

**ENGLEWOOD CITY COUNCIL
ENGLEWOOD, ARAPAHOE COUNTY, COLORADO**

Regular Session

April 19, 2010

1. Call to Order

The regular meeting of the Englewood City Council was called to order by Mayor Woodward at 7:31 p.m.

2. Invocation

The invocation was given by Council Member McCaslin.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Council Member McCaslin.

4. Roll Call

Present: Council Members Jefferson, Olson, Penn, Gillit, McCaslin, Wilson,
Woodward

Absent: None

A quorum was present.

Also present: City Manager Sears
City Attorney Brotzman
City Clerk Ellis
Deputy City Clerk Bush
Director Gryglewicz, Finance and Administrative Services
Director Fonda, Utilities
Director White, Community Development
Police Commander Condreay
Manager of Open Space Lee, Parks and Recreation
Recreation Services Manager/Golf Spada, Parks and Recreation
Housing Finance Specialist Grimmert, Community Development

5. Consideration of Minutes of Previous Session

(a) **COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF APRIL 5, 2010.**

Mayor Woodward asked if there were any modifications or corrections. There were none.

Vote results:

Ayes: Council Members Penn, McCaslin, Wilson, Woodward, Jefferson,
Olson, Gillit

Nays: None

Motion carried.

6. Recognition of Scheduled Public Comment

There were no scheduled speakers.

7. Recognition of Unscheduled Public Comment

(a) Steven Hoelter, an Englewood resident, said I'm here to address the inclusive communities and the cities of service ideas that you guys are trying to bring forth here. I think this is something that should be considered more than just by City Council. I think if you guys are going to adopt any inclusive community ideas, through the National League of Cities and Cities of Service...I think this is something that maybe needs to be put on a ballot, not be voted on by Council. I think the City of Englewood needs to practice inclusion before they get involved with this. Citizens who come down and speak up...but happen to go against the grain of City Council and the powers that be...are usually turned off and ignored. That's not inclusion. Another thing, too, is that the City...City Council has a problem with transparency. All the stuff, the information that the people need to be informed and make decisions about what's happening in our town, you deeply bury in the website or it's hard to find and digest. That's not very inclusive either. And when I think about inclusiveness, I think about how the City and City Council has handled the Barnick situation. That doesn't sound very inclusive to me. The other thing, too, is I kind of looked at the National League of Cities website and it seems to just be a trade organization for city government people. And it's all...when you read their website; they are a big lobbyist organization. And when you sign on with them...us taxpayers are paying your dues. That's money that goes to lobbying. And all of their information about lobbying speaks just about the group themselves. There hasn't been any discussion from like the National League of Cities that I can find on the website, standing up for the American worker and the jobs that have been outsourced. It seems like all the NLC wants to do is to protect the jobs of the municipal workers. As far as cities of service goes and volunteering, volunteering is something that a person gives of themselves to others. That's the act of volunteering. Government cannot force that. Either a person has it within themselves to give of themselves to volunteer or they don't. The other thing too is that I don't see where the City of Englewood is really lacking for volunteers. The great thing about Americans is that when the chips are down, Americans put their politics in their back pockets and they jump together, such as in times of floods or tornadoes...and that kind of thing. So I would urge you people to at least bring this to the people. Let us have 30 days, 60 days to read on this and investigate it, before you guys act on it. Thank you very much.

Mayor Woodward said thank you.

(b) Ida Mae Nicholl, an Englewood resident, said good evening. A few weeks ago I spoke before this City Council asking you to vote no on spending to attend the National League of Cities in Washington D.C. That didn't happen, but instead you brought back to us another national government program. Why are you voting to join the partnership for working toward the inclusive committees and the declaration of service called the Serve America Act? With all due respect, I really do not understand why our city government cannot handle our local issues anymore and lead our citizens, as generations have in the past, without Washington D.C. leading us. We are a local community. When we read all of the information on this partnership with the NLC, 31 pages, it really sounds wonderful, but it is a utopia. We are not perfect and we cannot get there. We cannot say yes to everything we want and ignore the cost in government programs...are always costly. How can you vote for this when you don't really know what the cost is going to be? I strongly oppose posting signs around our community that state that we are an inclusive city. Just what does that mean? Who gets to decide that? Just remember when you say all inclusive that means the bad along with the good. I also oppose the welcome signs that reflects all the major languages spoken in our community. If you are taking my money to post signs around the City, then I want you to use my money to be spent on learning English signs. I am opposed to the many resolutions, proposals and partnerships with the National League of Cities, because this is a government taking over more of our lives. The choice of serving is voluntary and it is the citizens' choice and they have always done so generations before and they have risen to the occasion. The deeper question here and the meaning of words that the National League of Cities using is what and how much do they want to control us? They say such things as enroll in this partnership, it is a better future for all citizens; the importance and value of inclusion communities and words like advancing strategies, harnessing of focus, service, coalition members and many more phrases. I do not believe that our Mayors, Council and government should and they do not have the right to harness and focus our citizens. I respectfully ask you to consider this...is the National League of Cities trying to harness our local governments across our nation to their will and their way of thinking? Please use common sense. And there is an old saying..."to herd us like sheep". I hopefully respect that they are not herding you to sheep...to be like sheep...to follow. Thank you very much.

Mayor Woodward and several Council members said thank you.

(c) Doug Cohn, an Englewood resident, said that's a cool light. I haven't seen that before. I want to talk about the inclusive city thing. I was trying to think of us as being non-inclusive. I thought about all of the protected classes: sex, color, age, religion, sexual preference, and disabilities and renters and I haven't noticed that we have been exclusive as a City. So then I said, well, who is being excluded that we need to include? I thought of the Swedish small area meeting last week. I heard that several people who went to the meeting decided, heard, felt that the decisions were already made and their input was not much appreciated or desired. I thought of the gravel driveway issue from a couple of years ago. A number of people came and talked about that and I remember what City Attorney Brotzman said, during that discussion...these guys missed the public meeting and there's probably no reason for you to pay any attention to what they are saying now. You did pay attention and there were a whole bunch of meetings about it and then the whole issue disappeared down some black hole somewhere. It still has not been resolved. I thought at a sign code meeting last fall...I remember the business guys had great ideas on the sign code things and a few steps were taken, but the business guys didn't really feel like they were included. I thought of Nancy Petersen's stuff from the City Police and the conversation Bev Cummins had with you a while back, where she felt that you all weren't paying any attention to her, even when she brought a petition with quite a number of signatures of citizens who wanted to have something for Nancy. What I concluded was that the citizens are the excluded ones. There are a number of people interested in engaging you all in ideas, concepts and discussions and a number of those guys are feeling excluded. There have been some things that you do...that I really do applaud. I think one of the first steps in inclusion is communication. The inclusion on the website of the agendas and the meeting materials, the audio that you put up...all good steps. Turning on the TV...broadcast...would be a great additional step to reach out to engage the citizens if you really want to be inclusive. Last week, Bob and Jill and Linda thought that accountability on the part of City Council would be a very good thing to see if we can become inclusive. And I have just run out of time. Thank you.

Mayor Woodward said thank you Doug.

(d) Matthew Crabtree, an Englewood resident, hi there and good evening. Here to talk about the same topics as the others: cities of service and inclusive cities. First off, with the cities of service, and for the benefit of the people that are in the audience tonight, this program can be best summarized as government involvement in the volunteering...your volunteering in the community. Now, don't get me wrong. I support volunteerism. I volunteer myself quite a bit. I really enjoy giving back to the community. I do not feel that this is the place for government to involve themselves in volunteerism or encouraging volunteers or of any level of that. Here's the reason why: any level of government, politics and political storms and issues that are political lines get brought up, it is very possible that once our government starts involving themselves and encouraging volunteerism between one organization or another, that it may then be weighted by political beliefs, some organizations may be excluded based upon their particular views. That is not the place of our government. That is not the purpose of our government. The other issue here is inclusive communities. I am not clear as to what this inclusive community's thing actually means. I have read it over. I have looked it over. There is no definition as to what inclusive communities or inclusive even means as a definition in the document. I think it was clear from the Study Session last week that none of you could even define what inclusive meant. The only clear matter in this or clear direction that this inclusive communities program specified, was that there was supposed to be a big event where we declare Englewood as an inclusive community and then spend our taxpayer money for signs to be put throughout the City. Well, it doesn't make any sense if we don't know what we are voting on or what this is or what even this is defined as. Just by simply putting up a sign and defining ourselves as an inclusive community does not make ourselves inclusive. It almost seems as though with these...and the common thread between these two programs...it seems as though there is a large organization spoon-feeding information to small governments such as ours. I think that organization...the National League of Cities...the organization is so secret to lobby for the rights of governments, but not necessarily the rights of the people. An organization that we pay our tax dollars, every year, to be a member of in this community that benefit you and feed you this information. Englewood has for 100 years been an independent community. Can we not think for ourselves? Thank you.

Mayor Woodward said thank you.

