and the ability to earn and sustain job to support a family. The more students and families that I worked with who could not access those basic services, the more I felt moved to see how I could expand the work I had been doing in the school house by bringing these policies and beliefs to the State House.

What are your top priorities for the 2010 session?

My top priorities are job creation, education, and access to college. In Colorado, we have a unique opportunity to stimulate the economy and create jobs by investing in the green energy sector through critical bills like expanding our renewable energy portfolio and allowing consumers to lower their utility bills by paying for energy efficiency improvements to their homes and businesses on their utility bills. In education we need to focus primarily on how we recruit, retain, and reward the very best teachers and principals because we know the quality of our teachers and principals are the two most important variables in student achievement. For higher education, we must ensure that all students have access to two and four year colleges by helping facilitate the transfer process between a two year and a four year school.

"Local control" means the authority of local elected officials to make decisions — even when state legislators in Denver may disagree. As a legislator, how do you feel about municipalities being allowed to make decisions with which you may personally disagree?

There is a careful balance of power established in our state and federal constitution that allocates certain rights to certain levels of government. There are many issues on which our local governments know best, and we are right to defer to them to make the decisions that affect their constituents. The state certainly has a role in maintaining common statewide guarantees to people on critical issues like quality education, quality health care, quality corrections systems, and access to higher education. In these areas it is important that the state government work side by side with local governments to make sure we are best serving their needs down at the Capitol.

Labor: Peace Officers Bill of Rights

After sitting idle for several weeks, SB 10-84 has been scheduled for a hearing on March 29 and an amendment is being circulated. The amendment is being represented by the Colorado Fraternal Order of Police — the bill's main proponent — to "ensure due process as a minimum standard." However, the FOP fails to mention that the bill still would include a preemption of home rule authority and local control, mandatory dues check-off, and third-party binding arbitration. CML has just recently learned that the proponents will urge the sponsor to offer an amendment that eliminates application of the bill to the state's peace officers so that the mandate applies only to local governments. We trust that this most blatant form of hypocrisy will serve only to weaken the bill in the eyes of the members of the Senate Judiciary Committee supporting the bill. CML will

continue to oppose the bill along with Colorado Counties Inc., the Colorado Association of Chiefs of Police, and the County Sheriffs of Colorado.

Bill: SB 10-084, Police Officer Bill of Rights

Sponsors: Sen. Lois Tochtrop, D-Thornton; Rep. Sara Gagliardi, D-Arveda

Status: S. Judiciary

Position: Oppose

Lobbyist: Kevin Bommer

Medical marijuana: Dispensaries

HB 10-1284 passed the House Judiciary Committee Monday and was sent to the Appropriations Committee. Judiciary passed the "strike below" amendment that was a cooperative effort of the sponsor, CML, and others. That amendment contained several positive changes for municipalities — and we retain wide latitude in our ability to write local ordinances governing the local licensing of

dispensaries. However, the committee removed the "Local Option" piece which allows a council/town board to refer a ballot question asking voters if they want to prohibit dispensaries in their community. This has caused us to pull back our support for the bill. We believe the bill must allow local jurisdictions a method for prohibiting dispensaries if they so choose. We will be working to restore the Local Option through a floor amendment.

Bill: HB 10-1284, Medical marijuana regulations

Sponsors: Rep. Tom Massey, R-Poncha Springs; Sen. Chris Romer, D-Denver

Status: H. Appropriations

Position: Oppose unless amended

Lobbyists: Mark Radtke, Kevin Bommer

Public Safety: 9-1-1

Prepaid wireless 9-1-1 surcharge

After amendments in the Senate Appropriations Committee, SB 120 is ready for action on the Senate floor with no fiscal impact to the Department of Revenue. The NCSL model legislation will require a point-of-sale collection of 9-1-1 surcharges on prepaid wireless devices and minutes, which will be remitted directly to the Department of Revenue for appropriate distribution to 9-1-1 authorities around the state. Sen. Al White, R-Hayden, has done an excellent job of navigating the tricky waters of 9-1-1 issues and crafted a bill that will finally close the last remaining gap in 9-1-1 funding by all devices that can access 9-1-1.

Bill: SB 10-120, Prepaid wireless 9-1-1 surcharges

Sponsors: Sen. Al White, R-Hayden; Rep. Joe Rice, D-Littleton

Status: H. Business Affairs & Labor

Position: Support

Lobbyist: Kevin Bommer

"Lifeline" exemption legislation

Tracfone Wireless' attempt to be exempted from paying the 9-1-1 surcharge on prepaid wireless telephones issued to lower income individuals under the FCC-authorized "Lifeline" program died on the Senate floor on Monday. Based on confusing testimony from the proponent, the committee attempted to strike a balance with amendments that simply made the bill more problematic and likely unworkable. Rather than try to surgically repair an amendment that should not have been added in the first place, CML advocated for removing the committee report defeating the introduced version of the bill. Since Tracfone would have receive a monthly \$10 federal subsidy to provide a service at no charge to the Lifeline customer, with \$3 per month in costs to Tracfone, there was no

rational basis to create an exemption for support of the 9-1-1 authorities around the state. This is especially true considering every other certified Lifeline provider in the state is diligently remitting 9-1-1 surcharges.

Bill: SB 10-135, "Lifeline" exemption from 9-1-1

Sponsors: Sen. Nancy Spence, R-Centennial; Rep. Sal Pace, D-Pueblo

Status: Postponed indefinitely

Position: Oppose

Lobbyist: Kevin Bommer

Railroad rights-of-way

HB 10-1276 clarifies that railroads may sell portions of their right-of-way for use by public passenger rail without an order of abandonment from the federal Surface Transportation Board. The move preserves the right-of-way for transit use rather than have the property revert to adjacent title holders or a municipality. The bill has been approved by the House and awaits committee action in the Senate.

Bill: HB 10-1276, Sale of railroad rights-of-way

Sponsors: Rep. Claire Levy, D-Boulder; Sen. Shawn Mitchell, R-Broomfield

Status: S. Transportation

Position: Support

Lobbyist: Mark Radtke

Seat belts

SB 10-110 started out as the annual attempt to move enforcement of the seat belt law from a secondary offense to a primary offense. 2010 turned out to be no different from the last decade — that provision of the bill was removed. The remaining portion of the bill requires children under the age of eight to be seated in an appropriate child restraint seat. This adds two years to the current requirement. On the Senate floor last week enforcement of this provision was weakened from a primary offense to a secondary offense. Police officers may stop a vehicle upon observation of primary offense, but not a secondary offense. The latter may only be cited if the vehicle has been stopped for another purpose.

Bill: SB 10-110, Primary seat belt law

Sponsors: Sen. Susanne Williams, D-Aurora; Rep. Su Ryden, D-Aurora

Status: H. Transportation

Position: Support

Lobbyist: Mark Radtke

Solar energy: Solar gardens

The House Transportation and Energy has approved and passed to the House floor League supported legislation that would, after Public Utilities Commission

Your CML advocacy team:



Kevin Bommer advocates municipal interests on beer and liquor, severance tax and federal mineral lease, pensions, water and wastewater, workers compensation, health care, public safety communications, homeland security and more.
kbommer@cml.org



Mark Radtke advocates municipal interests on transportation, energy, sustainability, tax and fiscal policy, and other issues of municipal interest concerning state legislation and regulations.
mradtke@cml.org



Geoff Wilson advocates municipal interests on sales and use taxation, telecommunications, elections and environmental matters.
gwilson@cml.org

Important phone numbers

General bill information
303-866-3055

House
303-866-2904 or
800-811-7647 (Jan.-May)

Senate
303-866-2316 or
888-473-8136 (Jan.-May)

Legislative Council
303-866-3521

Department of Local Affairs
303-866-2771

Governor's Office
303-866-2471

General Assembly Web site
www.leg.state.co.us

Statehouse Report

is published regularly by the Colorado Municipal League during the Colorado General Assembly session and mailed first class to municipal officials. Publication is from the League offices at 1144 Sherman St., Denver, CO 80203-2207.

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www.cml.org

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THE POSITIVE IMPACT OF LAND LEASING



Bruce Quintana, Walsenburg mayor, shares:

As a statutory city, it is critical to the City of Walsenburg that the existing statute be amended through SB 10-181. The City owns a lot of land, and the way the statute currently reads allows us to buy or sell the land, but we are unable to lease it. We have been approached by a private wind farm company, but this statute prohibits us from working with them. Being able to lease our land to this company (or others) will allow us to bring several jobs to our community as well as produce renewable energy. We recently lost a private prison, and 150 jobs are now gone. This legislation would be key to helping us put people back to work.

James P. England, Walsenburg mayor pro-tem, shares:

The change in this bill would allow small communities, such as Walsenburg, the ability to utilize their assets to their maximum advantage. In these times of economic shortfalls, we missed a golden opportunity to take advantage of a possible land use to "green" energy with a parcel of property that Walsenburg owns to a wind farm company. While this is still a possibility in the future, we need this change to perform our duty of "due diligence" in using our assets to their fullest ability for our constituents. The CCA prison closing was just another blow to our area with the loss of jobs and revenue. The addition of two words ("lease or") to the statute would allow Walsenburg to strive forward with continued growth in hard economics times through the use and utilization of more "green" energy opportunities. We hope that this Senate bill will pass, and we thank the Senate for its consideration, and we look forward to greater things for this community and our great state.

implementation, permit rebates and other incentives currently available for "on-site" solar installations to also be available to owners who consolidate their solar arrays with at least nine other array owners in a "solar garden". The bill contains various restrictions, including that a garden may not generate in excess of 2MW. The bill permits those with shaded lots or other conditions that make on-site installations impractical to qualify for installation incentives. Discussion on the bill emphasized that any such installations would be subject to local land use regulation. The bill is now awaiting consideration on the House floor.

Bill: HB 10-1342, Community solar gardens

Sponsors: Rep. Claire Levy, D-Denver, Sen. Suzanne Williams, D-Aurora
Status: H. 2nd reading

Position: Support

Lobbyist: Geoff Wilson

Transit-oriented development

The permitted uses for development on RTD transfer facilities property is expanded to allow residential housing. Currently retail and commercial development is allowed on RTD property. The goal of the legislation is to spur transit oriented development projects at light rail stations as FasTracks is built out. Any development would be subject to local zoning. The bill received approval in Senate Local Government and has moved to the Senate floor for action.

Bill: HB 10-1143, Uses at RTD transfer facilities

Sponsors: Rep. Frank McNulty, R-Highlands Ranch; Sen. Mike Johnston, D-Denver

Status: S. 2nd reading

Position: Support

Lobbyists: Mark Radtke, Geoff Wilson

Urban renewal: Greenfields

The House accepted Senate amendments to HB 10-1107 and sent the bill to the governor for signature Friday. The bill prohibits the inclusion of agricultural land in urban renewal areas. The Senate modified the bill to allow inclusion of ag land that would host manufacturing plants within a narrow framework. In its final form, the bill prohibits the inclusion of agriculturally assessed land in a URA with six exceptions:

- brownfield site;
- is at least two-thirds contiguous to urban level development and one half of the area is urban level development;
- an enclave surrounded by urban level development;
- agreement to inclusion by all affected taxing entities;
- land included in URA as of effective date of bill; and
- a manufacturing facility that produces products for both in-state and out-state distribution (this exemption is repealed in 10 years).

