

**Agenda for the
Regular Meeting of the
Englewood City Council
Tuesday, January 4, 2011
7:30 pm**



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

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.
5. Consideration of Minutes of Previous Session.
 - a. Minutes from the Regular City Council Meeting of December 20, 2010.
6. Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.)
 - a. Englewood resident Elizabeth Kay Marchetti will be present to address City Council with a commendation for the Englewood Police Department and the Police Impact Team.
 - b. Mr. Bill Diones from Utility Service Partners and who is partnering with the National League of Cities Service Line Warranty Program will be present to discuss their protection service for water and sewer lines.
7. Recognition of Unscheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.)
 - Council Response to Public Comment.

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

8. Communications, Proclamations, and Appointments.
9. Consent Agenda Items.
 - a. Approval of Ordinances on First Reading.
 - i. Council Bill No. 1 – Recommendation by the Department of Finance and Administrative Services and the City Clerk’s Office to adopt a bill for an ordinance amending the Englewood Municipal Code relating to reapportionment of City Council Districts within the City of Englewood. **STAFF SOURCES: Frank Gryglewicz, Director of Finance and Administrative Services and Loucrishia A. Ellis, City Clerk.**
 - b. Approval of Ordinances on Second Reading.
 - c. Resolutions and Motions.
 - i. Recommendation by the Department of Finance and Administrative Services and the City Clerk’s Office to approve a resolution designating the bulletin board on the north side of the second floor of the Englewood Civic Center as the Official Posting Place for all Legal Notices for the City of Englewood for 2011. **STAFF SOURCES: Frank Gryglewicz, Director of Finance and Administrative Services and Loucrishia A. Ellis, City Clerk.**
10. Public Hearing Items. (No Public Hearing Scheduled)
11. Ordinances, Resolutions and Motions
 - a. Approval of Ordinances on First Reading.
 - i. Council Bill No. 2 – Recommendation from the Community Development Department to adopt a bill for an ordinance authorizing Amendment No. 2 to a State of Colorado Department of Local Affairs Neighborhood Stabilization Program grant to allow retention or reuse of monies collected from the sale of properties until the end of the grant period. **STAFF SOURCE: Janet Grimmatt, Housing Finance Specialist, and Harold J. Stitt, Senior Planner.**
 - ii. Council Bill No. 3 – Recommendation from the Community Development Department to adopt a bill for an ordinance authorizing the purchase of two additional unidentified single family, vacant, foreclosed properties in the City of Englewood to fulfill the amended Neighborhood Stabilization Program contract with the Colorado Department of Local Affairs. **STAFF SOURCE: Janet Grimmatt, Housing Finance Specialist, and Harold J. Stitt, Senior Planner.**

- b. Approval of Ordinances on Second Reading.
 - c. Resolutions and Motions.
 - i. Recommendation from the Englewood Office of Emergency Management to approve a resolution supporting the City's application to participate in the 2012 Integrated Emergency Management Course at the National Emergency Training Center. **STAFF SOURCE: Mike Pattarozzi, Fire Chief, and Steve Green, Emergency Management Coordinator.**
12. General Discussion.
- a. Mayor's Choice.
 - b. Council Members' Choice.
13. City Manager's Report.
14. City Attorney's Report.
15. Adjournment

The following minutes were transmitted to City Council in December, 2010.

- Englewood Housing Authority meeting of October 6, 2010.
- Planning and Zoning Commission meeting of November 16, 2010.
- Public Library Board meetings of August 10, October 12, and November 9, 2010.
- Transportation Advisory Committee meeting of September 9, 2010.
- Water and Sewer Board meeting of October 12, 2010.

December 29, 2010

Elizabeth Kay Marchetti and Christopher Marchetti
2933 W. Layton Avenue
Englewood, CO 801108

Mayor and Members of the Englewood City Council
1000 Englewood Parkway
Englewood, CO 8011

RE: Letter of commendation for the Englewood Police Department and members of the Neighborhood Services Division's Impact Team

Dear Mr. Mayor and Members of the Englewood City Council:

We would like to express our gratitude and appreciation for all the assistance given us over a two-year time period by the Englewood Police Department and members of the Impact Team. Without their help we certainly would have stopped investing in our neighborhood and moved out of the City long ago.

We moved to our home on W. Layton Avenue in the summer of 2007. West Layton Avenue was definitely the quietest street we'd ever lived on and we quickly became accustomed to the pleasure of sitting on our back patio at dusk and watching the sun set while the bats began to clear the night air of bugs. Our neighbors were very nice and we thoroughly enjoyed the mellow atmosphere of the street.

That all changed in August 2008 when new renters moved into the house immediately east of ours. We had to call the police at 12:45am on a Wednesday night, three days after they'd moved in next door, to break up a domestic disturbance that had started at midnight. For the next two years, the middle-aged couple next door allowed their three dogs to bark in the backyard at all hours of the night and day (I actually heard the woman of the house praise the dogs as they barked), threw very loud parties (usually on Sunday and Monday evenings), and had screaming matches with each other nearly every day or night.

We called the police department to register a complaint at least 15 times by the time they were finally evicted this past fall. If we had called the police department every time we were woken up or disturbed by the neighbors the number would have been closer to 50 or 75 times.

It was because of the diligent work by the Englewood Police Department and, in particular, of Sergeant Joel Jose and the other members of the Impact Team, that we were able to regain some peace in our home. Each time we called in a noise complaint, the response was prompt and the officers were polite and professional. Each time we asked for more details (usually in our living room in the very early morning) about what could be done to regain our quality of life, the members of the police department

provided helpful tips and important information. We followed their advice and finally, this past fall, the next door neighbors were evicted. Thanks to the Englewood Police Department, we are recommitted to our neighborhood and remaining residents of the City.

We sincerely hope that the efforts of the Englewood Police Department and the Impact Team are supported in the future so that their important work helps to keep the City of Englewood a quality place to live.

Sincerely,

Elizabeth Kay Marchetti

Christopher J. Marchetti

CC: Tom Vandermee, Englewood Police Chief
Gary Condreay, Commander of Neighborhood Services Division
Sgt. Joel Jose, Englewood Police Department Impact Team



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Small Cities and Towns to Receive NLC Assistance in Reducing Childhood Obesity

by *Katie Meads*

NLC's Institute for Youth, Education, and Families (YEF Institute) has selected 15 small cities and towns in Arkansas, Louisiana and Mississippi to participate in the Municipal Leadership for Healthy Southern Cities technical assistance project.

This two-tiered initiative, funded by the Robert Wood Johnson Foundation through its Leadership for Healthy Communities national program, is aimed at helping municipal leaders in both large and small cities develop effective strategies for reducing childhood obesity.

Selected municipalities include Arkansas City,

Batesville, Cherokee Village and McGehee in Arkansas; LeCompte and Natchitoches in Louisiana; and Arcola, Alligator, Coldwater, Hernando, Lexington, Mound Bayou, Okolona, Starkville and Wesson in Mississippi. Since May, NLC has also been working intensively with Little Rock and North Little Rock, Ark., Baton Rouge, La., and Tupelo, Miss., to support the development and implementation of community wellness plans.