(e) Phil Gilliam, an Englewood resident, said evening. Again I'm here to say a few words about the cities of service and the inclusive communities. I think any action on these two items would be premature at this point. I would echo Mr. Crabtree's sentiment. There is nowhere in any of the documentation I've seen so far is

there any definition of what inclusion means. And when you see a program that is put out, at a local to national level, without definition, it just makes you think, well it's...the new phrase is well let's vote on it so we can find out what 's in it. It is premature. The city of service...one of the things I would like to know about it, before there are any proclamations about it, is the last paragraph, down here, "ensuring that the voices of cities is heard and federal legislative policy and program discussions related to service, which will help the country achieve the ambitions, goals of this Serve America Act. Put out some information on what those ambitions and goals are and why we would even wanting to be involved. I've been involved with the City with a lot of community service through Eagle Scout projects. It is a matter of calling Jerry up and saying hey Jerry, you got anything that needs done? You know, on a local level, in the real world, it gets service handled. Have everybody in the City government...that needs to have a service project done...let the City Manager know. Put an article in the paper saying if you want to do service at the City...contact the City Manager's office. Maybe put it up on the website. That's about all that you need. I really question the need for this involvement with the National League of Cities. I don't get it. Before you go forward on this, come back to us and let us know what this is really about. Thanks.

Mayor Woodward said thank you.

(f) Beverly Cummins, an Englewood resident, said I am not prepared but I think everybody else was and I agree with them 100%. If we were allowed, I would have applauded each and every one of them. We have all nine of you sitting there and making us feel like it doesn't matter what we say, you're not going to listen to us anyway, so why bother. And that's the whole community in a lot of ways. They don't come unless they have a gripe, which what difference does it make, because you don't listen to us. It's like with the plaques for Nancy Petersen. I don't even know where they are. I'd like to know. Did you burn them? Or, you know, why didn't you put them up like you said you would? There are so many things that go by and are more or less swept under the rug. And why...don't we count? Doesn't our...we don't appreciate getting up here and it's all not negative, but the reason that we do this is because we don't agree with you and that makes us wrong. I do appreciate your listening, I hope. Thank you.

Mayor Woodward said thank you.

8. Communications, Proclamations and Appointments

(a) A proclamation declaring Dr. Roscoe Davidson as Englewood's Citizen of the Year for 2010 was considered.

COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO DECLARE DR. ROSCOE DAVIDSON AS ENGLEWOOD'S CITIZEN OF THE YEAR FOR 2010.

Mayor Woodward said before discussion, I would like to read the proclamation. "WHEREAS, each year the City Council of the City of Englewood, Colorado honors a Citizen of the Year who has made significant contributions to the community of Englewood; and WHEREAS, Dr. Roscoe Davidson has been involved in the Englewood community for many years; and WHEREAS, Dr. Davidson served as Superintendent of Englewood Schools for 22 years and is a well-respected educational leader who has impacted students and families across the community and across the state; and WHEREAS, in addition to his positive impact on the school community, Dr. Davidson has given generously of his time to the community of Englewood through his involvement in the Englewood Education Foundation, the Englewood Lions Club, and the Swedish Hospital Resources Board; and WHEREAS, the Englewood City Council wishes to honor Dr. Davidson for his contributions to the City of Englewood and for the positive impact he has had in our community."

Mayor Woodward said with that, I would like to open it up for discussion.

Council Member Penn said I'll just say that even though he was the superintendent, he did many, many more things for the City of Englewood. He worked with the businesses. He worked with the hospitals. He worked with the City throughout. It was a great cooperation. He still is working. Even being retired for the last 12 years, he is still working for the City of Englewood, still doing things for Englewood Public Schools. Just him walking in the room lights up other people. I think him just being around you makes you a better person. And I strongly approve of this proclamation.

Council Member McCaslin said I would like to second that and as an educator knowing Dr. Davidson, what a wonderful guidance he was to this community. And like Randy said, he is still giving back. He comes to the Englewood Education Foundation dinners. He is very active still in the community. I second that. What a great nomination we made.

Mayor Woodward said I would like to mention also that not only with the City of Englewood...regionally, he has had an impact. Over a year ago, he took on the superintendent of Sheridan schools when they were in need and helped them get through a tough year. As Randy said, Roscoe is somebody that...at the service club luncheon...for service clubs last year, Dr. Davidson was honored and he gets up there and he is just totally comfortable with people and it just shows. I think he has done a lot. I know he has been involved with the schools since I've been here, which is over 33 years, so...I certainly support him as our Citizen of the Year also.

Mayor Woodward said are there any other comments? There were none.

Vote results:

Ayes:	Council Members Penn, McCaslin, Wilson, Woodward, Jefferson, Olson, Gillit
Nays:	None

Motion carried.

(b) A proclamation declaring the week of April 18 through April 24, 2010 as Wastewater Worker Recognition Week was considered.

COUNCIL MEMBER GILLIT MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO DECLARE THE WEEK OF APRIL 18 THROUGH APRIL 24 AS WASTEWATER WORKER RECOGNITION WEEK.

Mayor Woodward asked if there was any discussion.

Mayor Woodward said I would like to read parts of this also, because these are for those workers at the Littleton/Englewood Wastewater Treatment Plant and staff. This is the third largest wastewater treatment plant in the State of Colorado. It is being honored...City Manager Gary Sears announced tonight at the Study Session that it was up for nomination for an award, a national award, for its engineering feat, one of eight to be selected. At one point, it was the largest Public Works construction project in the State, second only to T-Rex, which was the reconstruction of I-25 south, through the metro area. So...“WHEREAS, Colorado’s water is a valuable economic, environmental, and recreational resource that should be protected; WHEREAS, Colorado’s wastewater treatment workers consistently work to improve the cleanliness of Colorado’s streams, rivers, and lakes; and WHEREAS, Colorado’s wastewater treatment workers include operators, maintenance personnel, laboratory workers, sewer maintenance workers, biosolids workers, industrial waste pretreatment workers, administrative workers, engineers, and suppliers; and WHEREAS, it is fitting to honor Colorado’s wastewater workers for protecting the water and environment of this state; and WHEREAS, Bill Ritter, Jr., Governor of the State of Colorado has proclaimed April 18 through 24, 2010, as Wastewater Workers Recognition Week for the State of Colorado”.

Mayor Woodward asked if there were any other comments.

Council Member Gillit said I would like to thank Stu for his leadership...Stu Fonda. I had the great privilege of touring our water plant and our wastewater plant. What an eye opening, incredible experience. I want to thank Stu and his staff. I am very proud to have such a professional, good working, wonderful contributors to our community. Thank you Stu.

Council Member Olson said I want to echo that as well. I think Rick and I did the tour together so we are probably the newest with the most awe, because we didn't know what was really going on underneath our drinking water everyday or behind it all. So, I appreciate all of the workers there. One of the things that I learned on that tour is that you actually get your nose qualified for smelling certain things, in order to make sure things are under certain standards and that paid off very well this last year, as we all know with an incident that occurred. I thought it was

funny at the time, but it was very real. So, I appreciate the hard work people do, even in smelling, so that we can have safe water. Thanks.

Mayor Woodward said and I think I just want to add to this. Littleton/Englewood Wastewater Treatment Plant, which is at South Platte River Drive and basically Santa Fe...Dartmouth...services an area from I-25 going west to the foothills, from Yale Avenue going south to C-470. I believe that is approximately 300,000 people. As Rick and Linda had mentioned, the treatment plant is open for a tour. It is not what one may think, but it is very...it is something that is very, very interesting. If you are able to get to the end of it where it goes in to the Platte, there's a cup there that you can take a drink of the water coming out of it, that will show you how clean that water really is. And that water happens to be cleaner than some of the water that is coming through the water treatment plants of some communities.

Council Member Gillit said for the record, I did not drink. Council Member Penn said I did. I have trust...I have faith in Stu. Council Member Olson said for the record, no one offered. Mayor Woodward said for the record, Randy is the only one that I know of that has... There was laughter.

Council Member Wilson said we are very fortunate and very lucky to have a water department in its entirety. It is so important,...our water. It is such a great resource and such an important one. And the people behind it, working in the water department, we are very, very fortunate.

Mayor Woodward said well, this is the wastewater. We have a great partner in Littleton.

Mayor Woodward said are there any other comments? There were none.

Vote results:

Ayes: Council Members Penn, McCaslin, Wilson, Woodward, Jefferson,
Olson, Gillit
Nays: None

Motion carried.

Mayor Woodward presented the proclamation to Stu Fonda. He said congratulations and please pass on the recognition of staff and the workers...the day-to-day workers there that really make it happen. Several Council Members said thank you.

9. Consent Agenda

- (a) Approval of Ordinances on First Reading

There were no items submitted for approval on first reading.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER McCASLIN SECONDED, TO APPROVE CONSENT AGENDA ITEMS 9 (b) (i) and (ii).