If ag land is added to a URA it will come in at market value — rather than at ag value —

which will decrease the amount of property tax available for the TIF. The Senate put an effective date of June 1 into the bill.

Bill: HB 10-1107, Urban renewal area ag lands

Sponsors: Rep. Randy Fischer, D-Fort Collins; Sen. Morgan Carroll, D-Aurora

Status: Before governor

Position: Support

Lobbyists: Mark Radtke, Geoff Wilson

Water: Land leasing

At the urging of the City of Walsenburg, Sen. Ken Kester, R-Las Animas, has introduced legislation making a small but critical amendment to the municipal statutes concerning municipal acquisition of water rights by acquiring the land to which such rights attach. Currently, the law permits municipalities to sell such land, but not to lease it. This omission is not an impediment to home rule municipalities, whose leasing authority is constitutionally based, but it can cause problems for statutory jurisdictions like Walsenburg. In Walsenburg's case the City doesn't want to sell its property, it just wants to lease space on a ridge for some wind turbines. SB-181 would permit Walsenburg, and other municipalities that may want to lease rather than sell their property, that option. Sen. Kester went out of his way, by getting "late bill permission" for introduction of SB-181 after the usual deadlines, in order to help Walsenburg. That's completely in character for Sen. Kester, a long-time friend of the League and former county commissioner with a lot of statutory municipalities in his large southeastern Colorado district. SB-181 has been assigned to the Local Government and Energy Committees, where it will be heard March 30.

Bill: SB 10-181, Municipal authority to lease land

Sponsors: Sen. Ken Kester, R-Las Animas; Rep. Wes McKinley, D-Walsh

Status: S. Local Government & Energy

Position: Support

Lobbyist: Geoff Wilson

Water: Retroactive Davis-Bacon wage provisions

CML supported a bipartisan joint resolution that urged Congress to revisit a fundamental unfairness done to municipalities and special districts in Colorado and around the nation as a result of a component of the 2010 Appropriations bill signed by President Barack Obama on Oct. 30. The bill tied Davis-Bacon prevailing wage strings to any water and wastewater project not already under contract, and purports to tie Davis-Bacon requirements to loans made by the Colorado Water Resources and Power Development Authority out of monies repaid from previous loans. CML believes these provisions are fundamentally unfair and work against the

stated goals of the Administration and the State of Colorado maximize infrastructure investment and kick-start the economy. The League urged members to support the resolution to ask Congress and the EPA to reexamine the matter, and not to mischaracterize the resolution as a referendum on Davis-Bacon. Still, the majority was very uncomfortable with the issue despite several key Democrats, including Senate Majority Leader John Morse, D-Colorado Springs, having signed on to the resolution. It was defeated in committee on Monday.

Bill: SJR 10-018, Revolving loan funds prevailing wage requirements
Sponsors: Sen. Ted Harvey, R-Highlands Ranch; Rep. Scott Tipton, R-Cortez
Status: Postponed indefinitely
Position: Support
Lobbyist: Kevin Bommer

Water: Usage and conservation reporting

As introduced, HB 10-1051 creates new mandatory elements into the statute requiring covered water providers to submit water conservation plans to the Colorado Water Conservation Board for approval. The legislation would require providers to annually report quantities of water usage, permits, taps, water conserved, and many other elements. The legislation is silent on how the information will be used by the state, and how local governments and citizens might benefit from the effort that would go into submitting data to the state. Proponents have been working with utilities and the Colorado Water Congress to try to come to a compromise. That compromise appears to be taking shape in the form of an advisory committee to the CWCB to develop what the standards would be and how they would be used. CML is maintaining opposition until all parties are satisfied with any compromise.

Bill: HB 10-1051 Water conservation plans annual data reporting
Sponsors: Rep. Jack Pommer, D-Boulder; Sen. Bruce Whitehead, D-Hesperus
Status: H. Agriculture Livestock, & Natural Resources
Position: Oppose
Lobbyist: Kevin Bommer

Water: Water-Smart homes

This recently-introduced legislation was discussed, in concept, with League staff over the interim, but the introduced version of the bill contains other provisions. Much like the "solar pre-wire" legislation from last year, CML would clearly be neutral on this bill if it simply required homebuilders to provide an option for buyers to include EPA WaterSense appliances and fixtures. (The WaterSense the designation is similar to EPA's EnergySmart designation of certain efficient appliances). The League is currently discussing the other provisions of the

bill related to outdoor landscape irrigation pressure reduction devices to ensure there are no conflicts with state and local codes or local ordinances.

Bill: HB 10-1358, WaterSense options for new homes
Sponsors: Rep. Randy Fischer, D-Ft. Collins; Sen. Michael Johnston, D-Denver
Status: H. Agriculture, Livestock & Natural Resources
Position: No position
Lobbyist: Kevin Bommer

Workers compensation: Limitation on surveillance

While changed dramatically from its introduced form, which would have been very punitive for insurers and self-insured employers, this legislation would still have dramatic effects on the ability of insurers and employers to utilize surveillance as a means to prevent and deter fraud and abuse. The standard established in order for an insurer or employer to conduct surveillance and ensure its admissibility in a workers' compensation hearing is vague and confusing. Rather than focus on a few bad apples that may have, as individuals, conducted inappropriate surveillance activities, this bill punishes all employers and their insurers and will increase workers compensation costs.

Bill: HB 10-1012, Limit use of surveillance for workers compensation
Sponsors: Rep. Sal Pace, D-Pueblo; Sen. Morgan Carroll, D-Aurora
Status: S. Judiciary
Position: Oppose
Lobbyist: Kevin Bommer

CML LEGISLATIVE BOX SCORE

2010 Regular Session

March 18, 2010

Check for the latest box score at www.cml.org

Subject

* means with amendments

SUPPORT

SB 22	<i>Pensions – FPPA Defined Benefit Member Contribution.</i> Allows FPPA members to elect to increase member contributions to the statewide defined benefit plan upon approval by employers per FPPA rules. (Kevin Bommer)	Signed by Governor*
SB 25	<i>Water – Water conservation plan requirement.</i> Extends the grant funding for development and implementation of mandatory water conservation plans. (Kevin Bommer)	H. 2 nd Reading
SB 100	<i>Energy - Cross-Boundary Energy Improvement Districts.</i> Allows renewable energy improvements to cross county boundaries and allows such a district formed by a county to be created in 2 or more counties. (Mark Radtke)	H. Transportation & Energy*
SB 109	<i>Medical Marijuana – Physician/Patient Relationship.</i> Requires a physical exam to take place before a physician can recommend the use of medical marijuana. Requires follow-up visits and that the recommendation become part of the patient's medical record. Prohibits the physician from accepting payment from a caregiver for recommending medical marijuana for a patient. (Mark Radtke)	Awaiting Senate Concurrence *
SB 110	<i>Transportation – Seatbelts/Child Restraints.</i> Allows law enforcement officers to stop and cite drivers for carrying a child not riding in the proper child seat. (Mark Radtke)	Passed Senate*
SB 120	<i>9-1-1 – Inclusion of Prepaid Wireless in the Requirement to Remit 9-1-1 Surcharge.</i> Establishes a 9-1-1 surcharge to be collected at the point of sale of wireless devices and purchased minutes. Requires the Department of Revenue to collect the surcharge and distribute to local 9-1-1 Authority Boards based on call volume. (Kevin Bommer)	Passed Senate*
SB 142	<i>Taxes - Local Sales Tax Appeal Time Limit.</i> Resolves certain disputes related to sales and use tax paid to a local government. (Geoff Wilson)	Before Governor*
SB 162	<i>Economic Development – Enterprise Zone Act Modifications.</i> Clarifies that census data will be used to determine eligibility for creation of an enterprise zone and increases the population limitation. Replaces the current process for employer qualification to a pre-certification. (Mark Radtke)	S. Appropriations*
SB 181	<i>Water – Land leasing.</i> Allows statutory entities to lease land, which it has purchased in order to acquire the water rights. The law currently only permits municipalities to sell such land. (Geoff Wilson)	S. Local Government and Energy
SCR 001	<i>Fiscal Policy - Fiscal Policy Constitutional Commission.</i> Referred Constitutional amendment for the November ballot. Creates a temporary constitutional commission limited to considering constitutional changes regarding fiscal policy and empowered to bring forward one or more constitutional amendments directly to the 2012 ballot. Needs 2/3 vote in both chambers for passage. (Mark Radtke)	S. State, Veterans, and Military Affairs
SJR 18	<i>Water – Opposing Davis-Bacon wage requirement.</i> Resolution to oppose EPA's interpretation of the 2010 Appropriations Act leading to retroactive application of federal prevailing wages on water/wastewater projects. Also urges federal officials to act to prevent jeopardizing existing approved projects, and urges Congress to take corrective legislative action. (Kevin Bommer)	S. Business, Labor & Technology
HB 1017	<i>Affordable Housing – Voluntary rental agreements and deed restriction.</i> Clarifies that nothing prohibits or restricts voluntarily entering into and enforcing an agreement that controls rent on a private residential housing unit or includes a deed restriction on the property. (Kevin Bommer)	S. Health & Human Services*

HB 1019	<i>Transportation – Reserved Disabled Parking Enforcement.</i> Allows law enforcement to confiscate handicapped parking tags that are misused or are fraudulent, provides for towing of illegally parked vehicles, and protects a person displaying a handicapped tag from citation in a parking lot that does not provide an accessible payment system. (Mark Radtke)	H. Appropriations*
HB 1063	<i>Legal notices – Newspaper for Official Notices.</i> Permits the publication of legal notices in “free” newspapers if no “paid-circulation” newspaper is available locally. (Geoff Wilson)	Before Governor
HB 1107	<i>Urban Renewal – Greenfields Urban Renewal.</i> Prohibits the inclusion of agricultural lands within Urban Renewal Authorities with specific exceptions. Replaces the current agricultural assessed value of land for tax increment purposes to market value that would increase the TIF base figure. (Mark Radtke)	Awaiting House Concurrence*
HB 1143	<i>Land Use/Transportation – Uses at RTD Transfer Facilities.</i> Allows residential development to be included in RTD transfer facilities, subject to local zoning provisions. (Mark Radtke)	S. 2 nd Reading*
HB 1165	<i>Land Use – State Land Board Conveyances to Local Government.</i> Allows the state board of land commissioners to convey land to units of local government if the conveyance would add value to adjoining or nearby state trust property, benefit board operations, or comply with local land use regulations. (Geoff Wilson)	S. Local Govt. & Energy*
HB 1276	<i>Transportation – Sale of Railroad Right-of-way for Public Purpose.</i> Clarifies that railroads may sell portions of their right-of-way for use by public passenger rail without an order of abandonment from the federal Surface Transportation Board. (Mark Radtke)	Passed House*
HB 1328	<i>Economic Development - Statewide Improvement District for Energy Efficiency.</i> Operates similar to a general improvement district with voluntary owner participation. Property owners allowed to borrow funds to construct energy efficiency or alternative energy projects on their home or business from the District, repaid through an assessment on their annual property tax bill. (Mark Radtke)	H. 2nd Reading*
HB 1342	<i>Energy – Community Solar Gardens.</i> Directs the PUC to adopt new rules under which standard offers can apply to solar generation facilities that are beneficially owned by 10 or more customers at a shared location, called a “community solar garden.” (Mark Radtke)	H. 2 nd Reading*