In the 15 smaller and more rural communities, NLC will work closely with the Foundation for the Mid South, a regional foundation that has served these three states for more than 20 years, to support municipal leaders as they seek to adopt and implement poli-

cies that promote increased access to recreation opportunities and fresh, healthy foods.

NLC and the Foundation for the Mid South will use a "train-the-trainer" approach that will build the capacity of state municipal leagues and state health departments to provide cities with guidance and assistance as the project progresses. Municipal leaders from participating cities will also form a peer learning network to discuss effective practices and share their experiences and lessons with each other.

Later this month, local elected officials from both the larger and smaller cities will gather in Jackson, Miss., for the project's first



cross-site meeting. The meeting will help city leaders understand the consequences of childhood obesity and the role of local government in helping to reverse this epidemic; offer strategies and resources for developing an action plan focused on policy and environmental changes; and lay the groundwork for the peer

learning network.

Details: To learn more about NLC's efforts to help municipal leaders combat childhood obesity, visit www.nlc.org/iyef. For more information about the Municipal Leadership for Healthy Southern Cities initiative, contact Leon Andrews at (202) 626-3039 or andrews@nlc.org.

New NLC Program Reduces Service Line Repair Costs

by *Denise Belser and Cathy Spain*

Cities can now help their residents cope with the high cost of external water and sewer line repairs by participating in a new NLC Service Line Warranty Program.

Homeowners in participating cities are eligible to purchase these low-cost warranties, which provide repairs for broken or leaking utility lines up to \$4,000 for each occurrence. These repairs may range from \$1,200 to over \$3,500 and can create a significant financial hardship for the unprepared. Warranties provide peace of mind for homeowners by transferring the risk of costly repairs.

Many residents become frustrated when they are told that the city is not responsible for a service line repair. The homeowner must contract with a

plumber and pay the repair costs if the damage occurs between the city's main pipe and the water meter or the connection to the home. Cities that participate in the warranty program can enhance the city's image by reducing the homeowner cost and making reputable plumbers readily available.

The service line repair work is performed by local, professional plumbers chosen by Utility Service Partners Inc., (USP), the company that administers the program. Once USP receives a call about a service line problem from a resident who has purchased a warranty, a plumber is assigned to the claim and is required to contact the customer within one hour of receiving the job assignment from USP. Typically, repairs are completed within 24 hours.

The national program is modeled after existing programs in Oklahoma

and West Virginia and sponsored by the state municipal leagues. Cities in these states may continue to contact their state league or NLC for information about the program.

"This program has been available to Clarksburg's residents for 18 months, and it is a real winner," said James C. Hunt, councilmember, Clarksburg, W.Va., and NLC immediate past president. "Resident satisfaction is high and it's a lot easier to tell citizens about this great new service rather than explain why they are on the hook for costly repairs."

Starting up the program is easy and there is no cost for the city. Once the decision is made to move forward, the city agrees to co-brand the program by signing a one-page marketing service agreement with USP. This permits *see page 8, column 1*

IN THIS ISSUE

- New grant series: The feds' actually listening to cities, regions, *page 2*.
- Deadline to apply for NLC Officer and Board positions extended to November 19, *page 3*.
- Visit the exposition at the 2010 Congress of Cities, *page 4*.
- Civil rights activist Shirley Sherrod to deliver keynote address at WIMG Leadership Award Luncheon, *page 5*.
- Putting poverty in its places, *page 6*.

Program, from page 1

USP to use the city's name and logo in mailings sent to residents and in advertising. Then the city approves a press release and a solicitation letter and sends the city logo artwork and other information to USP for the letters that are mailed to residents promoting the program.

Several marketing campaigns are undertaken to promote the service to the city. The city has the right to prior review and approval of any materials prepared by USP. Participation increases with subsequent campaigns and word-of-mouth communications from trusted friends and neighbors.

NLC and USP will roll out the program over an 18-month period at six-month intervals as various state regulatory requirements are met and contractor networks are established and vetted by USP in the 48 contiguous states. (See the map to determine the program's availability in your state.)

The benefits of this program are shared throughout the community. It is extremely affordable — between \$4 and \$6 for each warranty a month. Citizen frustration is reduced, city officials have fewer complaints to handle from residents, there is no cost to the city for this value-added program and the city even receives a share of the rev-



Cities can now help their residents cope with the high cost of external water and sewer line repairs by participating in a new NLC Service Line Warranty Program. This map shows the program's availability in each state.

enues collected. All repairs are performed to code and the money stays in the community because local plumbers are engaged.

Furthermore, USP monitors contractor performance to ensure quality work and a customer repair hotline is available 24/7. The program also contributes to a city's "green"

initiatives. Leaking water pipes waste millions of gallons of treated water and leaking sewer lines pollute groundwater and land.

This NLC Service Line Warranty Program is a home protection solution for city residents arranged by NLC Enterprise Programs, an initiative bringing solutions and

savings to cities. When cities participate in an NLC-endorsed program, they have the satisfaction of knowing that the NLC staff is working with the program administrator to offer superior service.

Details: For more information about this program, visit www.nlc.org/enterprise

programs or contact Denise Belser, NLC program director, at belser@nlc.org or (202) 626-3028.

If you are attending the Congress of Cities in Denver, stop by the USP/NLC Service Line Warranty booth in the NLC Pavilion to begin the process of bringing this program to your city residents.

The Strategic Procurement Source for Public Agencies

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- Donald J. Borut, Executive Director

- Time & Resource Savings
- Competitively Solicited Contracts
- Quality Products & Services
- Great Pricing
- No-Cost Participation



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UTILITY SERVICE PARTNERS

How long has the company been in business?

The company was originally formed in 1998 within Columbia Energy to provide service line warranties for its utility customers. USP was formed in September 2003 to purchase Columbia Service Partners from Columbia Energy. USP continues to expand the product offerings and grow the business through city and utility partnerships. USP is a proud member of the Better Business Bureau.

PROGRAM

Is this program available everywhere?

The NLC Service Line Warranty Program will be introduced throughout the continental United States in phases over the next 18 months. Please see our National Roll-Out Schedule map for details regarding your state.

How are our citizens notified of the program?

USP mails each resident a campaign letter which outlines the cities' endorsement, followed by a reminder letter two weeks later to ensure the highest response rate. USP only solicits through direct mail — no telemarketing is ever employed. All homeowners will have the option to enroll in the program, regardless of the age of their residence.

What cooperation will be needed from the cities?

USP desires to enter into a co-branded marketing services agreement with each city. The agreement provides for the use of the city name/logo, in conjunction with USP's logo, on marketing materials sent to citizens. The city is endorsing USP as the service provider for the warranty program.

When do you solicit residents?

Through the years, we have found the optimal times to invite citizens to participate are in the Spring and Fall of each year.