- (b) Approval of Ordinances on Second Reading

(i) ORDINANCE NO. 12, SERIES OF 2010 (COUNCIL BILL NO. 7, INTRODUCED BY COUNCIL MEMBER WILSON)

AN ORDINANCE APPROVING A "COOPERATIVE AGREEMENT" BETWEEN THE CITY OF ENGLEWOOD AND DENVER URBAN GARDENS FOR THE LEASE, DEVELOPMENT AND MANAGEMENT OF A COMMUNITY GARDEN AT THE ENGLEWOOD DEPOT PROPERTY LOCATED AT 607 WEST DARTMOUTH AVENUE.

(ii) ORDINANCE NO. 13, SERIES OF 2010 (COUNCIL BILL NO. 8, INTRODUCED BY COUNCIL MEMBER McCASLIN)

AN ORDINANCE AUTHORIZING A "LICENSE - CITY DITCH CROSSING AGREEMENT" TO CITY OF CHERRY HILLS VILLAGE TO LICENSE AN EXISTING SANITARY SEWER MAIN CROSSING THE CITY OF ENGLEWOOD'S RIGHT-OF-WAY FOR THE CITY DITCH BETWEEN THE CITY OF CHERRY HILLS VILLAGE AND THE CITY OF ENGLEWOOD, COLORADO.

Vote results:

Ayes: Council Members Penn, McCaslin, Wilson, Woodward, Jefferson,
Olson, Gillit
Nays: None

Motion carried.

(c) Resolutions and Motions

There were no additional items submitted for approval on first reading. (See Agenda Item 11)

10. Public Hearing Items

No public hearing was scheduled before Council.

11. Ordinances, Resolution and Motions

(a) Approval of Ordinances on First Reading

There were no items submitted for approval on first reading.

(b) Approval of Ordinances on Second Reading

There were no additional items submitted for approval on second reading. (See Agenda Item 9 - Consent Agenda.)

(c) Resolutions and Motions

(i) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a resolution for a supplemental appropriation to the 2009 Budget. He said normally, we don't know all of the expenditures incurred in a year until, generally, two or three months after we close the year. We have two items for supplemental appropriation from 2009 on this resolution. The first one being from the Storm Water Drainage Fund. The source of funds is the retained earnings and its \$275,000.00 and the use of those funds are unanticipated system repairs. That was the repairs that were done at the Oxford Bridge. The second item is the Concrete Utility Fund and the source of funds for that, again, is retained earnings...\$5,000.00...and the use of that was they had a project that was originally budgeted in 2008, but was not able to be completed until 2009...and that was \$5,000.00 as well. These are Enterprise Funds; they are not paid from the General Fund.

Mayor Woodward asked if there were any questions for Frank. There were none.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (i) - RESOLUTION NO. 33, SERIES OF 2010.

RESOLUTION NO. 33, SERIES OF 2010

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION TO THE 2009 BUDGET.

Mayor Woodward asked if there was any discussion. There was none.

Vote results:

Ayes: Council Members Penn, McCaslin, Wilson, Woodward, Jefferson,

Nays: Olson, Gillit
None

Motion carried.

(ii) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a resolution for a supplemental appropriation to make modifications to the Golf Course storage facility to accommodate a fleet of electric carts. He said this topic was discussed at the April 5, 2010 Study Session and Council asked staff to prepare this supplemental appropriation of \$125,000.00. It is the first step in going to an all electric golf cart fleet. And again this is a...the Golf Course is an Enterprise Fund, which runs from user fees and taxpayer dollars are not used to fund this program. It is from their own earnings.

Mayor Woodward asked if there were any questions for Frank. There were none.

COUNCIL MEMBER PENN MOVED, AND COUNCIL MEMBER WILSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (ii) - RESOLUTION NO. 34, SERIES OF 2010.

RESOLUTION NO. 34, SERIES OF 2010

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION TO THE 2010 GOLF COURSE ENTERPRISE FUND BUDGET.

Mayor Woodward asked if there was any discussion.

Council Member Wilson said I just want to say that I think this is, of course, a green way to go. But also with the negotiations of the Golf Course with Miller-Weingarten purchasing the first 18, is it Frank? Director Gryglewicz said yes. Council Member Wilson said so that's a great start to our fleet. So thank you.

Mayor Woodward asked if there was any further discussion. There was none.

Vote results:

Ayes: Council Members Penn, McCaslin, Wilson, Woodward, Jefferson,
Olson, Gillit
Nays: None

Motion carried.

(iii) Director Gryglewicz presented a recommendation from the Finance and Administrative Services Department to approve a resolution for a supplemental appropriation of Long Term Asset Reserve Funds to fund improvements related to the Neighborhood Stabilization Program. He said this topic was discussed extensively last week at the Study Session and Council agreed to have staff prepare this supplement...actually it is a transfer and supplemental appropriation of \$750,000.00, which will be...the source of those funds, again, is the Long Term Asset Reserve. The use will be a transfer out to the Neighborhood Stabilization Fund and of course, the source in that fund is this transfer and the use of the fund is the acquisition of two homes and the rehabilitation of ten homes. The cost of that is \$750,000.00. When the houses are sold, and that is estimated to be at the end of next year, those funds will be repaid to the Long Term Asset Reserve. If you have specific questions, I believe that Janet is back there in the back and she is the expert in this program.

Mayor Woodward asked if there were any questions for Frank or Janet. There were none.

COUNCIL MEMBER McCASLIN MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iii) - RESOLUTION NO. 35, SERIES OF 2010.

RESOLUTION NO. 35, SERIES OF 2010

A RESOLUTION APPROVING A TRANSFER AND SUPPLEMENTAL APPROPRIATION OF LONG TERM ASSET RESERVE FUNDS (LTAR) TO FUND IMPROVEMENTS RELATED TO THE FEDERAL NEIGHBORHOOD STABILIZATION PROGRAM (NSP1) PROJECT.

Mayor Woodward asked if there was any discussion.

Council Member Gillit said I talked with Frank extensively last Monday and thank you Frank for helping out. I am 100% for the project. I love what it does. I appreciate what it does for our community. My concern is taking the Long Term Asset Reserve or what we call the LTAR Fund, for speculation...just concerns me. I would rather use private funds, so I will be voting no. Not because I don't like the project, I just don't like where the money is coming from.

Council Member Wilson said I also will be voting no. I support the project 100%, but I am just very, very nervous about using the LTAR funds.

Mayor Woodward said I would like to make an amendment to the resolution, the actual resolution, on the back page; after use of funds, Section 2. I would like to add Section 3, which basically would say, and this is a motion, "The supplemental appropriation will reimburse from the NSP fund to the LTAR fund upon the sale or the rehab and sale of the foreclosed properties." That information is in our staff source, it isn't in the resolution. I do understand from Dan that it would be coming forward in another resolution, but I would like to see it in this one, since this is where we are appropriating it. Can I have a second on that motion?

Council Member Olson said could you reread it?

Mayor Woodward said the supplemental appropriation will be reimbursed from the NSP fund to the LTAR fund upon the rehabilitation and sale of the foreclosed properties. Council Member Olson said thank you.

MAYOR WOODWARD MOVED, AND COUNCIL MEMBER PENN SECONDED, TO AMEND AGENDA ITEM 11 (c) (iii) - RESOLUTION NO. 35, SERIES OF 2010, TO ADD A SECTION 3, TO READ, "THE SUPPLEMENTAL APPROPRIATION WILL BE REIMBURSED FROM THE NSP FUNDS TO THE LTAR FUNDS UPON THE REHABILITATION AND SALE OF THE FORECLOSED PROPERTIES".

Mayor Woodward asked if there was any discussion on the amendment itself.

Council Member Penn said does this have to be looked at as a friendly amendment and does Bob have to accept this as a friendly amendment? Mayor Woodward answered there is no such thing as a friendly amendment. Council Member Penn said just an amendment. Does he have to accept this as an amendment though? Mayor Woodward said does who? Council Member Penn said does Bob have to accept this as an amendment? City Attorney Brotzman said the Mayor is actually asking you to vote. Mayor Woodward said we are voting on amending... Council Member Jefferson said amending the language. Mayor Woodward said right, then we will come back to the original. Council Member Penn said thank you. Council Member Gillit said so we are voting on the amendment? Council Member Jefferson said on Jim's amendment to Section 3. Mayor Woodward said we are voting on just amending the amendment.

Vote results:

Ayes:	Council Members Penn, McCaslin, Wilson, Woodward, Jefferson, Olson, Gillit
Nays:	None

Motion carried.

Mayor Woodward said so now we are going back to the original motion.

Council Member Jefferson said I guess I would invite a little more comment on...from Council Member Rick and Council Member Wilson here. Where would you prefer to see the funding? Would you also prefer to see it privately funded?

Council Member Wilson said yes. I am just very uncomfortable taking it from the LTAR funds. Like I said last week, I am waiting for that big project in the sky that this was supposed to be used for. And it's not that I don't support the program, I think it is a wonderful program, I am just nervous from taking from our savings.