OPPOSE

SB 84	<i>Labor – Peace Officers Bill of Rights.</i> Requires all state and local governments that employ peace officers to provide several guarantees as part of their employment. (Kevin Bommer)	S. Judiciary
SB 86	<i>Taxes – Business Personal Property Tax.</i> Eliminates fully depreciated business personal property from the business personal property tax. Establishes a four-year phase out schedule. (Mark Radtke)	Postponed indefinitely
SB 135	<i>9-1-1 – Low Income 9-1-1 Exemption.</i> Exempts customers receiving free wireless telephone service under the federally subsidized “Lifeline” program from paying a 911 charge. (Kevin Bommer)	S. 2 nd Reading*
SB 137	<i>Transportation – No Street Use Vehicle Registration.</i> Allows a vehicle owner to “idle” a vehicle through a special registration and halves specific ownership tax for idled vehicles. Vehicle registration fees would be pro rated if vehicle is returned to street use. (Mark Radtke)	Postponed indefinitely
HB 1012	<i>Workers Compensation - Limitation on the Use of Surveillance.</i> Prohibits an insurer or employer from conducting surveillance of an employee the insurer or employer has a reasonable basis to suspect that the employee has committed fraud or made a material misstatement concerning the claim. (Kevin Bommer)	S. Judiciary*

HB 1051	<i>Water - Water Efficiency Plans Annual Reporting.</i> Requires annual reporting of water usage and conservation data as part of the state mandate for local water conservation plans. (Kevin Bommer)	H. Agriculture, Livestock, & Natural Resources
HB 1088	<i>Transportation – State Highway Abandonment.</i> Requires the Transportation Commission to identify state highways that meet certain criteria and then transfer those state highways from state to local ownership. (Mark Radtke)	Postponed indefinitely
HB 1124	<i>Animal Welfare - Animal Protection Enforcement.</i> Adds new employment requirements for county animal control officers. Requires repayment of care and feeding bond unless a person is found guilty of a cruelty charge or a dog's "dangerous dog" status is upheld. (Kevin Bommer)	Postponed indefinitely
HB 1162	<i>Contracts – Reduce Construction Contract Retainage.</i> Reduces by half the amount of retainage that municipalities would be able to include in construction contracts. (Mark Radtke)	H. Appropriations*

FORMERLY OPPOSED

SB 98	<i>Parks and Open Space – Allocation of Conservation Trust Fund Monies for Conservation and Weed Management.</i> Transfers approximately one quarter of CTF monies to the Department of Agriculture for conservation district grants and noxious weed management grants. (Kevin Bommer)	H. 2 nd Reading*
HB 1150	<i>Beer & Liquor – Caterers Alcohol Beverage License.</i> Allows the state and local licensing authorities to issue caterers license to allow caterers to sell alcohol at events they cater, and requires application for a special events permit if a permit would otherwise be required. (Kevin Bommer)	Postponed indefinitely
HB 1170	<i>Beer & Liquor – Alcohol Sales in Luxury Boxes and Sports Venues.</i> Changes the liquor code to clarify that open-containers for onsite consumption are allowed in suites and boxes at sports venues. As introduced, local government facilities would be adversely affected. (Kevin Bommer)	Passed Senate*

Englewood Housing Authority sells apartment building, upgrades others



YourHub.com
3-25-10

Workers with Johnson Controls inspect the boiler room in the basement of Orchard Place, an apartment building owned by the Englewood Housing Authority. Johnson will be updating environmental systems in the 100-unit building. *Daniel Smith, YourHub.com*

By Daniel Smith
YourHub.com

The Englewood Housing Authority has sold one apartment complex, is looking for another and is greening up two other properties.

The Normandy apartments, 3550 S. Pennsylvania St., a non-subsidized complex was sold in late February to architect Ron Wells for around \$2 million. After paying off the mortgage, Housing Authority executive director Dawn Shepherd said the authority netted approximately \$800,000 from the sale. The Normandy was acquired in 2000.

Shepherd said the move will allow the authority to look for a property that more closely suits its mission of providing affordable housing for lower-income residents.

Wells said he was working with real estate agents to find a com-

mercial residential property when he came across the Normandy.

Wells plans to keep the tenant base, to continue improvements started by the authority over the past several years and then seek a modest rent increase after they're completed.

Shepherd said Wells was a unique owner who offered a vision for the continued enhancement of the property.

"He had the right spirit — he was made of the right stuff," she added.

Shepherd said the move made fiscal sense for the authority.

"We wanted to focus on something that was closer to our mission," she said. "We had made improvements there, but we weren't able ... to keep it affordable — we didn't have the mechanism to do that. We'd really like to get into something that's tax-credit financed, where we can offer consis-

tently lower rents."

The sale will provide the seed money for a future acquisition to enhance community lower income housing, she said.

Orchard Place, 3425 S. Sherman St., and Simon Center, 3333 S. Lincoln St., two low-income buildings run by the authority, are being outfitted for rooftop solar panels with federal stimulus money.

Utilities are a major expense for housing authorities, Shepherd said. Tax credits will allow avoiding up-front costs for the installation, and the authority will have an option to buy the panels after a number of years.

An energy audit is being completed on the buildings by Johnson Controls of Littleton. The long-term project will enhance energy savings in things like windows, hearing systems, lighting and others. Most improvements will pay for themselves, Shepherd said.



Memorandum

City Manager's Office

TO: Mayor Woodward and Members of City Council
FROM: Gary Sears, City Manager 
DATE: March 25, 2010
SUBJECT: Employee Memo on City Finances

Attached is a message that I am distributing to all City employees this afternoon on the City's current financial picture. I believe it is important to communicate openly with our employees regarding our financial condition and the potential related impacts, and I wanted to make sure you were aware of this communication.

If you have any questions, please feel free to call me.



MEMORANDUM

TO: All City Employees
FROM: Gary Sears, City Manager
DATE: March 25, 2010
SUBJECT: 2010 City Finances

A handwritten signature in black ink, appearing to read 'G. Sears', is written over the 'FROM:' line of the memorandum.

Dear City Employee,

With the Finance Department submission of the City's financial report for February 2010 to City Council, I believe that it is important to communicate with you about the City's financial condition and the potential impacts. These will be a primary focus for the organization for the remainder of this year and into 2011.

Revenues - 2009 and Year to Date 2010

Although the City's 2009 financial audit is in preliminary form, I am pleased to note that we were able to maintain our *General Fund reserves going into 2010 at 12.15%* of the City's revenues. Unfortunately, our *General Fund reserves declined by nearly 4% in 2008 (from 16.22% to 12.15%)*. Further, *the Sales and Use Taxes (the City's primary funding source) ended 2009 at \$20,226,659, which was 10.6% less than in 2008*.

At this point in 2010, the *General Fund revenues have continued to decline. The revenues are currently at the rate of 8.6% less than they were for the first two months in 2009*.

Expenditures - 2009

From an expenditure viewpoint, the total General Fund expenditures for 2009 were \$38,997,977, which was \$17,222 less than in 2008.

It was extremely important that we reduced our expenditures in 2009 and I would like to express my appreciation to all City employees for your sacrifices and your willingness to work with management to reduce expenditures throughout the organization in 2009. Providing high quality services for our citizens and businesses while reducing the City's expenditures was not an easy task, and I would like to congratulate you on a job well done. I know the Mayor, City Council, and our citizens appreciate your attitude of responsiveness, customer service, and professionalism. You have maintained these attributes despite the extra challenge of managing City services with fewer resources. I know that we have been able to continue to operate in a very positive fashion, despite the national and regional economic downturn, as a result of your sacrifice and commitment to the goal of providing quality public service to our community.

I am also pleased that despite the economic meltdown, the City has not had to lay any employees off or invoke furloughs to meet our financial commitments and reserve requirements.

Revenues and Expenditures for 2011

Unfortunately, it does not appear at this time that the economic downturn has ended for Englewood or for much of the country. Rather, it appears that for the remainder of 2010 we will have to continue to control expenditures in order to maintain a sound financial position. However, while in my opinion it is too early to take more dramatic actions to reduce our expenditures, I am asking all employees to continue to be diligent in your efforts to reduce operating expenses for the foreseeable future. As we begin preparing for the 2011 Budget later this year, we will closely evaluate the financial conditions and our revenue projections as we work with City Council to set our direction for the future.

I encourage you to read the current and future monthly financial reports which are posted on the City's website. They contain vital information about the City's revenues and expenditures and will give you sense of where the community is financially.

Finally, I would like to thank you for your service to the City and thank you for helping us continue to operate despite one of the largest financial downturns in our nation's history.



MEMORANDUM

TO: Mayor Woodward and Members of City Council
FROM: Gary Sears, City Manager 
DATE: March 24, 2010
SUBJECT: National League of Cities Conference, 3/12/10 – 3/17/10

Dear Mayor and Members of the City Council,

The following is a brief review of my activities at the National League of Cities Congress last week (March 12-17) in Washington D.C.

On Saturday, March 13, I had an opportunity to listen to Ms. Margaret Seidler discuss the concept of polarity in dealing with conflicting viewpoints of council members, staff and citizen activists. The session, entitled "*Managing Competing Interests in Challenging Economic Times*," focused on different styles in dealing with individuals that may have a variety of perspectives about a local government's policies or projects. Pairing the following styles is helpful in working with a variety of stakeholders in a public organization. These styles include: "*Stability and Change, Control Growth and Promote Growth, Retain Tax Base and Expand Tax Base, Municipalities and the State (or County), Individual Interest and Community Interest, Develop Land and Conserve the Environment, Service Cost and Service Quality, Corporate Recruitment and Support Existing Employees and Services, Freedom and Regulation*." Gaining a better understanding in working with these conflicting values will be beneficial to my work in Englewood as City Manager. I am also sharing this information with the Department Directors.

On Sunday, March 14, I attended a session, entitled "*Thinking, Planning and Acting Strategically: A Case Simulation for Local Government Leaders*" which provided interesting ways of working with a variety of interest groups in developing a cohesive approach to building a community. I have attached a copy of the stakeholder groups which I found to be very interesting and worthwhile in better understanding of the types of interest groups in Englewood that may have or need a say in a strategically planning the direction of the community. The case (attached), also gave the participants some very real and helpful tips in the strategic planning process. I also attached a strategic planning map from St. Charles, Illinois, and an attachment on "Uniqueness," in developing the community "Business Model."

On Monday, March 15, the keynote speaker, JoAnn Woodruff, of NPR, had many interesting things to say about the partisanship and gridlock in Washington. She said that she had not seen such a level of tension affecting the development of public policy, as is the current case, in more than 30 years of living in Washington D.C. CML also hosted a reception with our Representatives and Senators. I had an opportunity to meet with representatives of our pension (ICMA-RC) representatives concerning pension related issues, with one of the City's primary pension carriers. I met with staff members of the National Association of Schools of Public Administration regarding three graduate programs I am reviewing. Mayor Woodward, Council Member Bob McCaslin and I also met with Diana DeGette and her office representatives about our three proposals for federal funding, health insurance legislation, the post office, community stabilization programs and other issues affecting Englewood.