Does NLC or USP sell or rent the personal information of residents that enroll in the program?

No. Neither the NLC nor USP will sell or rent the names of prospective customers or participants.

How much does the resident pay for this service?

Each warranty is sold separately and the price range is generally between \$4 and \$5 a month per product.

BENEFITS

How much will residents save by using the warranty program?

While costs for water line and sewer line repairs can vary, the average cost of repairing a broken water line or sewer line may range from \$1,200 to over \$3,500.

Will this program cost the city any money?

Not a cent. USP pays for all marketing materials and program administration. Furthermore, USP will pay the city a royalty for every resident that participates in the program!

What benefit does the city receive from endorsing these programs?

By endorsing the USP programs, the city is able to reduce resident's frustration over utility line failures by bringing them low-cost service options. 96% of survey respondents say that their image of the city is enhanced because the warranty program is offered as a service by the city. These programs also generate extra revenue for the city through the royalty that is paid by USP to the city. Finally our programs help to stimulate the local economy. USP only uses local contractors to complete the repairs which helps to keep the dollars in the local community.

RESPONSIBILITIES

Who administers the program?

Utility Service Partners (USP) administers the program and is responsible for all aspects of the program including marketing, billing, customer service, and performing all repairs to local code.

What are the city's responsibilities?

We ask each city to work with USP to provide the following; 1) a copy of the city seal, if available, for the solicitation letterhead 2) the city's return address for outer envelope (this ensures a high "open-rate") 3) the name, title and signature sample of the designated solicitation signor and 4) the appropriate zip codes of the city to allow USP to purchase a mailing list of the residents.

Why does the city have to provide a city seal, address and signature?

We have found that while the letter is written in such a manner as to leave no doubt that it is a USP program (the USP logo is on the enrollment form), the city address drives a very high "open-rate" and the city seal and signature lend credibility to the offer, thus driving a much higher enrollment rate.

Will we get a lot of calls from citizens when they get the letter?

A press release provided by USP and issued prior to the first mailing will help alleviate citizen concerns, which should result in nominal calls to city hall.

PRODUCTS

How will citizens know what is covered?

All customers receive a set of terms and conditions upon enrollment in a utility warranty program. They have 30 days from the date of enrollment to cancel and receive a full refund.

What items are included as part of the water line warranty?

The external water warranty covers the underground service line from the point of connection to the city main line to the water meter. It also covers the underground service line between the water meter and the exterior foundation of the home. If any part of the line is broken and leaking, USP will repair or replace the line in order to restore the service. Coverage caps listed in the terms & conditions are per occurrence as follows:

\$4,000 plus an additional \$500 for public sidewalk cutting, if necessary

What items are included as part of the sewer line warranty?

The external sewer line warranty covers the underground service line from the point of connection to the city main line to the point of entry to the home. If any part of the line is broken and leaking, USP will repair or replace the line in order to restore the service. Coverage caps listed in the terms & conditions are per occurrence as follows:

\$4,000 plus an additional \$4,000 for public street cutting, if necessary

The Coverage Cap looks adequate but is there an annual or lifetime restriction on how much you will pay to repair?

No. Unlike some other warranties available, we provide you with the full coverage per incident. We will pay up to your coverage amount each and every time you need us. We do not deduct prior repair expense from your coverage cap or limit the amount we will pay annually.

Doesn't Homeowner's Insurance cover this type of repair?

Typically, no. Most homeowner policies will pay to repair the damage created by failed utility lines but they generally do not pay to repair the actual broken pipes or lines. We encourage you to call your insurance company to determine your actual coverage.

Is soil movement due to ground shifting covered?

Yes, ground shifting is one of the major causes for water line breaks. If the line is broken and leaking, the repair is covered under the warranty.

Who replaces landscaping if damaged?

USP will provide basic restoration to the site. This includes filling in the holes, mounding the trench (to allow for settling) and raking and seeding the affected area. Restoration does not include replacing trees or shrubs or repairing private paved/concrete surfaces. This is outlined in the terms & conditions sent to the customer.

What building codes will you adhere to?

If the line is broken and leaking, USP will repair or replace the leaking portion of the line according to the current code. However, USP is not responsible for bringing working lines up to code that are not in need of repair.

CUSTOMER SERVICE

Will a citizen have a long hold time when reporting a claim?

No. Repair calls receive the highest priority and are answered 24/7. Repair calls are connected to a live agent through a voice recognition unit (VRU).

Will the customer always get a live operator when they call?

Yes. Customers are directed to select to speak with either a service or claims agent and will then be directed to a live Agent.

What is the claims process?

Program participants call a toll-free USP number to file a claim. USP selects the contractor, who is required to contact the customer within one hour of receiving the job to schedule a time to begin the repairs. Typically, repairs are completed within 24 hours. Emergencies receive priority handling.

CONTRACTORS

Who performs the repair work?

USP retains *local*, professional plumbers to perform all the service line repair work.

How selective are you when choosing contractors to conduct repairs?

USP only selects contractors who share our commitment to excellence in customer service. Scorecards are maintained for each contractor, tracking the customer satisfaction rating for work performed. Customer feedback is shared with our contractors and any contractor with a low customer satisfaction rating is removed from the network.



NLC SERVICE LINE WARRANTY PROGRAM

Participating is Easy...

Implementation Process



1. Upon approval from city council (if applicable), execute one-page contract provided by USP (upon contract execution, USP will immediately begin to recruit and screen local contractors)



2. Approve Press Release provided by USP (general notice to eliminate resident confusion/city calls) and if desired, distribute to local media and/or post to the city website



3. Send the following to USP for the creation of the citizen solicitation letter:

- City Seal artwork, if available
- Name/Title of designated signor plus signature
- City Address for outer envelope
- Zip+4 list of city territory



4. Approve Solicitation Letter provided by USP



5. Access Monthly Reporting via the web



6. Receive Annual Payment

A PARTNERSHIP WITH BECKLEY, WEST VIRGINIA

Beckley, West Virginia is a city with a population of 20,000 residents located in southern West Virginia and is the central hub of Raleigh County. Like many cities in the country, Beckley is looking to create an environmentally conscious community while, at the same time, dealing with important budget issues.

In June 2009, Beckley hosted a workshop, sponsored by Utility Service Partners, Inc., discussing "Bottom Line Green". 'Green' has become a new buzzword today, and everyone is making a claim that their program or product is good for the environment. But can a utility line warranty program contribute to a cleaner planet?

Well, the answer is Yes.

Leaking water pipes waste millions of gallons of treated water each year. Wasted drinking water has to be recaptured and retreated by the local municipal water system. Leaking sewer lines pollute ground water and acres of land. The re-treating of water can waste energy and resources, contributing to increased carbon emissions and lost revenue for the city. And citizens become frustrated when they learn that they are responsible for repairing — and paying for — broken or leaking pipes.

USP's program offers cities a solution that ensures timely repairs to broken homeowner water and sewer lines, thereby conserving water resources and minimizing waste water pollution. For a small monthly fee paid by the homeowner, USP offers around the clock repair service, with access to a live representative and prompt service performed by local, certified technicians. A cleaner planet, a happier citizen.