Mayor Woodward said and just for clarification Jill, when you said private funds, do you mean private sector? Is that what you meant Rick? Council Member Gillit said I do as well.

Council Member Jefferson said like I said, I would ask Frank to comment again on the accounting difficulties with the private...I remember there being some issues, some accounting issues, particular to getting outside financing.

Director Gryglewicz replied we don't actually have an accounting system that accounts for this so it's all done...all of these are done manually. Especially with our staff...we had one staff cutback so we would have to spread that work out amongst a shorter staffing, even than we had before. And it is a very complicated...you know, repayments of loans can be very complicated so that was just, that was part of the piece of this...is to do it that way.

Council Member Jefferson said so how much staff time would that actually require. Is there any way to quantify that at all or give me some sort of ballpark on how difficult that is going to be? Director Gryglewicz replied I would have to actually go back and ask the person that was doing it.

Council Member Olson said who is no longer working for the City? Director Gryglewicz said he was doing it. He left the City. It is being filled by someone else, but they've taken on additional duties because we didn't actually hire another person in the...so we have one less accountant essentially.

Council Member Olson said may I also ask a question? Regarding the past track record with the re-stabilization projects that have been done, can you explain a bit about some of the success or what's happened with the past ones that you've done and how that's worked out?

Director Gryglewicz answered I am going to have Janet come up, because she is far more knowledgeable in this area than I am.

Housing Finance Specialist Grimmett said I didn't quite hear you in the back. What was your question?

Council Member Olson said I was asking about the past projects that we have funded and that the City has undertaken with this same kind of neighborhood stabilization, and how those have worked, in terms of...thinking about our past track record of being able to sell these and replenish the funding.

Ms. Grimmett replied well, the two similar projects that I suppose you could use for comparison, was one that Council had self-funded back in the 90's. That was money that came out of another reserve account; two separate \$500,000.00 of appropriation was done, for a total of one million. That particular project, at the time, was known as Project BUILD. That particular program, if I am going from my memory right, purchased 32 houses, either dilapidated or a lot of them were known as the basement houses. We took out a lot of those. Alley houses. That type of thing where they were torn down, rebuilt with brand new construction that was contracted out and then sold individually. The intended...when it was first approved, the intended use was that that was funds that would not be reimbursed back to the City, that that was just an investment that Council was making. But in the end, approximately five to six years later when the program ended, about 1997 I believe, the funds had a positive balance, there was no money lost, all of the properties were sold, and to my knowledge, it was a very successful program. It was also sold...similar to this particular program, as an owner/occupied, requiring occupancy, that type of thing. So, it is very similar. The only other program that we have that might involve the acquisition of rehabs is through the rehab loan program itself, where we are a second mortgage or third mortgage, a junior lien holder on it. First mortgage goes into foreclosure and we will, upon each individual decision, may decide to redeem out, if it makes sense to do that. And those particular homes probably through 2005 through 2007, I think we acquired about six properties. Those properties were all fully supported by Fund 46. No particular funds were used from the General Fund, the LTAR, or any other reserve funds. That Fund 46 is dedicated to the rehab loan program. Those particular homes did have some extensive rehab done. There was a little bit, maybe if you want to call it a loss that we didn't recover all of our funds upon sale, but the homes were still sold as owner occupied. Any particular loss or shortages was just absorbed by Fund 46.

Council Member McCaslin said it has been stated that this, by doing the LTAR Fund, this will save between \$20,000.000 and \$25,000.00 in financing costs. Is that correct? To the City? Ms. Grimmett said yes, based on our estimations of what it would cost to borrow. Council Member McCaslin said I do feel that investing in single housing that's been in our City is a long term assessment to Englewood, so I definitely feel good with this.

Mayor Woodward said I would agree with Bob. I will be voting for this. This is...just for some clarification too...that Neighborhood Stabilization Program was passed by Congress in July 2008 and signed by President Bush. It provided for community cities to get grant money to get foreclosures, purchase foreclosures, rehab them and make them available...what we wanted to do was weatherize them and upgrade our housing stock, and make them available for owner occupied residences...citizens. The particular grant that we got was 1.2 million dollars. We were not what was called an Entitlement City, which for this program was for a city of 35,000 or more. So, we had to go through the County, which had transferred or assigned all of their funds to the State of Colorado. Joe and I did talk with the commissioners, as well as staff...talked with staff and talked with the commissioners. We did get awarded then from the State on this project. Right now, I think we are probably the model of the state for what we are doing and I think that has a lot to do with...certainly with Janet and with Harold Stitt. Again, as Bob said, this is LTAR Fund; in my mind, is for the benefit and the investment in the City, long term assets of the City. Our housing stock and if we can get housing stock that is for families and especially families with children and that sort of thing...weatherized and in very good condition, that is a great investment, I think. I have confidence in this speculation and in the real estate market...not in the next couple of months...not next few months...but I think these houses will sell, since we can only sell them at what we purchased them for plus the costs that we put in them. So, I think it's something that I support.

Council Member Penn said I too support this and I think this is a great thing for the City of Englewood to number one...upgrade ten houses, but also what effect it has on the other houses that are around these houses. Almost constantly, when you do an upgrade, people around you also do other upgrades themselves. Like others, I wince a little bit at the Long Term Asset Fund but I think this is a great thing that we can do without paying for interest and also without utilizing our people to figure out how to implement this. I just think it is a great idea for us to get our City going and a good opportunity for us to invest in our City.

Council Member Gillit said just a final comment from me. Either way, this project is going to get done, whether we use LTAR fund or whether we use private fund. Mayor Woodward said private financing. Council Member Gillit said private financing, excuse me. I support the project 100%. I think Jim does as well. I guess I have a problem dealing with gambling...it feels like a gamble with the City's money. I like what Jill says. There's still something out there...this City has great history of getting these great deals and having the finance to get them. I agree with Jill. I believe that's true that the LTAR Funds should be...if we did for private financing, it probably would still get done. We are not saying, you know...I just...we're leveraging with somebody else's money or we're leveraging with our own money on this. I prefer to leverage with somebody else's.

Council Member Jefferson said I think Rick hit right on it with what the real issue here...is the level of risk that is appropriate for LTAR Funds. It is a difficult question, because it seems so undefined. For me, I am kind of wrestling with that. I guess I would invite some comments on the level of risk. You know, in some funds that are supposed to stay very liquid, you know, those types of things can only be invested in, you know, what we consider risk free type of securities, like tax...or, I'm sorry, like Treasury Bonds and things of that nature. And so in my mind, I have difficulty defining whether LTAR falls under that category...really risk free money or if this is something that other members of Council feel free to speculate with slightly. Certainly that risk-reward paradigm is always be evaluated and I am just wondering if that...in everyone else's mind...is that appropriate? Because if so, I feel comfortable with this risk-reward paradigm, it's just, you know, is that type of evaluation appropriate given that type of funding?

Mayor Woodward said my answer would be, I guess, that a...we are investing in housing stock, home-owned, within our City. If it doesn't sell immediately, we own it...we own it. Council Member Jefferson said it will be a secured interest. Mayor Woodward said it isn't leveraged. It isn't mortgaged. It isn't, all of the sudden, if for some reason, worst case...worst case...absolute worst case...I think the loan was good for two years, or something like that. Janet doesn't come to us and say the bank is calling the loan and we hadn't sold anything now. That's really the worst case. We would possibly be looking at the LTAR Fund at that time and have staff, \$25,000.00 at that point of taxpayer money. I have more confidence in the real estate market than that and in the Englewood market

and in the work that Community Development has done in the houses...with these houses in the past. So, I think it is definitely something that we would do. As far as the City of Englewood, who are we to...in a sense, we are lending from one hand to the other hand. Well, we have got an AA bond rating. Top bond rating is AAA. That's...I think, is pretty strong.

Mayor Woodward said are there other comments?

Council Member Wilson said I just want to say that, in no way, am I saying that staff does not do a good job...cannot get this project done. I think it will be successful. I am just uncomfortable with the LTAR Fund and since we, in this instance, have another means of financing it, that would be the way that I would rather go.

Council Member Olson said I have thought about this through this last week, looking at the LTAR Fund, because I wasn't as familiar, being new, but it...as I read the LTAR Fund, I think, it allows itself to do exactly what we are doing with this. And it saves us \$20,000.00 to \$25,000.000, which is not a small amount. It also allows us to extend beyond one year, if necessary, for the repayment schedule. Is that right? So, it's not two, it's...we're set at one. It will be set at one year. Ms. Grimmitt said correct. Council Member Olson said okay, I wanted to make sure that was clear. And it wouldn't reduce the General Funds, unreserved and undesignated fund balance either, which is what we want to keep stable. So, I think because of that, and because it's private financing; it's not private funds. Those two are really quite different. It is not as if someone is giving us some money. We own it. So, from my perspective, it is a good use. It jumpstarts our own neighborhoods, in places that really need it. It serves a population, which does not get served well...often. It gets left out of the picture when we are talking about inclusion. And so for that reason, I would really...I'd like to see us do this and save the money and make the...I don't think the risk is as huge as it would have been perhaps a year ago in trying to resell these at this point. So...