On Tuesday, March 16, we met with USPS Historic Preservation Representative Dallon Wordekemper. This was an excellent meeting and I felt he was knowledgeable about our postal service situation as well as the importance of the postal building in Englewood. It appears that they will continue to work with us as we initiate the National Registry and find ways to preserve the mural and maintain a postal service in Englewood.

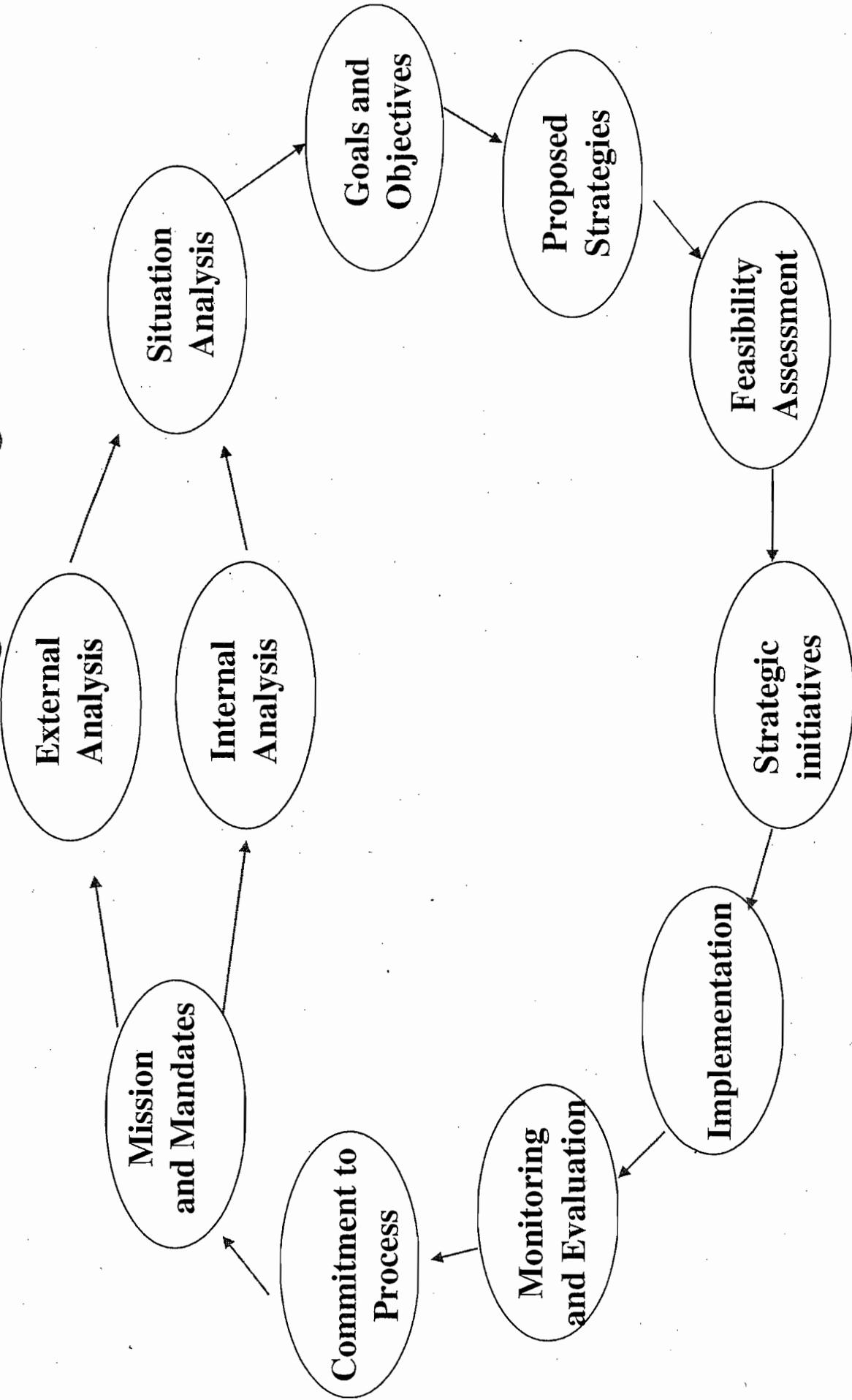
On Wednesday, Mayor Woodward, Council Member Bob McCaslin and I met with Senator Michael Bennet and Senator Mark Udall and their staff. We were able to get a better understanding of their issues such as health care, neighborhood stabilization, collective bargaining, education policy, transportation and other policy issues. Also, we met with Director Linda McClelland from the National Park Service. She did an excellent job of providing us information about how to complete the forms for the National Registry. It appears that our team can prepare these forms in an expeditious fashion to meet the demands of the Federal process. The information has been provided to Diane Tomasso Wray to complete the application process. She also has been in touch with Director McClelland and USPS Representative Wordekemper. I have attached a sample of the forms that we will need to complete for the National Registry. After those meetings, I returned home.

I hope that this brief description of my activities in Washington D.C. meets the City Council's criteria. If there is additional information that can provide, please contact me.

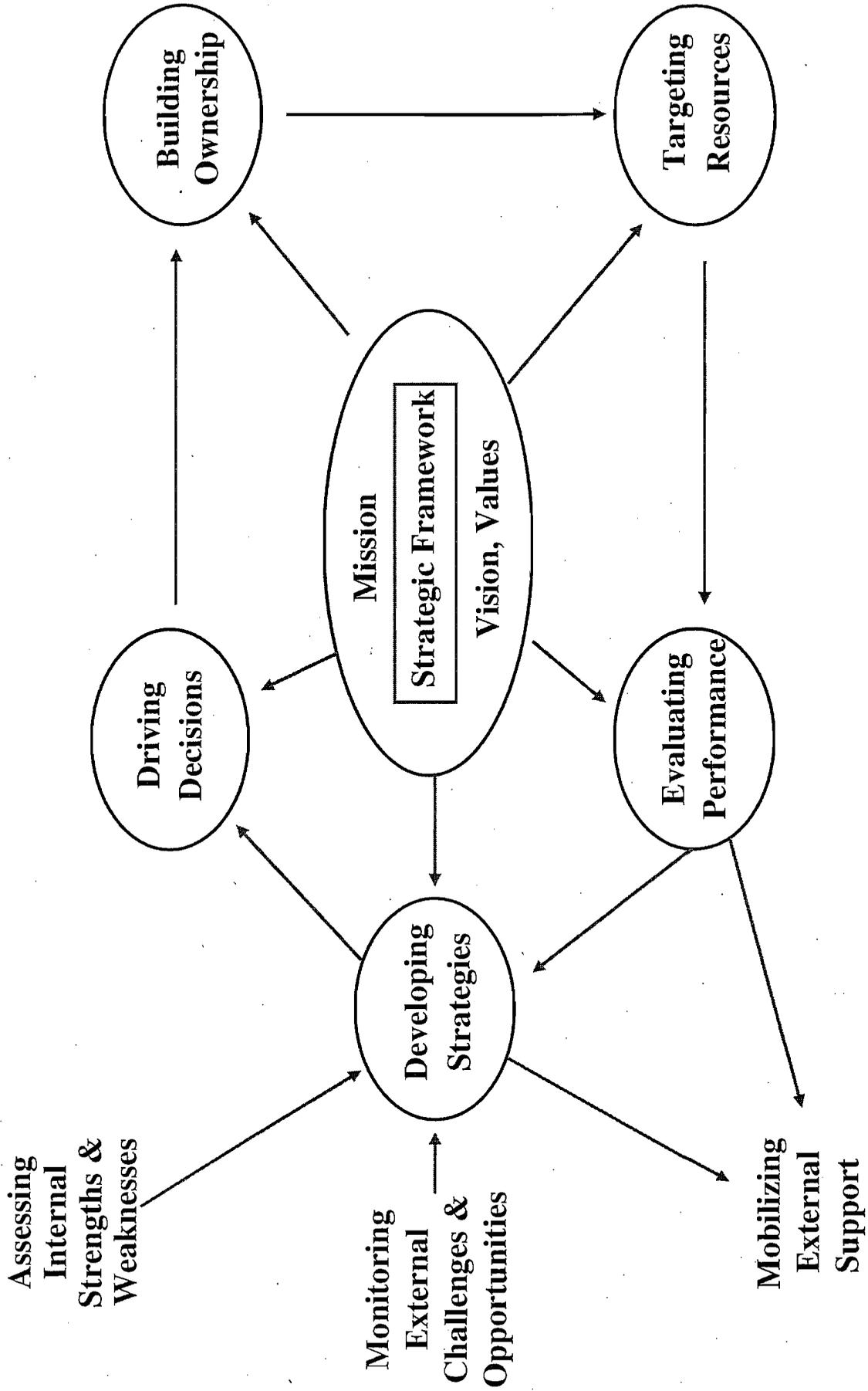
Stakeholder Groups

1. City officials
2. Residents
3. Businesses and retailers
4. Developers
5. Community groups
6. County elected officials
7. State elected officials
8. Neighboring local governments
9. City Council Members

A Conventional Strategic Planning Process



Strategic Management in the Public Sector



St. Charles, IL

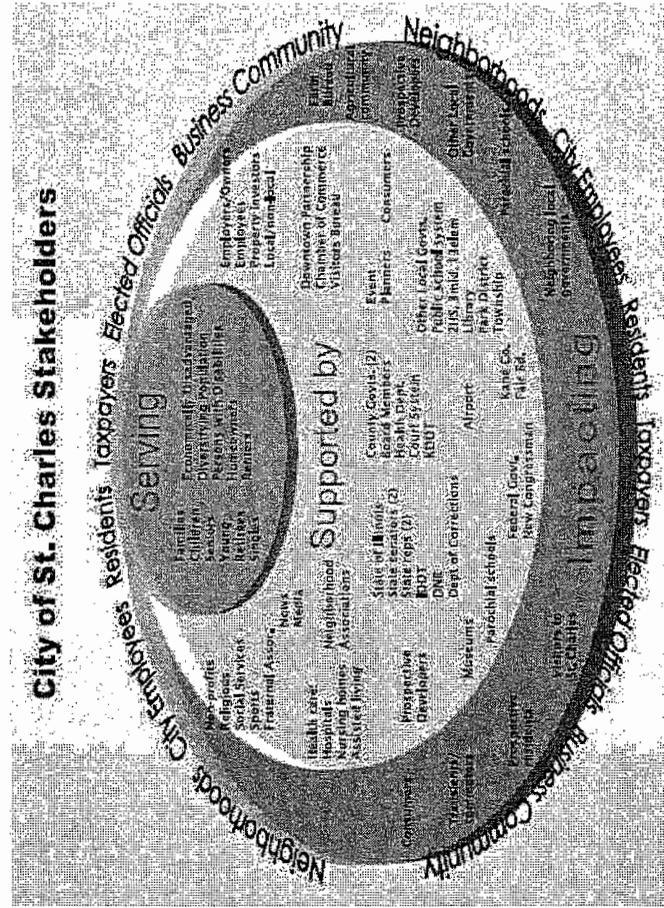
MISSION

St. Charles, Illinois. Preserving our heritage, fostering opportunity, building community, and enhancing quality of life for all.