Beckley Mayor Emmett Pugh was intrigued. "The mayor approached us right after the session and asked for more information. He wanted to know more about how this kind of a program could benefit the city", said Brad Carmichael, Vice President, Business Development.

Were there strings attached? How much would it cost the city to implement? Would the city have to find the manpower to help get the program off of the ground?

The answer is No.

No strings attached. No cost to the city to implement. USP covers all of the costs to promote the utility line warranty program to the local citizens. In terms of city involvement, USP simply needs a few pieces of information, including the city seal, return address and the official's signature for the communication. It's that simple. USP's solution is designed for fast turnaround with little impact to city government.

Mayor Pugh was pleased with the company's approach. "Working with USP is really easy. They take care of everything — marketing, billing, and customer service. All we had to do was review and approve the letter to customers."

By October 2009, Beckley had contracted with USP to offer the utility line warranty programs to its citizens, and the first marketing campaign, a sewer line warranty offer, was mailed to Beckley households the following spring.

The program was a tremendous success. "We were delighted with the response from our citizens." Mayor Pugh commented on the results of the first campaign. "Providing a service to our residents which helps them avoid costly repairs, that's something they really appreciate".

The NLC Service Line Warranty program is a timely solution for cities like Beckley, West Virginia and many others across the United States. By sharing in a portion of the revenues collected from this program, cities can relieve some of the strain caused by shrinking revenues and increasing costs. The program also offers cities the opportunity to enhance their image by providing an additional service that benefits their residents.



NLC SERVICE LINE WARRANTY PROGRAM

Overview

NATIONAL
LEAGUE
of CITIES



Building Peace of Mind, One Community at a Time

NATIONAL
LEAGUE
of CITIES



NLC SERVICE LINE WARRANTY PROGRAM

Building Peace of Mind, One Community at a Time

EXPENSIVE LINE FAILURES SOLUTION

The NLC Service Line Warranty Program, administered by Utility Service Partners, helps city residents save thousands of dollars on the high cost of repairing broken or leaking water or sewer lines. This program is offered at *no cost* to the city.

REPAIR SAVINGS

Residents who have not set aside money to pay for an unexpected, expensive utility line repair, now have an opportunity to obtain a low cost warranty that will provide repairs for a low monthly fee, with no deductibles or service fees. The work is performed by licensed, *local* plumbers who will call the customer within one hour of filing a claim. The repair is performed professionally and quickly, typically within 24 hours. USP provides a personally staffed 24/7 repair hotline for residents, 365 days a year.

IMPLEMENTATION

Once your city has approved participation in the program, start up is simple. The program is designed for a quick launch, taking up little of your city employee's valuable time.

1. Execute the simple, one page contract provided by USP.
2. Approve the recommended Press Release (this is designed as a general notice to reduce resident confusion and calls to the city with questions).
3. Approve the Campaign Letter provided by the USP Marketing team.
4. Access monthly reports via the web.

BENEFITS

- NO COST for the city to participate
- Generates revenue for your city
- Affordable rates for residents
- 24/7 Customer Service
- Service from trusted, local contractors
- Peace of mind for your residents
- Reduces local officials' frustration
- Easy implementation
- Fewer citizen complaints
- All repairs performed to *local code*

MORE INFORMATION

To learn more about this program, visit NLC's website at www.nlc.org/enterpriseprograms or contact Denise Belser, Program Director, at belser@nlc.org or (202) 626-3028.

Building Peace of Mind, One Community at a Time.

This program is administered by Utility Service Partners (USP). USP is solely responsible for the implementation and operation of the program.

COUNCIL COMMUNICATION

Date: January 4, 2011	Agenda Item: 9 a i	Subject: Redistricting
Initiated By: Department of Finance and Administrative Services City Clerk's Office/Election Commission	Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services Loucrishia A. Ellis, City Clerk/Election Commission Member	

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

Ordinance No. 3, Series of 2007, adopted by City Council on February 5, 2007, established the current City Council District boundaries.

RECOMMENDED ACTION

Staff seeks City Council's support for a bill for an ordinance reaffirming the City's current City Council District boundaries.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Englewood City Charter requires that the number of registered voters be reviewed every four years in an effort to equalize the Council Districts.

The Englewood City Charter (Article III, Section 20) requires that the number of registered voters should vary no more than 15% between the highest and lowest Council Districts. We use the number of registered voters, as determined by the number registered to vote at the preceding General Municipal Election, which was November 3, 2009.

The Constitution of the State of Colorado (Article V, Section 46) has a population provision which case law supports, even though the provision is not specifically applicable to municipalities. The provision stipulates that the population of the districts reflect no more than a 5% differential between the most and the least populated district.

The Election Commission is charged with reviewing and recommending redistricting to City Council. The Charter requires that redistricting be completed at least six months before the General Municipal Election at which it is to become effective.

The Englewood Election Commission reviewed the two redistricting options, as prepared by Community Development Planner II, John Voboril. The Election Commission recommends the following proposed redistricting (Option 1):

District	Population (2000 Census)	Registered Voters (November 3, 2009)
1	8107	5120
2	7770	4467
3	7732	4797
4	8118	4847

Population % difference between highest and lowest figure = 4.99%
Registration % difference between highest and lowest figure = 14.61%

If adopted, the City Council District Boundaries will remain the same.

The proposed redistricting meets both the population and registered voter criteria.

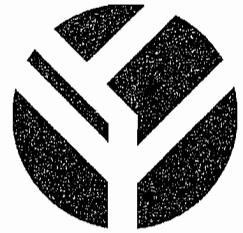
FINANCIAL IMPACT

Minimal [cost of printing maps].

LIST OF ATTACHMENTS

Memorandum dated September 24, 2010 from City Clerk to Election Commission
City Council District Maps: Option 1 and Option 2
Proposed Bill for an Ordinance

MEMORANDUM



TO: Election Commission
FROM: Lou Ellis, City Clerk
DATE: September 24, 2010
SUBJECT: Telephone Poll September 30, 2010 regarding 2011 Redistricting

We are way ahead of schedule. But as we have all the necessary information to complete the redistricting review, I decided to forward everything to you now. I plan to take your recommendation to Council the first regular City Council Meeting of January 2011.

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The Constitution of the State of Colorado (Article V, Section 46) has a population provision which case law supports, even though the provision is not specifically applicable to municipalities. The provision stipulates that the population of the districts reflect no more than a 5% differential between the most and the least populated district.

The Election Commission is charged with reviewing and recommending redistricting to City Council. The Charter requires that redistricting be completed at least six months before the general municipal election at which it is to become effective.