Council Member Jefferson said I generally agree. I think the risk is generally in liquidity, probably more than anything. And that being said, you know, I guess I generally agree with the Mayor here. The fact that it's a real property, within our own community, makes me feel comfortable enough to move forward with it, personally.

Mayor Woodward asked if there were any other comments. There were none.

Council Member Gillit said...call the question.

Vote results on motion to approve Resolution No. 35, Series of 2010 as amended:

Ayes: Council Members Penn, McCaslin, Woodward, Jefferson, Olson,
Nays: Council Members Wilson, Gillit

Motion carried.

(iv) Director Fonda presented a recommendation from the Utilities Department to approve, by motion, a contract for engineering and construction management services. Staff recommends awarding the contract to Camp Dresser & McKee in the amount of \$453,264. He said on the Water Utilities side, new federal regulations are requiring that we go to a higher level of removal of cryptosporidium and giardia. Our current plant can't meet that level. Although we've never had an outbreak, we do have it in our source water. We are required to have this system operational by October 1, 2013. This will be a very difficult thing to install, because we don't have land area, we'll have to incorporate it into the current operations. We...this is to approve the engineering contract. We selected the engineer after interviewing three engineering groups that we selected out of a number that applied. We felt that Camp Dresser and McKee and their group had the most knowledge in this area. They have a local, nationally recognized, expert in ultra-violet filtration...disinfection. And they are a national firm that has done a number of these plants. The way this project will proceed, is that we will initially have them set up a pilot testing system and we will go in and have several manufacturers put their equipment in, on a pilot basis. We will gather data there and then we will ultimately select the ultra-violet disinfection equipment. It is important to do that before we start the design because we don't want to have to do several designs for several different equipment manufacturers. We would then, by bid, acquire the equipment for delivery after the plant is built. This contract covers the engineering work that will be done for setting up the pilot work for doing the design and then for doing the construction management and observation as it goes in. We will also look at the possibility of doing a small amount of softening at the plant, although we may not proceed with that. That's dependent upon how

successful we are in working with Denver, but we want to at least take a cursory look at potential for softening at the plant, if we aren't successful and our water hardness problems continue. We have been solving them so far with blending from our various ditches. So, at this point the contract is a total of \$453,264.00. That's \$20,500.00 for the softening investigation, \$432,764.00 for doing all of the engineering work and construction management. Each piece of the project will proceed under that cap, but there may be modifications if we find something unexpected as we go through. This is a cost plus contract, where we only pay them for what they bill us for their time, with that as an upper limit.

Mayor Woodward asked if there were questions.

Mayor Woodward asked can you tell us what that crypto is, one more time. Just...can you pronounce it?

Director Fonda replied you don't want to get it. It is a cyst, so it is resistant to chlorine. We take it out, typically, in the settling process, but that doesn't provide as much removal as the federal people now want to establish nationwide. We've never had an outbreak that has been traced to our water. But if you get it, it is really bad. The ultra-violet is the most effective way...it absolutely kills it.

Council member Olson said you are very thorough. Thank you.

Council Member Penn said thank you Stu.

Mayor Woodward said and this comes from the Enterprise Fund. It is not General Fund dollars. Director Fonda said yes it does. It comes from the Water Fund. When we go to construction, we will then be looking at financing that construction package.

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER GILLIT SECONDED, TO APPROVE AGENDA ITEM 11 (c) (iv) - A CONTRACT WITH CAMP DRESSER & MCKEE, FOR ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES, IN THE AMOUNT OF \$453,264.

Mayor Woodward asked if there was discussion.

Mayor Woodward said I think this is the result of...as we upgrade our plant, which was upgraded not too many years ago, and with great amount of improvement in the water quality and taste and stuff, and then here comes new regulations down from the federal government or the EPA and now we are looking at ultra-violet, which is a whole other level higher. Director Fonda said this is a good protection and it might also help with any remaining taste and odor, because we will use a lot less chlorine.

Mayor Woodward asked if there were any other comments or discussion. There were none.

Vote results:

Ayes:	Council Members Penn, McCaslin, Wilson, Woodward, Jefferson, Olson, Gillit
Nays:	None

Motion carried.

12. General Discussion

(a) Mayor's Choice

(i) Mayor Woodward said the Epic Spring Clean-up was on Saturday, in partnership with South Suburban Parks and Recreation, the City of Littleton, the City of Sheridan and Englewood held at Pirate's Cove for the benefit of InterFaith Community Services and ARC. It was the very first one. I think maybe ARC and InterFaith had hoped for a little better turnout or bigger turnout. But I think next year...and we plan on doing this more than once...with a little bit more time to organize and the opportunity to get it into things like the Citizen and out into the community, I think that'll work. Although, it was a successful event.

(ii) Mayor Woodward said I also would like to announce that Jimano's on Broadway, is now open, as of today. They had a soft opening and at one point, I heard they had 375 people going through there. So, Jimano's Pizza, Chicago style deep dish, is now open.

(iii) Mayor Woodward said I also want to mention that the Governor's office, the Energy Office...the rebate program on appliances, furnaces, hot water heaters, those types of things, started today. You can go online and reserve a spot on that rebate list if you were to buy a new energy star type of appliance or some piece of equipment that met the standards. That would be at www.rechargecolorado.com.

(iv) Mayor Woodward said I'd like to mention to Council and to the public, the South Platte Working Group is holding a meeting on April 28th at 8 o'clock in the morning, at the Littleton City Center, Council Chambers, 2255 West Berry Avenue in Littleton. It is to...it is for elected officials and for the public at large to discuss the future direction of the South Platte River corridor and the South Platte Working Group, which will complete its initial work and the GOCO (Greater Outdoors Colorado) Legacy Grant that we received three years ago. At the time, it was one of the largest legacy grants. It was five and a quarter million dollars for improvement along the Platte River through Arapahoe County. So, this is a meeting for input from citizens and elected officials from 8 a.m., with adjournment at 9:30 and then the South Platte Working Group will meet immediately after that.

(v) Mayor Woodward said I do want to mention Englewood Unleashed will have their annual Chili Cook-Off and their event, where they sell different items and give educational stuff on dogs and off-leash. I think the South Platte Humane Society will be there, with some...probably with some dogs and cats to take a look at. At the Malley Center, this Saturday, April 24th. They usually have quite a selection of chili there to taste and...it has been my pleasure to be a judge for a number of years. Hopefully I'm that again this year.

(vi) Mayor Woodward said I do want to just mention the inclusive cities part that people have brought up tonight. As an example, at the Study Session when we discussed this...I want to clarify first; the National League of Cities is not a governmental agency. It is not a part of the government. It is basically a lobbying group for cities, towns and villages throughout the United States. And they lobby for the benefit of cities. A major part of the author of what you saw, if you did read the stuff, on the National League of Cities, was that the then mayor of Lakewood, Steve Berkholder. Lakewood, if you go on their website, and take a look at inclusive cities, and what their board is, you will see what they have done there. They have taken a number of their different boards and commissions, excluding things like Planning and Zoning, or Board of Appeals, or Liquor Licensing, or some other boards, but other boards they have brought in. And they have made them into subcommittees with the chair being on a different...or another board that answers and discusses directly with City Council, on a monthly basis, what's going on. That chair...those nine chairs, I believe it is, bring it back to those...Parks and Recreation or other groups of volunteers within the City, so everybody is informed and everybody is working together as a larger group. I would encourage you to take a look at Lakewood. I know Gary and I will be out there tomorrow meeting on some other items, but meeting with one of the staff people that was in charge of that, which is their Deputy City Manager. So, we have that coming up at another Study Session, at some point in the future, when we do have more information and are able to answer some of the questions that were brought up at our last meeting.

(vii) Mayor Woodward said to Bev, again, I would like to say that the...Nancy Peterson's...the awards that were received by the City when Nancy Peterson was in charge, are at the Police Department, Safety Services Building. I know, in September, I think, I took pictures of them. They are right as you walk in the first set of doors, directly to your left. They are there. I emailed them to her so she could see them. Unless they have come down and maybe Gary knows if they have come down, they're right there. So, they are...that's where they are at.

(b) Council Members' Choice

(i) Council Member Penn:

1. He said thanks Mayor. It must be getting close to the end of the semester, because I see all of these students and I'm sure they are from government classes. Thank you for coming out and listening to us and being a part of our City Council. So get those last months done with your city government classes.

2. He said the Mayor mentioned Jimano's opening. I think for me, the most important thing...one of the important things...yes, they are a new business and I think they'll do a tremendous job, but they are a great display for our Catalyst Fund. They did their sign with the Catalyst Fund and they also did their seating with the Catalyst Fund. So I think that's a good way to see what the Catalyst Fund can do for businesses here in Englewood.