GUIDING PRINCIPLES

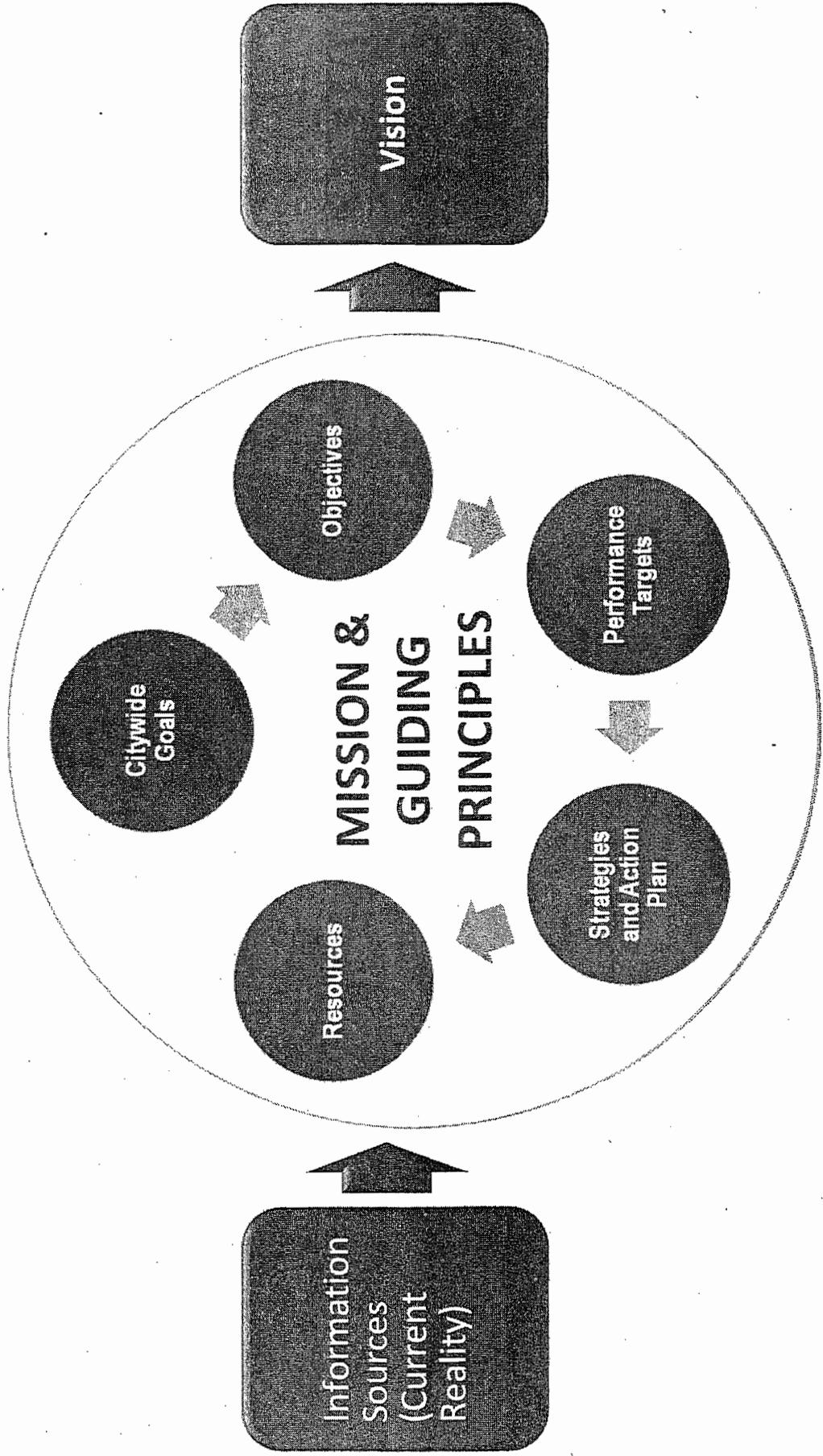
- Respect
- Engagement
- Sense of Community
- Accountability
- Excellence

From the 2014 Strategic Plan



Strategic Framework

St. Charles, IL



Building Community Capacity: Governing in the 21st Century
Strategic Planning Case Study Exercise: The City of Zevanar

by
David M. Van Slyke, Ph.D.

INSTRUCTIONS:

Please take the time to read this abbreviated case study. The case provides a number of facts, issues, opportunities, and challenges. We will break up into different stakeholder groups with each being assigned a different role to play. The city is fictional, but the issues and facts are consistent with those facing small cities and townships.

Facts of the case:

Prior to 2005

Zevanar is a small city in upstate New York with a population of approximately 10,000. It is a city that has seen a 17% decline in its population over the last 30 years and a 36% decline over the last 50 years. The population base of the city is graying with 35% of the residents over the age of 65, 40% between the age of 45-64, 15% in the 30-44 age group, and the remaining 10% of the residents are under the age of 18.

The community has been relatively homogeneous from a socioeconomic perspective with the exception of transient migrant agricultural labor during the months of April to October. There has been a migration among long-time residents out of the area, especially among local high school and college graduates and professionals. Historically, there has been very little crime and poverty.

The city and where it is located enjoys a semi-rural character with a city center. The city center enjoys a small historical section of buildings, a public park, school, a few governmental offices, a few retail boutiques, a few specialty stores, an Agway, a small grocery store, a few nonprofit organizations, and a small senior's center. In addition, there are several houses of worship in close proximity to the City Center. The buildings have some architectural diversity and are an important dimension of the "way of life" in Zevanar. The city does not have a business improvement district and while the park in the center of the city is considered to be one of the community's main assets, the curb and sidewalk appeal and landscaping of the center city could objectively be classified as lacking aesthetic interest. The city zoning and planning board have been stalwart in rejecting development plans for "strip malls" outside of the city center. Approximately 9% of the housing units are vacant.

There are residential subdivisions in close proximity to the city center and a small school district with a good reputation, but one lacking substantial resources or significant opportunities for extracurricular athletic and academic activities. Houses within four square miles of the city center are on public water and sewer. Beyond this area, the residents rely on well water and septic systems. Housing in the area is still considered to be very affordable. There have not been dramatic declines in property values, but the increases have been small and in the single digits.

There is considerable open space including agricultural farms, parks, undeveloped land, and a small industrial and commercial development area on the eastern edge of the city, close to a main county highway. The eastern portion of the city has not been adequately developed nor has there been much new commercial and industrial activity. The city contracts with the county for snowplowing and road maintenance needs for those transportation routes outside the city center.

Zevanar is within close proximity to a major state freeway, is on a rail line, lies adjacent to a major river within the state that is still actively used for commerce and recreation, and is within 45 minutes of a city of 100,000 and two hours from a major metropolitan center.

Zevenaar is governed via the mayor-council system. The mayor is elected in a citywide vote. The city council consists of six members. Two are elected at-large. The other four are elected from one of four wards.

2006

Recent changes in the city of 100,000 and high costs in the metropolitan city have increased the perception that Zevenaar is an attractive and affordable place to raise a family and within reasonable commuting distance. In the city of Arnhem, population 100,000, there are two universities and very aggressive economic development is occurring in the area of environmental technology and innovation. In addition, the universities have developed a consortium to develop the next generation of technology. The focus on environmental technology has led to, among others, the development of anaerobic digestion which produces renewable energy from waste materials. This economic development has taken place because of a broad range of funding from a variety of private and public sources. With this type of development has come opposition and support.

With some of the economic development has come significant residential development on a scale that the adjoining suburbs have been unable to accommodate. In addition, this development has contributed to rising home values and pressure for further development of open space. Local officials and realtors have suggested to 'folks in the know' in Zevenaar to be ready, "45 minutes is not a far commute for a higher quality of life." At the other end of the continuum, the major metropolitan city of Foster has seen skyrocketing home prices, high taxes, growth beyond what the infrastructure can reasonably accommodate, and what many Foster residents see as a lower quality of life. However, Foster is an economic and employment engine and is also accessible by rail. Zevenaar residents have observed that their 'small' city is busier on the weekends than in the past; that there are many new faces that are not from around "these parts"; and the few retailers in town have been clamoring to the city council and mayor for further landscape and architectural improvements in the city center. When the retailers are asked why, with broad smiles they respond that consumers and development are "a coming."

2008

Realtors were smiling because of a significant increase in the number of non-city residents looking for housing. In fact, it had been a seller's market with demand exceeding supply. Realtors were approaching long time residents with substantial parcels of property and asking them if they're interested in selling one and two acre lots. The town zoning board and planning board had seen a real surge in applications. Applications from existing landowners, such as farmers, looking to begin subdividing their property for residential development, and large tract builders looking to develop large open space property parcels were being submitted at the city office. Long-time residents were wondering what's happening to their small town. A variety of groups within the community are experiencing very different reactions to this new development. What is the city leadership going to do?

Now, there has been a major fiscal crisis and the effects have reverberated from Foster to Arnhem to Zevenaar. Revenue is down across the board, in the state, and across municipalities. Expenditures in the areas of General Government, Education, Public Safety, Health, Transportation, Social Services, Economic Development, Culture and Recreation, Community Services, Utilities, Sanitation, and Employee Benefits remain. Revenue from property and sales taxes has declined, state aid has been reduced, and unfunded mandates are on the rise. There have been some federal monies that have come through as a result of the American Recovery and Reinvestment Act (ARRA), but elected officials and citizens are split on how to use the money and there is some consensus around not becoming dependent on monies that are essentially short-term and potentially increase uncertainty in terms of future funding. Finally, some in neighboring communities have been talking about using a time of fiscal crises to push for consolidation and mergers of everything from fire departments to villages and towns.

The City of Zevenaar had begun to consider the need for a strategic plan, but the recent events have put that on hold. Some suggest the time is not ripe, while others say this is exactly the time when the City needs to think, plan, and act strategically.

Your Job in this case study:

Find your group members and begin discussing this case from your group/stakeholder perspective. I've deliberately left 2009 and forward incomplete. What is your group's perspective, interest, preference, motivation?

Work through this as a group. What is it that you'll advocate for? As a group we'll take some time and actually work through this case and put down some of the perspectives, ideas and action steps. Be prepared to express your perspective and what goal(s) you think the City of Zevenar should pursue in terms of identifying its vision, goals, and strategies. As stakeholders, you may be in agreement or want different objectives realized. You do not necessarily need to agree. Play your role the way you see fit, within reason.

To be really effective, it would be helpful to the Mayor and her/his staff if you were to 1) offer your perspective; 2) define (quickly) what goal you think should be pursued that is aligned with your interests, preferences, and motivations; 3) what would be one or two strategies for addressing that goal; and 4) how would you know, from a results/measurement perspective, how well the City is doing in achieving that goal. Consider that some of the goals among different stakeholder groups may be very interdependent. Some stakeholders may seek to build consensus and therefore possibly increase the scale of their influence.

In addition to different stakeholder groups, there will be a Mayor, her/his team of advisers, and the Council. The Mayor has hired an experienced strategic planner to help facilitate one of the most difficult parts of any planning process; that of stakeholder engagement. For there to be effective planning, it is important for the Mayor, staff, Council members, and residents to give voice to and hear about each other's perspective on the future of the City.