In June of 2009, I contacted the Arapahoe County Clerk & Recorder, Nancy Doty, to try to determine how long it would take the County to establish new precincts based on the 2010 Census. They really don't know how long it will take to review and re-precinct. Ms. Doty is not anticipating a lot of change to the Englewood, County precincts. And we do not know when the Census information will be distributed. After discussing this with City Attorney Brotzman, Deputy City Manager Flaherty and Finance and Administrative Services Director Gryglewicz we agreed to go ahead with the redistricting for 2011, based on the 2000 Census figures.

John Voboril, Community Development Planner II, worked on the redistricting scenarios. He said he ran the numbers for the two scenarios we had last time, and they both still work. The current boundaries just barely meet the registered voter spread of less than 15%, but it does meet our criteria. Mr. Voboril indicated there were other possibilities, however they would require a second precinct split, which we always try to avoid.

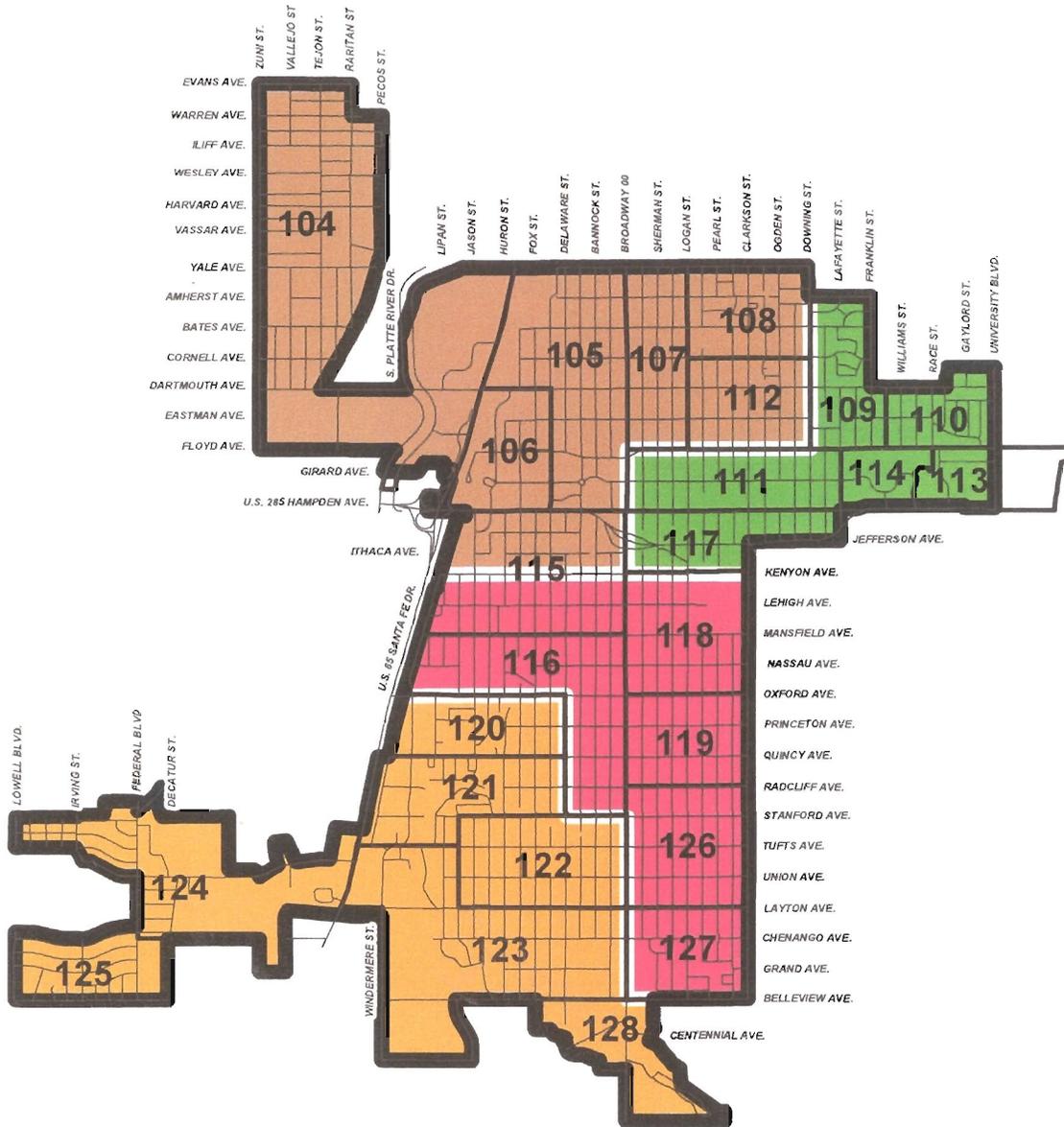
You are welcome to give me a call or leave me a voice mail at 303.762.2407 with your vote at any time, on or before September 30, 2010.

I need to know if you want to recommend to City Council that we adopt Option 1 or Option 2. If you choose Option 1, nothing changes. These are our current District boundaries. Option 2 creates a split in County Precinct 117 along US 285 and would, substantially, alter Englewood City Council Districts 1 and 3.

If you have any questions, don't hesitate to contact me.

City of Englewood, Colorado
 City Council District Analysis for 2011 Election Cycle

Option 1: (Splits Precinct 115 along Kenyon)



LEGEND

- Current City Council Districts
 - District I (Orange)
 - District II (Green)
 - District III (Red)
 - District IV (Yellow)
- Current City Council Boundary Lines (Thin black line)
- ArapCo Voting Precincts (Thick black line)
- City Boundaries (Thick black line)
- Street Network (Thin grey line)