3. He said I did have the opportunity...I went down to Pirate's Cove on Saturday morning and it was really a nice day out. And I know that they probably were kind of not excited about what we brought in, but I think when I left, we had well over 40 boxes of clothing and quite a few barrels of food. And for me, anytime you can take in food and help people out, I think that's a great time. It will grow as we go, so I think it was another good thing that we coordinated with Littleton, with the City of Sheridan and do that.

4. He said as far as the Chili Cook-Off, I think, probably the most important, other than getting a lot of people there, is to find out what Mayor Woodward is going to put in his concoction that he takes home for the rest of the day. I think he puts everything in, like a smorgasbord of chili's in one little bowl. I do not know how he eats that so good luck with that. Thank you.

Mayor Woodward said thank you.

(ii) Council Member Wilson:

1. She said yeah, I have a few things. One is that I was at Pirate's Cove also on Saturday. I was number two, so it's not like they had a lot when I came...but I was going to work that day so I got there early.

2. She said the other thing I was at...I was at Chipotle on Friday night to support Bishop School. I hope that they did well from that. Chipotle was giving 50% of anyone who bought a meal between 4:30 and I believe 7:00 or 7:30; they would give half of the money to Bishop School. So I hope that that was successful.

Council Member McCaslin said I would like to thank everyone who did participate in that, thank you so much.

3. She said the other thing is that there will be 31 chili's, at the Chili Cook-Off, I heard, so you may need a bigger bowl.

4. She said there are a couple of things that...one is...it was brought to my attention by a citizen that Craig Walker, who won the Pulitzer for photography, is an Englewood resident. He lives in District 4. Someone from District 4 called me and brought up that he had won this and that he was from Englewood and also goes to the dog park. Council Member Jefferson said he is well known at the dog park. They even put up a makeshift mural for him...the neighbors there...it is really cute. Congratulations. Council Member Wilson said so anyway, just to tell you, Denver Post photographer Craig F. Walker has been awarded the Pulitzer Prize for photography. He featured...his award was feature photography...and the Pulitzer is the most prestigious award. For 27 months, Walker photographed Ian Fisher as he went from high school graduate to recruit to soldier. It is the series "Ian Fisher: American Soldier". So, talking to the Mayor and when I spoke with this citizen, he wanted some recognition, or if we could do something for Mr. Walker. And the City is going to put together, with the Mayor, a letter congratulating him on his accomplishment, and that will be mailed to him, I believe, next week. I don't know if we need a consensus or just...or what.

Council Member McCaslin asked is there anyway we could present it in person. I think that would be kind of cool. Instead of just sending him a letter, I mean is there anyway that we could invite him? Mayor Woodward replied we could invite him. Council Member Olson said it is not everyday that you win a Pulitzer Prize and especially the topic area was so...Council Member McCaslin said right...that is a huge accomplishment...absolutely. Mayor Woodward said for the Denver Post, in all of the years that it has been around, this is what...their sixth Pulitzer Prize. Council Member Wilson said I really appreciate the citizen who brought this forward, because I didn't know he was an Englewood citizen. I don't know what we can do to...Leigh Ann has the information. City Manager Sears said Leigh Ann has it. We can invite him or have some type of ceremony and see if there is some recognition...we'll follow up with that. Council Member Wilson said thank you.

5. [Clerk's Note: This was listed on the Agenda as item 12 (b) (ii).]

COUNCIL MEMBER WILSON MOVED, AND COUNCIL MEMBER OLSON SECONDED, TO APPROVE COUNCIL BILL NO. 9.

COUNCIL BILL NO. 9, INTRODUCED BY COUNCIL MEMBER WILSON

A BILL FOR AN ORDINANCE EXTENDING AN EXISTING TEMPORARY SUSPENSION OR MORATORIUM ON THE ESTABLISHMENT OF NEW MEDICAL MARIJUANA DISPENSING AND GROWING USES FOR A PERIOD OF SIX MONTHS.

Mayor Woodward asked if there was any discussion or comments.

Council Member Olson said I attended a forum that was done in the City of Denver, but put on for regional folks. And both Romer and our Attorney General for the State talked about this with a few other people as well. And I spoke with them later and they said it was very wise that Englewood was waiting, because they hoped that what they came down with in the long run, was much more specific and would allow for us to not waste our time on some items that are going to be decided by the State. I really...I am glad we are doing this. It is unfortunate it is taking so long. But I would rather not do work and then have it undone by a State ruling and then have to go back and revisit it again.

Mayor Woodward said I would just like to mention this did come out of the Appropriations Committee on the 16th of April. They have 5 pages of recommendations and it's going on to the House now. It did pass the Appropriations...11 to 2 with the changes. It had passed Judicial prior to that...I believe it was 7 to 4. So, it will go the House and then once it has been to the House it bounces back over to the Senate. So, I think it is prudent, on our part, to extend this moratorium.

Council Member Jefferson said the timeline that we have in place...working with P & Z, and whatnot, to get our regulations in place...should be done ahead of this six month moratorium...correct? Mayor Woodward said yes.

Mayor Woodward said I think Joe, you were absent that night when we discussed this and one of the questions was...if we get this all taken care of...can we just end the moratorium as soon as this takes place...concurrent? And, obviously, the answer was yes, from Dan. So, that is what we are looking at. Council Member Jefferson said excellent.

Council Member Olson said and this obviously should be done by May, so we will have this summer to work on it. So, we should be done earlier. Council Member Jefferson said I hope so. Mayor Woodward said well we...two readings and 30 days after that .Council Member Olson said unless they extend their session.

Mayor Woodward asked if there were any other comments. There were none.

Vote results:

Ayes:	Council Members Penn, McCaslin, Wilson, Woodward, Jefferson, Olson, Gillit
Nays:	None

Motion carried.

6. She said I also want to thank everyone for coming and speaking on how they felt. I have sent out to different people in the City information on inclusive cities. They read the information and felt that it was a positive thing. No, they did not want to spend a lot of money on new programs, but they felt that...reading it...that we could include some of the programs we already have and bring that together. I always think...I don't look at everything...I don't look at the National League of Cities to be the end all. I just think that they are helpful in what they give and they support us. I also think City of Service sounds like a great, great program and...again...people don't have to get involved. So, it is just another mechanism to help.

(iii) Council Member Gillit:

1. He said I have a couple things tonight. Kent Place...I haven't heard anything...what's going on there...in awhile. I had a constituent ask me...which I didn't and...they knew I was coming to Council, so I got these questions. Are the owners of that property...are they getting that property tax free right now? Mayor Woodward said not that I am aware of. Council Member Gillit said do we know? Is there a tax exemption? City Manager Sears I can only...and maybe Alan can answer...I can just tell you that it is a private company...Continuum Investment Company... Council Member Gillit said we haven't offered them a tax...? The response was inaudible. Council Member Gillit said do we have any idea when they will come up with another plan? City Manager Sears said Alan can respond. Council Member McCaslin said when the economy gets better. Council Member Olson said as soon as people can buy a half a million dollar or more condo.

Director White said I am not aware of any schedule they have for bringing anything forward to the City.

Council Member Gillit said they are not getting that tax free, so that was the concern.

Mayor Woodward said, in fact, when the Denver Seminary owned it, the only tax revenue that the City of Englewood received was the sales tax from the book store. So, sitting there as vacant land, we receive more revenue than...

2. He said the second thing...the Denver Post, they did a great article on golf carts. They interviewed the people that I told you about. I think they even...Jim, did you have a comment...did they talk to you? Mayor Woodward said they talked to me, I haven't read Thursday's paper yet. Council Member Gillit said my folks were greatly appreciative of that...that they were heard. I still think it would be a great idea.

3. He said the last thing...bikes in Belleview Park. I had a neighbor come and say that...that I guess some folks are speed biking through the park to get to the trail. And I guess some people have been pushed off the path...because these bikers come in paths. Is that a walking path? I don't even know...is it a biking path? I thought it was like a jogging or walking path. Can we find out, because... Mayor Woodward said which path? Are you talking about the path that... Council Member Gillit said you know the path that goes around where the train runs? It goes from the ball field, it comes around in back of the houses...then it goes up to the dog park. You keep going and it goes to the bike trail. Mayor Woodward said ok. That... Council Member Gillit said I guess we have bikers like zooming up through there and then heading out towards where the Targets at...going underneath Belleview. Mayor Woodward said that is South Suburban Foundation, South Suburban and that is a bike trail, pedestrian train...what it isn't is a motorized trail. And so, we can make that comment...in fact that is a comment that we can make on the 28th.

Council Member Gillit said the residents have said that they don't feel the bikers understand that people have the right to walk on there.

Mayor Woodward said thank you.