In this simulation, participants will participate in and experience: a) how changes in a local government's internal and external environment can and should influence the local government's identification of goals to be pursued; b) the importance of setting and communicating a municipalities or organization's vision and goals; c) the need to engage in stakeholder outreach and environmental scanning; d) the importance of identifying a few relevant goals and strategies to be implemented; e) the need to measure results to assess goal attainment; and f) the role that an integrated strategic management system plays in communicating with stakeholders and the public.

Businesses and retailers

Example – expand and grow the tax base, decrease their share of the tax base. Grow their businesses as a result of growth and consumer demand.

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in National Register Bulletin, *How to Complete the National Register of Historic Places Registration Form*. If any item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional certification comments, entries, and narrative items on continuation sheets if needed (NPS Form 10-900a).

1. Name of Property

historic name _____

other names/site number _____

2. Location

street & number _____ not for publication

city or town _____ vicinity

state _____ code _____ county _____ code _____ zip code _____

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended,
I hereby certify that this ___ nomination ___ request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60.

In my opinion, the property ___ meets ___ does not meet the National Register Criteria. I recommend that this property be considered significant at the following level(s) of significance:

___ national ___ statewide ___ local

Signature of certifying official/Title _____ Date _____
USPS

State or Federal agency/bureau or Tribal Government _____

In my opinion, the property ___ meets ___ does not meet the National Register criteria.

Signature of commenting official _____ Date _____
SHPO

Title _____ State or Federal agency/bureau or Tribal Government _____

4. National Park Service Certification

I hereby certify that this property is:

___ entered in the National Register ___ determined eligible for the National Register

___ determined not eligible for the National Register ___ removed from the National Register

___ other (explain:) _____

Signature of the Keeper _____ Date of Action _____

Name of Property

County and State

Statement of Significance Summary Paragraph (Provide a summary paragraph that includes level of significance and applicable criteria.)

Narrative Statement of Significance (Provide at least **one** paragraph for each area of significance.)

Developmental history/additional historic context information (if appropriate)

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

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CONTINUATION SHEET Cover Document ITEM NUMBER 8 PAGE 1

I. AREAS OF SIGNIFICANCE

Of the 28 "areas of significance" listed under this section of the nomination form, the following six are considered relevant to this Thematic Nomination:

- ARCHITECTURE
- ART
- POLITICS/GOVERNMENT
- ECONOMICS
- COMMUNITY PLANNING
- SCULPTURE

A. ARCHITECTURAL SIGNIFICANCE:

(1) LOCAL LEVEL:

a. Criterion C

In most cases, the post office, though not architecturally distinguished when compared to contemporary buildings throughout the nation or state, is of local importance as one of the most monumental, imposing or sophisticated buildings in a town. This is true for the eight pre-1933 post offices, as well as for the Florence MPO and the Delta MPO. All of the post offices included in this nomination are locally important, and in most cases locally unique examples of a given architectural style. The Beaux-Arts design buildings, represent locally unique examples of a style common to government, and certain commercial buildings, especially banks, in larger cities throughout the country. The larger cities throughout the country. The Federal Style building in Fort Morgan is unique to post office buildings in Colorado, and is reflective of a style common to the East Coast, but extremely rare in the West. The post-1933 buildings are reflective of regional and popular styles. The Spanish

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Colonial motifs of the Lamar MPO relate to the Spanish heritage of Southern Colorado. It is an uncommon style to Colorado, but is common throughout the Southwestern United States, and is often found in California post offices. The Art Deco motifs of the Delta MPO and Florence MPO represent designs considered modern and forward looking at the time the structures were built. However, the execution as applied to the two post offices in Colorado is conservative and relates directly to the Beaux-Arts aesthetic of the entire building. Buildings with Colonial ornamentation (e.g., the Rifle MPO and Manitou Springs MPO) are like the one Federal Style building, reflective of an architecture style which developed in the eastern United States.

It is doubtful that the influence a post office design had on the development of a town's architectural history can be shown. The post office is a unique type. Though it plays an essentially commercial role in terms of land use, post office design did not follow designs characteristic for commercial development, nor did subsequent development tend to imitate the style of the post office. There is a reason for this. Post offices were designed to look like post offices; that is, certain symbols or signifiers were included as subliminal messages of the building's function. Commercial buildings also employ signifiers but use them in different ways. Less than direct links can be shown, but these are more properly dealt with under the Community Development section of this nomination.

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b. Criterion A

The architectural signifiers and symbols discussed above also carry a burden of meaning and associative values beyond their ostensible aesthetic meanings. A post office design is a record of the Post Office's and the Federal Government's self-image, and of the image which the Federal Government wished to project to those it governed. A post office in a small town may provide one of the few, perhaps the only, such record of the various "Persona" assumed by the Federal Government.

(2) STATE LEVEL:

a. Criterion C

A post office may be aesthetically important on the state as well as the local levels, as an example of particularly fine craftsmanship, or as a sophisticated, imposing, and well-articulated example of its style or type. The Supervising Architect's office also used standard designs for a great many post offices though few have survived unaltered or even in substantially intact configuration. As per National Register Guidelines, a post office may have state significance because it is a first, an excellent, or a prototype of a standardized design. The Monte Vista MPO, as well as the post-1933 post offices are reflective of this factor.

b. Criterion A

A group of post offices from different periods can, by the associative values contained in their architecture, act as a record of the progress of the federal government's self and projected images. Post

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offices in such a group would not have to be individually significant; the significance would lie in the relation of one building to another.

Colorado's geographic position in the center of the country is clearly reflected in the architectural style of its post offices. There are buildings which can be considered both eastern and western in style as well as structures which express nationwide trends.

B. ART SIGNIFICANCE:

(1) LOCAL LEVEL:

a. Criterion A

Murals in post office lobbies were, in many towns, the only examples of the Treasury Department's fine arts program. More so than even the architecture of the building, these murals represent the only example of trained artists' work easily and publicly visible. Murals may be significant if they are the only publicly accessible examples of their types. The iconographic and iconological content of the murals may also have local significance. In most cases, the murals derived their styles from local history and economy. As such, they are valuable documents of a region's political and economic history. This fact means that the murals derive much of their meaning from the context, not only of the post office lobby, but also of the town or county in which the post office is located. Two of the post offices included in this nomination contain murals: the Florence MPO and Montrose MPO. Two murals which originally hung in the Colorado Springs MPO have been removed and

HISTORIC CONTEXT

Areas of Significance	Levels of Significance	Related Themes
Architecture	Local and State	<p>The architectural development and character of the area or State.</p> <p>The symbolic impact or influence of public or governmental architecture.</p> <p>The work of an important architect.</p>
	National	<p>Same.</p> <p>The evolution of Federal design policies.</p>
Art	Local, State, and National	<p>The access to and influence of art by and on citizens.</p> <p>The development of artistic creativity, technique, and philosophy.</p> <p>The work of an important artist.</p> <p>The perception of culture and values as portrayed by the artwork.</p>
Agriculture		See "Commerce".
Commerce	Local, State, and National	<p>The development of the business community, or of any specific business, and its influence on social, economic, and political life.</p> <p>The career of a prominent businessperson.</p>
Communications	Local and State	<p>The influence of the methods and technological advances of communications systems on the area or State.</p> <p>See other areas of significance.</p>
	National	<p>Same.</p> <p>The history of the U.S. Postal Service.</p>
Community Planning & Development	Local	<p>Periods of growth and prosperity in the area's population and economy.</p> <p>The evolution of the physical growth and design of the community.</p> <p>The establishment and influence of community planning agencies.</p>
	State	The impact of State laws, policies, or events on community planning and development.
	National	The impact of national laws, policies, or events on community planning and development.
Economics	Local	<p>The factors influencing economic stability or crisis on the area.</p> <p>See "Commerce".</p>

Areas of Significance	Levels of Significance	Related Themes
Education	Local, State, and National	The development and organization of educational systems and facilities.
Exploration/Settlement	Local and State	The events influencing or constituting the initial or an important exploration or surveying of an area or State. The founding and early development of a community or State. Factors influencing settlement and settlement patterns.
	National	Same. The advancement of the frontier. Federal visibility and influence in the frontiers. See "Commerce" and "Economics".
Politics/Government	Local, State, and National	The administration, impact, and perception of local, State, and Federal government services and institutions. The roles and conduct of political parties. The relationship of the Executive and Legislative Branches in the administration of government. The history of party politics. The growth, abuse, and reform of the Federal civil service system. The history of public works programs and policies.
Social History	Local, State, and National	The establishment, development, and role of social institutions.
Transportation	Local, State, and National	The development and role of transportation facilities.

MEMORANDUM

TO: Gary Sears, City Manager 

THROUGH: Rick Kahm, Director of Public Works 

FROM: David Henderson, Engineering/Capital Projects Administrator 

DATE: March 25, 2010

SUBJECT: PROJECT UPDATES – S. Zuni St. Sidewalks, Concrete Utility Program 2010, Community Garden, Dartmouth/Tejon Railroad Crossing, Animal Shelter Demolition, RTD Light Rail Platform Expansion, Street Maintenance Projects 2010, Pirates Cove Repairs, Ball Field Lighting, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects)



S. ZUNI ST. SIDEWALKS

In 2009, Community Development applied for and received a block grant through Arapahoe County to install sidewalks on Zuni St. between Evans and Wesley. **Xcel Energy and Qwest are in the process of relocating 4 power poles that were located in the sidewalk alignment. The contractor continued work and should be complete by the 2nd week of April.**

CONCRETE UTILITY PROGRAM 2010

Council approved the contract with Thoutt Brothers Concrete at the March 22nd City Council meeting. Staff is in the process of marking concrete for the 2010 removal and replacement project. Work is expected to begin during the month of May.

COMMUNITY GARDEN

The Parks Division continued preparing the garden site for this summer's plantings. Parks staff removed 3 large trees from the community garden area with a 96 inch tree spade. The trees were relocated to the golf course and Bates Logan Park. Sod removal from the area that will be used for the garden plots should be complete this week. A portion of the sod will be used to re-sod the soccer field at the Rockies fields.

DARTMOUTH/TEJON RAILROAD CROSSING

The project is complete.

ANIMAL SHELTER DEMOLITION

Demolition of the vacated Animal Shelter at the Servicenter is complete.

RTD LIGHT RAIL PLATFORM EXPANSION

RTD is expanding the Englewood Light Rail Station to accommodate four cars rather than the current three cars. RTD's contractor is waiting for delivery of light fixtures. They expect to complete the project by early April.

STREET MAINTENANCE PROJECTS 2010

Street crews are in the process of sealing cracks with hot polymerized rubber. **Crack pouring will continue through the winter and into spring as weather allows.**

PIRATES COVE REPAIRS

Concrete pours are scheduled next week, weather permitting. Restoration (concrete and landscaping) is expected to be complete by mid-April.

BALL FIELD LIGHTING

Duro Electric has completed installation of all light poles and fixtures. **Musco Lighting Company repaired the damaged transformers and the lights were commissioned this week.**

Duro Electric installed 5 replacement poles at Spencer Field. The project is complete.