Sept. 2010



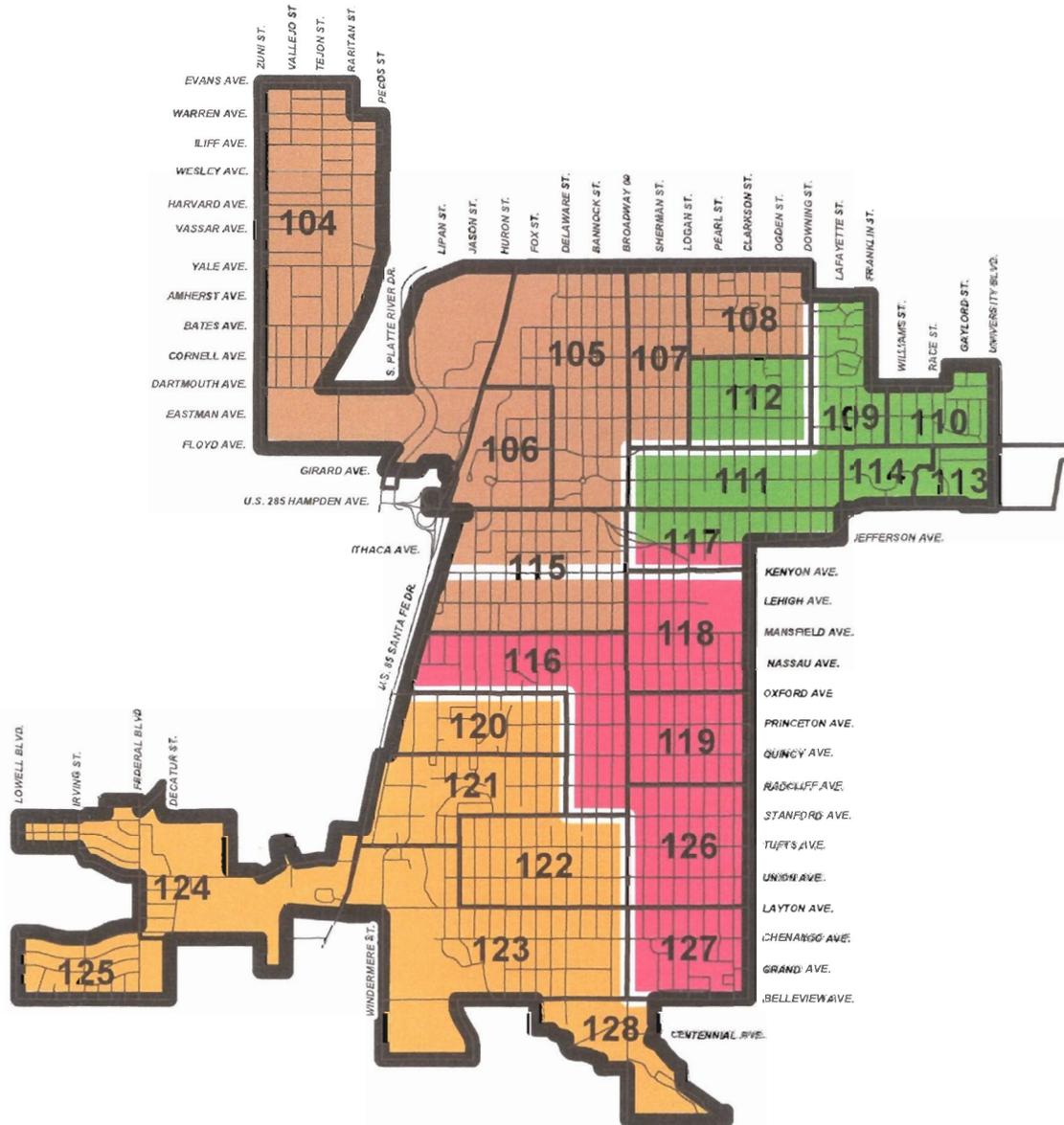
District	Population (2000 Census)	Registered Voters (2009)	Registered Voter Percentage of Total Population (2009)
I	8,107	5,120	63.16
II	7,770	4,467	57.49
III	7,732	4,797	62.04
IV	8,118	4,847	59.71
	31,727	19,231	

Red indicates highest and lowest figures.

Population % Difference between highest and lowest figure = 4.99%
 2009 Registration % Difference between highest and lowest figure = 14.61%

City Council District Analysis for 2011 Election Cycle

Option 2: (Splits Precinct 117 along US Hwy 285)



LEGEND

Alternative City Council Districts

- District I
- District II
- District III
- District IV
- Existing City Council Boundary Lines
- ArapCo Voting Precincts
- Street Network
- City Boundaries



Sept. 2010



District	Population (2000 Census)	Registered Voters (2009)	Registered Voter Percentage of Total Population (2009)
I	7,768	4,833	62.22
II	8,100	4,997	61.69
III	7,741	4,554	58.83
IV	8,118	4,847	59.71
	31,727	19,231	

Red indicates highest and lowest figures.

Population % Difference between highest and lowest figure = 4.87%
 2009 Registration % Difference between highest and lowest figure = 9.72%

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. 1
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE AMENDING TITLE 1, CHAPTER 5, SECTION 1, OF THE ENGLEWOOD MUNICIPAL CODE 2000, RELATING TO REAPPORTIONMENT OF CITY COUNCIL DISTRICTS WITHIN THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood City Council established the current Council District boundaries by the passage of Ordinance No. 3, Series of 2007; and

WHEREAS, the Englewood City Council hereby affirms that the current Council District boundaries as set by Ordinance No. 3, Series of 2007 remain the same; and

WHEREAS, pursuant to Article III, Section 20, of the Englewood Home Rule Charter, the four Council Districts shall be contiguous and compact and have approximately the same number of registered voters, and every four years Council shall make such divisions, changes, and consolidations necessary to carry out the intent of Article III, Section 20, of the Home Rule Charter; and

WHEREAS, the Englewood City Charter requires that the number of registered voters should vary no more than 15% between the highest and lowest Council Districts; and

WHEREAS, the Constitution of the State of Colorado has a population provision that case law supports, even though the provision is not made specifically applicable to municipalities; and

WHEREAS, the Constitution of the State of Colorado provision stipulates that the population of the districts reflect no more than a 5% differential between the most and the least populated district; and

WHEREAS, the current apportionment meets both the population and registered voter criteria; and

WHEREAS, the current districting meets the registered voter criteria of the Englewood Home Rule Charter with a 14.61% differential; and

WHEREAS, pursuant to population requirements established by the Constitution of the State of Colorado, Article V, Section 46, the current districting meets the population criteria with a 4.99% differential; and

WHEREAS, the Englewood Home Rule Charter requires that any reapportionment be completed at least six months prior to the general municipal election November 1, 2011 at which it is to become effective; and

WHEREAS, the Englewood Election Commission is charged with reviewing and recommending reapportionment to City Council; and

WHEREAS, the Englewood Election Commission reviewed the apportionment and recommends the current apportionment remain unchanged.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado, hereby determines that the Englewood Council Districts described in Title 1, Chapter 5, Section 1, of the Englewood Municipal Code 2000, remain as currently described and amending 1-5-1(B), to read as follows:

1-5-1: COUNCIL DISTRICTS:

A. Districts Described.

Each district is located in the State of Colorado and the County of Arapahoe.

Council District No. 1:

Council District No. 1 shall include and be comprised of all that portion of the City lying northerly and westerly of the following described line: Beginning at the intersection of the centerline of West Kenyon Avenue and the westerly City Limit line of Englewood; thence easterly along said centerline of West Kenyon Avenue to the intersection at South Broadway; thence northerly along the centerline of South Broadway to the intersection at East Floyd Avenue; thence easterly along the centerline of East Floyd Avenue to the intersection at South Downing Street; thence northerly along the centerline of South Downing Street to its intersection with the northerly City Limit line.

Council District No. 2:

Council District No. 2 shall include and be comprised of all that portion of the City lying northerly and easterly of the following described line: Beginning at the intersection of the easterly prolongation of the centerline of East Kenyon Avenue and the easterly City Limit line of Englewood; thence westerly along said centerline of East Kenyon Avenue to the intersection at South Broadway; thence northerly along the centerline of South Broadway to the intersection at East Floyd Avenue; thence easterly along the centerline of East Floyd Avenue to the intersection at South Downing Street; thence northerly along the centerline of South Downing Street to its intersection with the northerly City Limit line.