(iv) Council Member Olson:

1. She said I was at the Swedish Medical District meetings the other night and I was quite impressed with the way in which the Community Development Office broke things into groups and had very different perspectives from each and tried to pull that together. There is one more meeting. Next Wednesday night? Tuesday night, yes, you are right, it is Tuesday night. That is here in the Community Room at 6:30. And they went over...they went to 9:30 or longer even trying to resolve Area 5 and get some more input. So, I am not sure exactly what you heard, but, of course, everybody's got different opinions whenever they go to a meeting like that. What I found incredibly helpful was to see 30 to 40 people from my District there...really engaged in trying to figure out their own needs and desires for zoning in that area and for future development. It was very fun and important, I think, for the City to engage citizens in that way. So, come if you want. I think it is open to everybody and it was just great to see the areas that had their own homes and rentals and businesses there and really interacting with one another. And hearing each other's differences of opinions...respecting them and trying to figure out how to accommodate for those...I thought that was what was so wonderful about it. It was a very positive experience.

2. [Clerk's Note: This was listed on the Agenda as item 12 (b) (i).]

She said I would like to bring forth the resolution that everybody is waiting for...a resolution announcing a declaration of service. She said let me read it, just so that those of you who may not have ever seen this, can hear it. It is "A RESOLUTION ANNOUNCING A DECLARATION OF SERVICE: WHEREAS, America has a proud tradition of service and volunteerism that dates back to the colonial era and today can be found in communities across the fifty states; and WHEREAS, the bipartisan Edward M. Kennedy Serve America Act, signed into law by President Barack Obama on April 21, 2009 builds on this tradition by encouraging all Americans to serve their communities in new ways; and WHEREAS, cities, home to many of the nation's most persistent challenges, are positioned to bring new leadership, facilitation, and innovation to the service movement; and WHEREAS, the current need for public-spirited residents to help address increased hardship resulting from the global financial and housing crises is clear; and WHEREAS, service enriches the lives of Americans of all ages, and each new generation of young Americans must be engaged in tackling emerging challenges; NOW THEREFORE, we resolve to work together to focus the energies of our citizens on the need for service and will support efforts to increase service opportunities in Englewood". That is the resolution and I would like to put that forth, Mayor, tonight for us to vote on.

COUNCIL MEMBER OLSON MOVED, AND COUNCIL MEMBER PENN SECONDED, TO APPROVE A RESOLUTION ANNOUNCING A DECLARATION OF SERVICE.

Mayor Woodward asked if there was any discussion.

Council Member Wilson said I think, you know, because times change, that it is important that we renew these different services...declaration of service. Because like it says...since colonial days people have been volunteering, but there's new and different ways that it can help. And I think it is important to recognize those and for people who want to get involved in those types of...in those areas.

Council Member Penn said I see a couple of things. Number one, I see the ability of people that need volunteers to find people who would like to volunteer. I know a lot of people who would like to volunteer, but they don't know where to go. And I think sometimes that...they need to be encouraged. I also see a lot of...a lot of clubs and a lot of organizations that are just truly decimated because they don't have volunteers anymore. I know trying to get volunteers for Englewood Days, trying to get volunteers for different things in school was always a problem and I just see this as a generator. The only problem I have is on our worksheet...and I know this was not part of the resolution...but I really this...the problem I guess...ensuring that the voice of cities is heard in federal legislative and policy and programs. As long as that doesn't come to light...I can support this 100%.

Mayor Woodward said so that was eliminated from the resolution. Council Member Penn said correct...it was already eliminated from the resolution. And I'm glad it was.

Council Member McCaslin said I just think the statement holds us accountable. I mean we talk about accountability all the time and this is just another thing to hold us accountable to the people who want to volunteer. You don't have to if you don't want to. We are not forcing you. Government is not forcing you to volunteer. We are just saying we would love it...here's the opportunities...join us.

Mayor Woodward asked if there were any other comments.

Council Member Gillit said of course. Everybody knows I am going to, so I might as well. When we met at Study Session we agreed that we would get together and re-do the wording. I wasn't invited to be part of re-doing the wording...I thought we were going to get together and discuss this before we brought this forward. There has been no discussion with us on some of this wording. Some of this wording is still disturbing. "Now therefore, we resolve to work together to focus the energies of our citizens"...it is not my job to focus their energies. I don't think it is any of our jobs. If we could reword some of this stuff, I could possibly support it, but, you know, saying that Americans must be engaged...they must not...they can choose to be engaged if they want. There is some stuff in here, that...and I guess I question the need of this to begin with. We have a great City, we've got kids here that are in school, we have adults here who love to serve their community...I just don't think we need a document saying that...telling our people that you should serve. We all know that we serve...we are a country

based on serving. Now we have churches full of servants, we have the Boy Scouts and Girl Scouts and Cub Scouts full of servants. We have all kinds of service opportunities that don't require a proclamation for us to do that. I'm a little disturbed that we didn't discuss this before we brought it forward, because I thought that was our agreement in Study Session. It appears that somebody took something out, but we didn't come to consensus on what that is. And I would ask that we table this until we discuss...and like our citizens have asked for...if we could please just get some more citizen input. It would not hurt us to wait a couple of weeks. I think it would make it better. It would be better for our community if we could please table this until we had more discussion. There is some concern about verbiage; there is some concern about citizens that want to have some input. It is exactly what we are asking for...we are asking our citizens for input...that is part of the service. So, I am asking that we table this until we have further discussion and maybe the Englewood Herald to write an article about...what do you think about it...you know. We've heard from some great citizens tonight with some concerns. Let's either fulfill their concerns or eliminate them. We have a great opportunity to really look good or really look like we are just hell bent on doing it no matter what. And I would rather say, let's engage our citizens, let's engage ourselves, let's cool off a little bit, it won't hurt us and come back at another time.

Mayor Woodward said can I first address...the agreement to eliminate some verbiage and discuss this...the, I believe the City Attorney's Office did this...I don't think anybody on this Council...until Thursday...including myself...saw this piece of paper. And I think that was... Council Member Gillit said is this not a changed... Mayor Woodward said this has been changed from what we saw at the... Council Member Gillit said...saw Monday. Council Member Olson said...based on what we talked about taking out. Mayor Woodward said...last Monday...and eliminated some things that you had brought up and that were discussed...some things about the Mayor and stuff like that. So, this is the discussion...it was discussed about bringing it forward then in a modified form of eliminating certain items.

Council Member Gillit said I guess I was under the impression we would be modifying it, since we are resolving it. The Attorney's Office isn't resolving it...we are. We should have input...at least for our constituents show them that we are trying to do our job and show them that we are trying to do what is best for them, in a good open...let's invite citizens in to listen and input. It just won't hurt us to do that.

City Attorney Brotzman said, if I can, If I can...I'm not saying anything about tabling it. My understanding from that meeting is that there were two issues. One was inclusive cities...which was to come back to Council...which it has been scheduled for a Study Session and for discussion with Council. Council Member Gillit said correct. City Attorney Brotzman said second issue was this declaration of service. My understanding was, that was to be brought tonight, to this meeting and brought forward with certain modifications regarding objectionable language, which was removed. That is why it is here tonight...is that was the consensus of Council...was to bring it forward tonight. Now whether you move to table it or not...that is certainly a viable option. But why it is here tonight was Council's direction to my office to make changes and bring it forward.

Council Member Gillit said I totally understand. But I guess I would implore you...let's take our time on this. Let's get some words that...I would like to hear our citizens come up and say they are for it. I would love for more citizens to give us their ideas on it...just right now...I just...I just don't have a good feeling about it. The way it's coming, the way it is being presented. There is just something...there is an easy...there are ten words I'd like to take out and seven words I'd like to put back in there. I think it would make it softer and more easy for the community to accept and let's work together on that.

Council Member Olson said I have a question for you...because this is like the third time we have had this conversation about service. And the very first time was several Study Sessions ago and you were quite opposed to organizing in any way around service in the City. Is that...has that shifted at all for you now? Are you a little bit more... Council Member Gillit said that, that is not true. I have never been against serving our City. Council Member Olson said...organizing it within the City and creating some sort of forums for which we actually will assess our volunteerism in the City and perhaps incorporate a number of organizations... Council Member Gillit said I have never been against that. Council Member Olson said okay, okay...so you are not against that. Council Member Gillit said no, I am not against that...I am against this. I am not against service. I am against how this is written; what it is telling our citizens and how we are directing them. I don't think our citizens want us to direct them.