CITYCENTER SITE DEVELOPMENT

Alexan East and West Parcels

438 residential units. Alexan's occupancy level for January, 2009 is 94.7%. Commercial uses: Mile High Coffee, Let It Bead, Curves for Women, State Farm, Cuttin' It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, and Creative Perspectives.

Parkway Retail / Office Buildings

Commercial uses: The International House of Pancakes (IHOP), Qdoba, GNC, Supercuts, Nails Center, CityCenter Dental Group, MMB Hearing, Tableaux Interior Design, Englewood Eyecare, Collective Licensing Int'l, Inc., M.P. Hayutin, LLC, CityCenter Wine and Spirits, Quizno's, Miller/Weingarten, Air Walk, "Insurance Company of the West", Printwear Express, and Fred Astaire Dance Studio.

Bally's Building

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

Retail South of the Parkway

Tenants: Petco, Ross, Payless Shoes, Coldstone Creamery, Noodles, Sports Authority, and Office Depot.

Gold Mine Pad

Tenants include: Jamba Juice, Tokyo Joe's, and Mega Wraps.

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. EEFI has acquired a used generator to maintain parking structure lighting in the event of a power outage in the parking garage. Parts delivery was delayed. We expect to complete the final hookup by **early April**.

Bradley Station Environmental

EEFI's environmental consultants prepared an Executive Summary Report (dated July 28, 2008). Updates will be provided as additional information is received.

ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)

PA-84 West

The lease with TT of Denver has been executed and deposit has been made with the title company. EMRF continues to receive \$10,000 draws against the deposit; the most recent draw was received today, 3/11. Consultants from TT of Denver have received an access license and are on-site performing surveying and geotechnical work in preparation of construction in early summer.

PA-85 (RTD site)

RTD has paid the final billing in the amount of \$591,836.86. Finance has deposited this money in the LTAR fund.

AIR QUALITY/ENERGY SAVING PROJECTS

Flex Fuel Program

Thirty-four of our fleet vehicles are running on E-85 ethanol fuel. All new replacement fleet 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 \$0.45 less than regular unleaded gasoline.

Diesel Retrofit

Nineteen of our older diesel powered vehicles have been retrofitted to meet current air quality standards. We have applied for a grant through the EPA and Regional Air Quality Council to retrofit our heavy equipment. Seventeen units will be converted by the end of May. Englewood will be one of the few municipalities in Colorado to meet the 2007 emissions standards for off-road vehicles.

Hybrid Vehicle Purchase

We have purchased two 2010 GMC Hybrid Sierra Pickups. These should be delivered in April or May and will be utilized within the Englewood Utilities Department.

"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.

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 5 times longer, and provide better visibility.



M E M O R A N D U M

DATE: March 23, 2010
TO: Englewood City Council
THRU: Alan White, Community Development Director *AW*
FROM: John Voboril, Community Development Planner
SUBJECT: Medical District Stakeholders Meeting Schedule

Medical District Stakeholder Meeting invitations were sent out the first week of March. Letters were also sent out to residents living within one block north of the Medical District with invitations to participate as observers, as requested by Council.

The Medical District Stakeholders Meetings are scheduled to take place over the following three evenings:

- Thursday, April 1, 6:30 to 9:00 PM, Community Room
- Thursday, April 15, 6:30 to 9:00 PM, Community Room
- Tuesday, April 27, 6:30 to 9:00 PM, Community Room

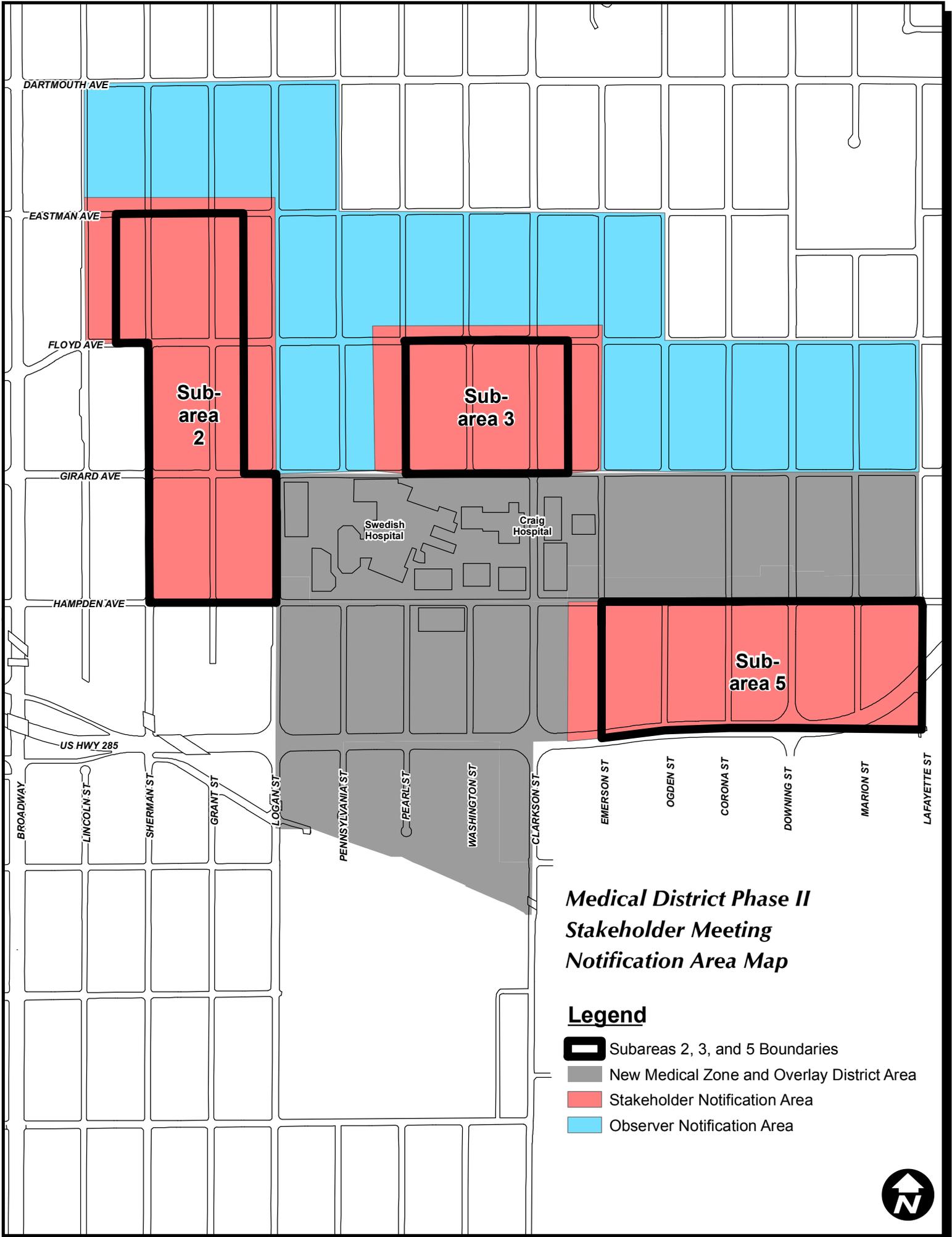
The April 1 meeting will be primarily informational and educational in nature. The new Medical Zone District regulations will be explained in detail, and stakeholders will be asked to think about whether these regulations should be applied to other areas of the Medical District over the course of the next two following weeks.

The April 15 meeting will be the crucial evening to gather stakeholder feedback. The first hour will be dedicated to discussions on potential expansions of the new Medical District Zoning boundaries. The second hour will be dedicated to discussions on whether and how to possibly modify existing zoning regulations in areas deemed not suitable for the new Medical Zone District regulations, in ways that would be more compatible with existing neighborhood scale.

Community Development staff will use the feedback gathered at the April 15 meeting to craft amendments to the Englewood Downtown and Medical District Small Area Plan, and will present these amendments at the April 27 stakeholders meeting.

Att.: Medical District Phase II Stakeholder Meeting Notification Area

H:\Group\File Log\2010\2010-01 Medical District Small Area Plan Phase 2\Council\SS\Medical District Phase 2 Stakeholder Meeting Schedule.doc



**Medical District Phase II
Stakeholder Meeting
Notification Area Map**

Legend

-  Subareas 2, 3, and 5 Boundaries
-  New Medical Zone and Overlay District Area
-  Stakeholder Notification Area
-  Observer Notification Area





CITY OF ENGLEWOOD
FIRE DEPARTMENT

MEMORANDUM

TO: Mayor Jim Woodward, and City Council Members
THROUGH: Gary Sears, City Manager
FROM: Michael Pattarozzi, Fire Chief
DATE: March 24, 2010
SUBJECT: Norovirus outbreak within the Fire Department, Preliminary Summary

At approximately 3:00 pm on Sunday, March 14th, Battalion Chief Richard Petau contacted EMS Coordinator Steve Green at home, regarding illness with similar symptoms that had affected numerous personnel on his shift.

Investigation revealed that on Saturday March 13th, between the hours of approximately 7:00 pm and 11:00 pm, all of the firefighters of the C-shift, Jefferson Station staff, with the exception of B/C Petau (seven personnel), had become ill with some level of nausea, vomiting, diarrhea and fever.

These personnel had all worked together on Friday, March 12th. Most of the affected personnel were unable to report to duty on Sunday, March 14th, their next scheduled duty day. A secondary outbreak of illness occurred in the first part of the following week, with an additional three personnel becoming ill.

Numerous resources were contacted to assist with the investigation, including the fire department's medical director Dr. Dylan Luyten, wellness coordinators from Swedish Medical Center, Porter Adventist Hospital, the Colorado Department of Health and Environment and the Tri-County Health Department.

Samples were taken from some of the affected personnel and tested for viral and bacterial infections at the CDPHE lab. On March 19th, lab results were returned indicating that the illnesses were all caused by an outbreak of norovirus.

Noroviruses are highly contagious and can be contracted through a number of different routes. Aggressive sanitization and strict adherence to specific hygiene protocols are necessary to control the spread, once a virus is present within close living quarters, such as a hospital or fire station.

The exact source of the outbreak is still under investigation and may not be absolutely identified. Tri-County Health has taken the lead in that investigation and will report the results to the EMS

Coordinator when they are available. Information from Tri-County Health was distributed to all members of the fire department regarding prevention of the spread of norovirus, care of sick individuals, and disinfection techniques for areas of contact by an individual who was ill.

On March 20th, after the cause of the outbreak was identified and based on recommendations from Tri-County Health, the fire department contracted with BluSky Restoration to disinfect all three fire stations. This was intended to eliminate any possible remaining virus in the stations.

No further cases have been identified since the secondary outbreak, in either employees or their families.



C I T Y O F E N G L E W O O D
P O L I C E D E P A R T M E N T

MEMORANDUM

TO: Gary Sears, City Manager 

FROM: Thomas Vandermee, Chief of Police

DATE: March 24, 2010

SUBJECT: Portable Breath Tests and Inspections of Liquor Establishments

A recent complaint received by the police department gave rise to a question about the policy of the police department regarding the administering of portable breath tests (PBT) to determine the level of alcohol content of an individual and the department's authority and responsibility to conduct physical inspections of liquor establishments.

This memo is prepared as an informational and educational item to be shared with City Council.