Council District No. 3:

Council District No. 3 shall include and be comprised of all that portion of the City bounded by the following described line: Beginning at the intersection of the easterly prolongation of the centerline of East Kenyon Avenue and the easterly City Limit line of Englewood; thence westerly along said centerline of East Kenyon Avenue to the intersection at South Broadway; thence continuing westerly along the centerline of West

Kenyon Avenue to its intersection with the westerly City Limit line of Englewood; thence southwesterly along said westerly City Limit line to its intersection with the centerline at West Oxford Avenue; thence easterly along said centerline of West Oxford Avenue to the intersection at South Delaware Street; thence southerly along the centerline of South Delaware Street to the intersection at West Stanford Avenue; thence easterly along the centerline of West Stanford Avenue to the intersection at South Broadway; thence southerly along the centerline of South Broadway to the intersection at East Belleview Avenue; thence easterly along the centerline of East Belleview Avenue to its intersection with the City Limit line; thence continuing easterly and northerly along said City Limit line to the intersection with the prolongation of the centerline of East Kenyon Avenue, said point also being the Point of Beginning.

Council District No. 4:

Council District No. 4 shall include and be comprised of all that portion of the City lying southerly and westerly of the following described line: Beginning at the intersection of the centerline of West Oxford Avenue and the westerly City Limit line of Englewood; thence easterly along said centerline of West Oxford Avenue to the intersection at South Delaware Street; thence southerly along the centerline of South Delaware Street to the intersection at West Stanford Avenue; thence easterly along the centerline of West Stanford Avenue to the intersection at South Broadway; thence southerly along the centerline of South Broadway to the intersection at East Belleview Avenue; thence easterly along the centerline of East Belleview Avenue to its intersection with the City Limit line.

- B. Equivalent Size. The City Council finds, determines and declares that the four (4) districts, as hereinabove established, contain an approximately similar number of citizens as determined by the 2000 Census figures. The districts contain a similar number of registered voters as determined by the number of registered voters as of ~~November 1, 2005~~ November 3, 2009, and the variance between the district with the highest number of registered voters and the district with the lowest number of registered voters is not in excess of fifteen percent (15%).
- C. Annexations. All territory annexed to the City shall be and becomes a part of the Council district to which the said district is contiguous, until such time as the Council shall redistrict the City.

Section 2. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

Section 4. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Introduced, read in full, and passed on first reading on the 4th day of January, 2011.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 7th day of January, 2011.

Published as a Bill for an Ordinance on the City's official website beginning on the 5th day of January, 2011 for thirty (30) days.

James K. Woodward, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 4th day of January, 2011.

Loucrishia A. Ellis

COUNCIL COMMUNICATION

Date: January 4, 2011	Agenda Item: 9 c i	Subject: Designation of Bulletin Board on the north side of the second floor of Englewood Civic Center as the Official Posting Place for all Legal Notices of the City of Englewood for 2011
Initiated By: Department of Finance and Administrative Services City Clerk's Office		Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services Loucrishia Ellis, City Clerk

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

On January 4, 2010 City Council designated the bulletin board on the north side of the second floor of Englewood Civic Center as the Official Posting Place for all Legal Notices of the City of Englewood for 2010.

RECOMMENDED ACTION

Approve a resolution designating the bulletin board on the north side of the second floor of Englewood Civic Center as the Official Posting Place for all Legal Notices of the City of Englewood for 2011.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The OPEN MEETINGS LAW, State Statute § 24-6-402 (2) (c) states that "a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year."

FINANCIAL IMPACT

None

LIST OF ATTACHMENTS

Resolution

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION DESIGNATING THE BULLETIN BOARD ON THE NORTH SIDE OF THE SECOND FLOOR OF THE ENGLEWOOD CIVIC CENTER AS THE OFFICIAL POSTING PLACE FOR ALL LEGAL NOTICES OF THE CITY OF ENGLEWOOD FOR 2011.

WHEREAS, the "Open Meetings Law", State Statute §24-6-402(2)(c) requires that the public place or places for posting legal notices shall be designated annually at the local public body's first regular meeting of each calendar year;

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

Section 1. The official posting place for all legal notices of the City of Englewood for the year 2011, shall be the Bulletin Board on the north side of the second floor of the Englewood Civic Center and such notices shall be posted under the heading "OFFICIAL CITY NOTICES." This Resolution does not in any way of itself create a requirement for notice.

ADOPTED AND APPROVED this 4th day of January, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

Loucrishia A. Ellis, City Clerk

COUNCIL COMMUNICATION

Date: January 4, 2011	Agenda Item: 11 a i	Subject: An Ordinance amending Neighborhood Stabilization Program Grant Budget to include a Program Income Reuse Plan
Initiated By: Community Development Department		Staff Source: Janet Grimmett, Housing Finance Specialist Harold J. Stitt, Senior Planner

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council approved Resolution 34, Series of 2009 on March 23, 2009 authorizing the Community Development Department to file an application for Federal funding through the Neighborhood Stabilization Program (NSP1); Ordinance 37, Series of 2009, approved on September 21, 2009, authorizing the Neighborhood Stabilization Program (NSP1) Grant Agreement; and Ordinance 49, Series of 2009, approved on November 2, 2009, authorizing the purchase of ten houses in fulfillment of the NSP1 contract; Resolution 35, Series of 2010, approved a transfer and supplemental appropriation of long term asset reserve funds (LTAR) to fund improvements related to the Federal Neighborhood Stabilization Program (NSP1) project; and Ordinance 27, Series of 2010, amended the NSP1 budget to add \$500,000 to the grant amount and authorizing the purchase of up to three additional foreclosed single-family homes.

RECOMMENDED ACTION

Staff recommends that Council approve a bill for an ordinance authorizing the execution of an amendment to the agreement of the Neighborhood Stabilization Program grant, incorporating a Program Income Reuse Plan that allows the City to retain the grant funds until the end of the grant period (2013) rather than returning the funds upon the sale of each property.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

In 2008, the Federal government passed the Housing and Economic Recovery Act (HERA), the first new legislation in a generation for housing and economic development. HERA appropriated \$3.92 billion for the Neighborhood Stabilization Program (NSP1) to support the acquisition, rehabilitation, or demolition of foreclosed and abandoned properties. The State of Colorado received a total of \$53 million in NSP1 funds of which \$37.9 is directly administered by the State.

On March 30, 2009, the Community Development Department submitted an application to the Colorado Department of Local Affairs, Division of Housing for NSP1 funding for Project Rebuild. Project Rebuild will purchase and rehabilitate abandoned or foreclosed single-family properties in the City's ten eligible census tracts.

The State Housing Board approved the Project Rebuild NSP1 application on July 14, 2009. The Board awarded the City \$1,253,379.