Council Member Olson said...let me ask you in a different way then. Would we change anything in this, in the future...would you, could you see yourself possibly wanting to support... Council Member Gillit said I have my changes right here... Council Member Olson said wait a minute.a declaration of service? Council Member Gillit said yes. Council Member Olson said so you are willing to sit at the table and work on this so we can come up with something that we all can agree on? Council Member Gillit said not a problem. Council Member Olson said or at least get closer to...we may not agree on everything. Unless it has a 100% of what you want...I'm hearing you won't vote yes anyway? Council Member Gillit said I didn't say that. Council Member Olson said good. I would say let's have another month, to discuss as a City, the service. This is way too important to have this be something that anyone feels that is ramrodded. We've been talking about it for several months. It's been up on a number of sites so that you can see this. I want us to think about it. I do not want people to be thinking, oh, my goodness, we don't want to be a service city, because that doesn't say very much for us as a city. We've put ourselves in a bad place by voting against this, so I would prefer to withhold it for awhile. Mayor Woodward said...withdraw the motion? Council Member Olson said let me read to you why. I've been looking...you know that I teach this kind of stuff all the time. One of my favorite inauguration speeches will surprise you. It was...I don't know if you remember who was the 200th...the 200th year of celebrating our Presidency in the United States? Mr. Cohn you have to know who that was. There was laughter. She said I'm sorry I put you on the spot, that wasn't fair. But I know you would know if I gave you enough time, because you are really good at this kind of stuff. I'm not so good at that. So, anyway, I'm going to read this and you ask yourself...who said this? "I'm speaking of a new engagement in the lives of others, a new activism, hands-on and involved, that gets the job done. We must bring in the generations, harnessing the unused talent of the elderly and the unfocused energy of the young. For not only leadership is passed from generation to generation, but so is stewardship". And, she said, that is a lot of what this thing is about. She continued..."and the generation born after the Second World War has come of age". She said I am part of that. My father fought in World War 2 and I feel like I have a legacy to carry on. "I have spoken of a thousand points of light"...you must know who it is now, I know you do..."of all the community organizations that are spread like stars throughout the Nation, doing good. We will work hand in hand, encouraging, sometimes leading, sometimes being led, rewarding. We will work on this in the White House, in the Cabinet agencies. I will go to the people and the programs that are the brighter points of light, and I will ask every member of my government to become involved. The old ideas are new again because they are not old, they are timeless: duty, sacrifice, commitment, and a patriotism that finds its expression in taking part and pitching in". That's the spirit from George Bush Sr. on the inauguration on 1989, the 200th anniversary of the Presidency that he had served and spoke about. And that's what this is about. It is not a partisan thing. It just is not. It's about us thinking about our communities, how we care about them, how we join in, how we pitch in and helping organize around that. That's all it is. And being part of a community of service is not a part of the National League of Cities; it doesn't have anything to do with it. It is a bi-partisan mayor initiative and it's a way in which we can join several of the cities around the metro area and seeing what are they doing, how can we work together? You have needs, we have resources, you have resources, we have needs. Joining in with metro volunteers and other organizations which can help us do this. I see only pluses in this. But if it is such a negative, I want to allow some time. So, I am fine with postponing this for a short while.

Council Member McCaslin said I agree. It's the way you present it. If you present after a time...shoving this down your throat, I would too, you know. But if you present it to people who read this...and go...oh, by God, this is great, there is nothing wrong with this. Council Member Olson said oh yes. And I have presented it to many, many...in my neighborhood... Council Member McCaslin said I could tell you...I could give your constituents things that I've talked to them. I would love to hear that open dialogue, because I think it's...you know, let the people decide...if that's what it is. But I think we are intelligent enough. I think we can ask all our constituents if we want...to have two or three meetings on this...fine.

Council Member Olson said some of you may have seen the Denver Post this weekend the 2010 Volunteer Guide, how to make an impact of your community. It lists what to do: one day a year, if you gave one day a year. It lists what to do if you gave one day a month, if you gave one day a month, what if you gave one day a week. It is wonderful examples of things that we could be a part of and really encourage our citizens to do. I mean whether we have an initiative or not, whether we should do that or not...to me. It's about galvanizing our resources and assets. That's all it is. It's not telling people what to do. I would never want people to volunteer if they won't. I don't know if you have ever been on any volunteer trips where people were doing it just because they had to....it's awful. And the people who are being served...are disserved in the process. So, this is not to tell people what to do, it's rather...it's galvanizing our folks. So, if you are really serious, those who might be against

this, to actually work on the language, so that we can move forward on it, I am all for it. If that is not your intent, and you simply want to continue a negative dialogue on this, then I would rather vote tonight and let's get on with the service options...opportunities...in the cities.

Council Member Jefferson said I personally have no problem with the concepts contained in the declaration and, in general, I support them. I'm sort of surprised to hear from some of our constituents tonight about the strong opposition. I don't think it's overly, legally, consequential, but I too would like to hear some feedback, having heard the generally negative comments from folks who came out tonight before we move forward. The program is not going anywhere. So, that is all the comments I have on that.

Mayor Woodward said Linda, you had withdrawn... Council Member Olson said do you want me to withdraw officially, an official withdrawal?

MOTION, TO APPROVE A RESOLUTION ANNOUNCING A DECLARATION OF SERVICE, WAS WITHDRAWN BY COUNCIL MEMBER OLSON.

But, Council Member Olson said, I would like to look in a month...we need to look at our study schedule and then bring it back. But I would like to move on it and not delay. There is great work to be done and wonderful energies. People in my neighborhood, and others, are thinking this is a no-brainer. So, I don't believe that it is always easy to see what this was about unless you read it yourself and I think that is real important. So, let's leave time so people can look at it.

Mayor Woodward said I am pretty clear in regards to service, so I will bring...will be bringing this to my Lions Club Meeting tomorrow to see what they think of it. It's, I think, I... Council Member McCaslin said we could probably take it to the schools too. I mean there is an endless amount of people who could take this themselves. I don't have an issue with it.

Council Member Wilson said I'm good.

Mayor Woodward said there's nothing...I don't think you could have a volunteer that is being directed that you have to do this, by definition they are not a volunteer. There was laughter.

Several Council members were speaking at the same time.

Council Member Olson said there is a problem, and I'm sure the students who are here, I'm sure you are hearing about it in your own schools and you probably talk about whether or not there should be required service or not. I mean it is a major issue in the service movement about requiring it and whether people really care about what they are doing. It's awful to have someone volunteering for you, who has to do it or doesn't want to be there. And that is not what this is about. It's helping people who want to be there, do it in a way that is focused and helps meet the challenges of today in our cities. So, I am passionate about this. You know I am. I ran on this when I ran for City Council and so, it is part of what I think will renew all of our communities when we start to take this seriously as citizens. Council Member McCaslin said absolutely.

Council Member Wilson said I liked your presentation tonight. Council Member McCaslin said it was very good.

Council Member Penn said I will comment that we did lose our volunteer students from Englewood High School. They have taken that out of the proficiency and it is no longer there. So, we need to find a way.

Several Council members spoke at once.

Mayor Woodward said a week or two ago, at the Parks and Recreation Commission, that it was not...that it was actually expanded. Council Member Penn said no. I think the proficiencies have all been dropped. Mayor Woodward said all I know is what I heard from a board member.

Council Member Olson said just an anecdotal piece of information. I run a program where service for our students at University were required to give 40 hours a year. We stopped that requirement and the number of

hours have skyrocketed. As we presented the whole idea of being a citizen and being engaged, students have logged way over 100 and some hours already and we are not even done. So, I think when people want to do it, which I think is what you are speaking to, then it is something important. Otherwise, it is just a drudgery and that is not what this is about. I don't want it ever to become that. It needs to become gracious service. Enough...I've said enough. Rick says I lecture, so come to my classroom. There was laughter.

Mayor Woodward said, just speaking of service, I just want to mention...I believe the prom is this week, right? Council Member Penn said yes, Friday. Mayor Woodward said I would really encourage you to go to Englewood High School...evening...Friday, is it Friday? Mr. Penn said it is not at the High School. Council Member Gillit said we are not going together. There was laughter. Mayor Woodward said not you, you're not...I think you should bring your permanent date, your wife...but see the opportunity that was there, because when we did Aid to Other Agencies...and I know you had an issue with that...but I would encourage you to see the value, what I believe is the value of that program.

Council Member Penn said that would be After Prom and it would be about 11:00 o'clock at night. There was laughter. Council Member Gillit said that's not going to happen. Several Council members were talking. Mayor Woodward said well, it is something for our kids and it's a safe place for our kids. But I just wanted to... Council Member Gillit said will you buy me a ticket? Mayor Woodward said I don't think we have to buy a ticket, I think... Council Member Penn said it doesn't cost to get into After Prom. Several Council members spoke at the same time. Mr. Penn said they do need volunteers.

(v) Council Member Jefferson said I just appreciate everyone coming down and sharing their thoughts on that and hopefully you did feel that you were heard tonight. So, I appreciate everyone coming down and spending their time.

Someone spoke from the audience. He said the way to get people to serve is to lead. A suggestion might be for you guys to each go in to your Districts and find something that needs to be done and invite your constituents...(some of his comments were inaudible)...and get it done. That's the way you do service.

Council Member McCaslin said are you assuming that we don't do that now? Are you assuming that we don't do that now? The person from the audience said I am amazed at the conversations taking place....I really am...(some of his comments were inaudible).

Council Member Olson said in terms of protocol, Mayor...could.... Several Council members made comments.

13. City Manager's Report

City Manager Sears did not have any matters to bring before Council.

14. City Attorney's Report

City Attorney Brotzman did not have any matters to bring before Council.

15. Adjournment

MAYOR WOODWARD MOVED TO ADJOURN. The meeting adjourned at 9:20 p.m.