Police officers have the authority to administer portable breath tests primarily in two circumstances. First is in furtherance of a criminal investigation when the officer has reasonable suspicion that a person has committed a violation of the law and alcohol intoxication or consumption is a relevant portion of the violation. Examples of such violations would include driving under the influence of alcohol and prohibited use of a weapon.

The second circumstance is when a person is so intoxicated that their personal safety is at risk. It is a requirement of the Arapahoe House Detox Facility and the Arapahoe County Jail that a person who is extremely intoxicated is medically cleared before either facility will accept custody of such a person. Administering a PBT is the most efficient and cost effective way of determining a person's level of intoxication.

As part of its primary function, a police department is responsible for patrolling and inspecting any areas within their jurisdiction that are the source of large numbers of calls for service or that have the potential of presenting a risk to the safety of the community. As such, liquor establishments and their operations are specifically controlled by the Colorado Code of Regulations which is contained in Colorado State Statutes.

Regulation 47-700, Inspection of the Licensed Premises, specifically states that any licensed liquor establishment is subject to an inspection by the State or local licensing authorities and their investigators or peace officers during all business hours and all other times of apparent activity for the purpose of inspection and investigation. This regulation is intended to insure that liquor establishments are adhering to the many regulations contained in Colorado law.

It should also be noted that Regulation 47-926, Interference with Officers, prohibits any licensee or person from interfering with, obstructing or impeding such inspections. The regulation specifically includes any letter or other form of communication that threatens force or serves as an endeavor to intimidate officers from exercising their duties under the provisions of the state regulations.

It is an expectation of the department that when performing these inspections that officers conduct themselves in a professional manner and make every effort to establish positive working relationships and partnerships with the owners and employees of the establishments that the officer is inspecting.

A handwritten signature in black ink, appearing to read 'Thomas E. Vandermee', with a large, stylized flourish at the end.

Thomas E. Vandermee
Chief of Police

**CITY OF ENGLEWOOD
2010 CALENDAR OF EVENTS**



Sun., Apr. 4		Library Closed — Easter Sunday
Mon., Apr. 5	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Apr. 6	7:00 p.m.	Planning & Zoning, Council Chambers
Wed., Apr. 7	4:00 p.m.	Englewood Housing Authority., 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, Council Conference Room
	7:00 p.m.	Liquor Licensing, Council Chambers
Thurs., Apr. 8	11:30 a.m.	Alliance for Commerce, Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, Broken Tee Englewood Golf Course
Mon., Apr. 12	6:00 p.m.	Study Session, Community Room
Tues., Apr. 13	5:00 p.m.	Water and Sewer Board, Comm. Dev. Conf. Rm.
	6:30 p.m.	Keep Englewood Beautiful, Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Apr. 14	6:30 p.m.	Urban Renewal Authority, Comm. Dev. Conf. Rm.
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Mon., Apr. 19	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Apr. 20	7:00 p.m.	Planning & Zoning, Council Chambers
Wed., Apr. 21	7:00 p.m.	Liquor Licensing, Council Chambers
Mon., Apr. 26	6:00 p.m.	Study Session, Community Room
Mon., May 3	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., May 4	7:00 p.m.	Planning & Zoning, Council Chambers

Wed., May 5	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, Council Conference Room
	7:00 p.m.	Liquor Licensing, Council Chambers
Mon., May 10	6:00 p.m.	Study Session, Community Room
Tues., May 11	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, Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., May 12	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
Thurs., May 13	11:30 a.m.	Alliance for Commerce, Council Conference Room
	3:00 p.m.	Police Officers Pension Board, Public Works Conference Room
	4:00 p.m.	Firefighters Pension Board, Public Works Conference Room
	5:30 p.m.	Parks and Recreation Commission, Barde Park, 3100 South Downing
	6:30 p.m.	Transportation Advisory Committee, Council Conference Room
Mon., May 17	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., May 18	7:00 p.m.	Planning & Zoning, Council Chambers
Wed., May 19	6:30 p.m.	Code Enforcement Advisory Committee, Council Conference Room
	7:00 p.m.	Liquor Licensing, Council Chambers
Mon., May 24	6:00 p.m.	Study Session, Community Room
Mon., May 31		City Hall Closed – Memorial Day

**ENGLEWOOD CITY COUNCIL
TENTATIVE STUDY SESSION TOPICS**



- April 5** **Regular Meeting**
 Golf Course – Golf Cart Fleet Study
 July 4th Update
 Council Chamber Timer
 Naming of South Broadway Post Office
- April 12** **Study Session**
 NLC Inclusive Communities Program
 City of Service
 City Council Newsletter distribution
- April 19** **Regular Meeting**
 Financial Report
 Budget Discussion
 State Initiatives to Englewood
- April 26** **Study Session**
 Labor Negotiations
- May 3** **Regular Meeting**
 Board & Commission Reappointment Discussion
- May 10** **Citizen of the Year Celebration**
- May 17** **Regular Meeting**
 Public Improvement Financing
 Financial Report
- May 24** **Study Session**
 Community Meeting – Malley Center
- May 31** **Memorial Day Holiday – No Meeting Scheduled**
- June 7** **Regular Meeting**
- June 14** **Study Session**
 Board & Commission Interviews
- June 21** **Regular Meeting**
 Financial Report
- June 28** **Study Session**
- July 6** **Regular Meeting (Tuesday)**

July 12	Study Session
July 15	Tentative Meeting with Littleton City Council @ WWTP
July 19	Regular Meeting Financial Report & 6 month update
July 26	Study Session Community Meeting – WWTP
August 2	Regular Meeting
August 9	Study Session Board/Commission Appreciation Night @ Pirates Cove
August 16	Regular Meeting Financial Report
August 23	Study Session
August 30	No Meeting Scheduled – 5 th Monday
September 7	Regular Meeting – Tuesday
September 13	Study Session
September 20	Regular Meeting Financial Report
September 27	Study Session
October 4	Regular Meeting
October 11	Study Session
October 18	Regular Meeting Financial Report

FUTURE STUDY SESSION TOPICS

Historic Preservation
Unrelated Persons per Household
Flood Plain District
Council Bills Publication by Title Only

ENGLEWOOD LIQUOR LICENSING AUTHORITY
Telephone Poll
February 17, 2010

1. Consideration of Minutes

- a) Results of the minutes of the regular meeting of February 03, 2010.

Vote results:

Ayes: Members Buchanan, Lay, Ostmeyer, VanDerLeest, Wilmoth
Nays: None

The minutes were approved.

2. Renewals

- | | | |
|----|---|--|
| a) | Wills Inv & 7-Eleven
4601 S. Broadway | 3.2 off-premises Liquor License
Expires March 05, 2010 |
| b) | Breakfast on Broadway
2901 S. Broadway | Hotel/Restaurant Liquor License
Expires February 18, 2010 |

Vote results:

Ayes: Members Buchanan, Lay, Ostmeyer, VanDerLeest, Wilmoth
Nays: None

The renewal was approved.

3. Special Event Permit

- a) Museum of Outdoor Arts
for event April 10, 2010
from 4:00 p.m. to 10:00 p.m.

Vote results:

Ayes: Members Buchanan, Lay, Ostmeyer, VanDerLeest, Wilmoth
Nays: None

The special event permit was temporarily approved for the Museum of Outdoor Arts, pending the ten (10) day posting of the property and with the public hearing date of March 3, 2010, which will be vacated if no written protests to the issuance of the permit are received by the City Clerk, during the ten-day posting. If no protests are received, the permit will be approved with the March 3, 2010 date. Neighborhood boundaries are set at Yale Avenue to the north, Oxford Avenue to the south, Broadway to the east and Zuni Street to the west.

4. Change of Manager

- a) Safeway
201 E. Jefferson
Change from Scott Rice to Adrian Schmipf

Vote results:

Ayes: Members Buchanan, Lay, Ostmeyer, VanDerLeest, Wilmoth
Nays: None

The change of manager was approved.

5. New Application

- a) Kubic Development Inc. dba Jimano's Pizzeria
2950 S. Broadway, Unit G
Beer/Wine Liquor License

Vote results:

Ayes: Members Buchanan, Lay, Ostmeyer, VanDerLeest, Wilmoth

Nays: None

The application was accepted and the date for the public hearing will at on April 7, 2010 at 7:00 p.m. in City Council Chambers. The boundaries were set at: Evans Avenue on the north, Mansfield Avenue on the south, Downing Street on the east and Santa Fe Drive on the west.

* * * * *

/s/ Kerry Bush, CMC

Deputy City Clerk

ENGLEWOOD LIQUOR LICENSING AUTHORITY
Telephone Poll
March 03, 2010

1. Consideration of Minutes

- a) Results of the minutes of the regular meeting of February 17, 2010.

Vote results:

Ayes: Members Buchanan, Lay, Ostmeyer, VanDerLeest, Wilmoth
Nays: None

The minutes were approved.

2. Renewals

- | | |
|---|--|
| a) Armando's Pizza and Pasta
1610 E. Girard Pl. | Hotel/Restaurant Liquor License
Expires March 6, 2010 |
| b) Diamond Shamrock #0691
2010 W. Evans | 3.2 off-premises Liquor License
Expires May 20, 2010 |
| c) Hunan City Chinese Restaurant
3542 S. Fox St. | Hotel/Restaurant Liquor License
Expires May 11, 2010 |

Vote results:

Ayes: Members Buchanan, Lay, Ostmeyer, VanDerLeest, Wilmoth
Nays: None

The renewal was approved.

* * * * *

/s/ Kerry Bush, CMC
Deputy City Clerk

ENGLEWOOD LIQUOR LICENSING AUTHORITY
Telephone Poll
March 17, 2010

1. Consideration of Minutes

- a) Results of the minutes of the regular meeting of March 03, 2010.

Vote results:

Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth
Nays: None
Absent: Member Ostmeyer

The minutes were approved.

2. Renewals

- | | |
|------------------------|---------------------------------|
| a) Gothic Theatre | Tavern Liquor License |
| 3263 S. Broadway | Expires April 06, 2010 |
| b) Paradox Lounge | Tavern Liquor License |
| 3467 S. Broadway | Expires April 15, 2010 |
| c) Qdoba Mexican Grill | Hotel/Restaurant Liquor License |
| 5188 S. Broadway | Expires April 22, 2010 |

Vote results:

Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth
Nays: None
Absent: Member Ostmeyer

The renewals were approved.

3. Change of Manager

- a) Chipotle Mexican Grill
333 W. Hampden Ave.
Change from Jacob to Castillo
- b) Magnet Inn
2893 S. Broadway
Change from Rinaldo to Sizemore

Vote results:

Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth
Nays: None
Absent: Member Ostmeyer

The Change of Managers were approved.

4. Transfer of Ownership and Temporary Permit

- a) Graciela Inc dba El Tepehuan
3457 S. Broadway
Hotel/Restaurant Liquor License
Changing from El Tepehuan to Graciela Inc. dba El Tepehuan

Vote results:

Ayes: Members Buchanan, Lay, VanDerLeest, Wilmoth
Nays: None
Absent: Member Ostmeyer

The Transfer of Ownership, with Temporary Permit, was approved.

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/s/ Kerry Bush, CMC
Deputy City Clerk