Key NSP requirements include:

- NSP funds must be expended within 18 months of the date the State received funding (March 2009).
- A multi-year reinvestment period with a term ending March 10, 2013.
- Households purchasing properties must undergo a minimum of eight hours of HUD-approved homeownership counseling.
- 100% of all funds shall be used to serve families whose income does not exceed 120% of Area Median Income (AMI).
- 25% of all funds shall be used to serve families whose income does not exceed 50% of AMI.
- Rehabilitation Standards must be established (minimum of Housing Quality Standards and local codes, with green building and energy and water efficiency encouraged).
- Sale prices of abandoned or foreclosed homes purchased or redeveloped and sold to individuals, as a primary residence, shall be equal to or less than the cost to acquire and redevelop the home.
- Purchase prices of homes can include closing costs.
- Appraisals are required on all acquisitions using NSP1 funds.
- Foreclosed homes shall be purchased at a discount of at least 1% from the current market-appraised value.
- Administrative fees up to 2% for non-Direct and reasonable developer fees to operate the NSP1 program are allowed.

The Colorado Division of Housing (DOH) has requested that Community Development Housing staff provide a Program Income Reuse Plan to permit the reuse of projected program income derived from the sale of NSP units for the acquisition, rehab, and sale of additional units by March 10, 2012.

To date, Project Rebuild has acquired eleven single-family vacant foreclosed properties located in the eligible census tracts. The current NSP1 project called for the acquisition, rehab, and sale of thirteen (13) foreclosed single-family properties.

FINANCIAL IMPACT

Existing Community Development staff has the required expertise to acquire foreclosed properties, provide rehabilitation, and sell the properties to eligible buyers. All acquisition and rehab expenses will be covered by the NSP1 grant.

LIST OF ATTACHMENTS

Proposed Bill for an Ordinance

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. 2
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE AUTHORIZING AMENDMENT NO. 2 TO A STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS NEIGHBORHOOD STABILIZATION PROGRAM (NSP1) GRANT TO ALLOW RETENTION OR REUSE OF MONIES COLLECTED FROM THE SALE OF PROPERTIES UNTIL THE END OF THE GRANT PERIOD.

WHEREAS, the Housing and Economic Recovery Act (HERA) appropriated \$3.92 billion for the Neighborhood Stabilization Program (NSP1) to support the acquisition, rehabilitation, or demolition of foreclosed and abandoned properties; and

WHEREAS, the City Council of the City of Englewood, Colorado authorized the City's application for Federal funding through the Neighborhood Stabilization Program (NSP1) by the passage of Resolution No. 34, Series of 2009; and

WHEREAS, the Colorado State Housing Board approved that Project Rebuild NSP1 application on July 14, 2009 and awarded the City of Englewood, Colorado \$1,253,379; the contract was approved by the passage of Ordinance No. 37, Series of 2009; and

WHEREAS, the Project Rebuild is to purchase and rehabilitate abandoned or foreclosed single-family properties in the City of Englewood; and

WHEREAS, the Englewood City Council authorized the acquisition of ten (10) single-family vacant foreclosed properties by the passage Ordinance No. 49, Series of 2009 and later authorized an additional 3 houses by the passage of Ordinance No. 27, Series of 2010 with these grant funds; and

WHEREAS, this second amendment will modify the terms of the original grant to allow the City to retain the grant funds until the end of the grant period (2013) rather than returning the funds upon the sale of each property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes a second amendment to the Intergovernmental Grant Agreement attached as Exhibit A, "Program Income Reuse Plan" for and on behalf of the City of Englewood, Colorado.

Section 2. The Mayor is authorized to execute the second amendment of the Intergovernmental Grant Agreement attached as "Program Income Reuse Plan" for and on behalf of the City of Englewood, Colorado.

Introduced, read in full, and passed on first reading on the 4th day of January, 2011.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 7th day of January, 2011.

Published as a Bill for an Ordinance on the City's official website beginning on the 5th day of January, 2011 for thirty (30) days.

James K. Woodward, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 4th day of January, 2011.

Loucrishia A. Ellis

PROGRAM INCOME REUSE PLAN
Neighborhood Stabilization Program (NSP)
Colorado Department of Local Affairs - Division of Housing (DOH)

The following are resources including Federal regulations and State guidelines governing NSP Program Income:

- 24 CFR 570.500;
- DOH Substantial Amendment to the NSP Action Plan (NSP Action Plan); and
- DOH (NSP) Program Income Guide (NSP PI Guide).

The State of Colorado's NSP Program Income Reuse Plan has two main objectives:

1. To maximize the benefit of NSP program income for Colorado's future affordable housing needs, and
2. To prepare the State and DOH programmatically for HUD's final guidance on the future of Program Income upon the closeout of NSP contracts, post March 10, 2013. In anticipation of HUD's guidance, DOH is limiting the timeframe of each grantee's NSP Program Income Reuse Plan to expire by March 10, 2012.

The purpose of this plan is to establish guidelines for program income generated through activities funded under the Neighborhood Stabilization Program (NSP). In order to use Program Income, grantees must submit a Program Income Reuse Plan, in the format below, for approval by the Division of Housing. Unless otherwise stated, NSP falls under the same rules as those established for Community Development Block Grant (CDBG) funds. This is a waiver to the State of Colorado's Program Income Guide and the NSP Action Plan.

Definition of Program Income

As defined in the DOH Neighborhood Stabilization Program (NSP) Program Income Guide (NSP PI Guide).

Eligible Activities and Use of NSP Program Income

Program income must be used for NSP eligible housing activities which benefit low-, moderate-, and middle-income (LMMI) individuals and families. In addition, the use of program income is limited to those activities described in the Grantee's NSP contract.

Cash Management

- No profit can be earned on the sale of an abandoned or foreclosed home or residential property to an individual as a primary residence. The sale must be the lesser of either the appraised value at time of resale, or an amount equal to or less than the cost to acquire, redevelop or rehabilitate the home or property up to decent, safe, and habitable condition.
- All NSP Program Income generated by NSP-funded and/or Program Income-funded activities must be placed in a separate NSP Program Income account.
- Grantees must maintain financial records on the receipt and expenditure of Program Income funds separately from other NSP program funds being administered.
- The total amount of Program Income on hand must also be reported when submitting a drawdown request for NSP funds.
- In addition, documentation must be maintained, by activity, as to how the Program Income expenditure(s) meets NSP eligible activities as well as other program requirements.
- All NSP Program Income must be disbursed for eligible NSP activities before additional NSP funds are made available to the Grantee for an advance or reimbursement.

Reporting

The Grantee shall comply with all NSP reporting requirements, including but not limited to:

- | | |
|-------------------------------------|---|
| • Section 3 Report | by July 31 of each year |
| • Wage Compliance Report | October 31 and April 30 |
| • Final Wage Compliance Report | 30 days after construction is complete |
| • Funds Request Form | as funds are needed |
| • Monthly Performance | due 10 days after the end of each month |
| • Monthly NSP Program Income Report | due 10 days after the end of each month |

NSP Program Income Reuse Plan

Financial Summary (from latest Financial Report)

1.	CDOH NSP 1 Award amount	\$1,753,379
2.	Funds Expended as of (date): 11-30-2010	\$1,533,675
3.	Funds required to complete remaining activities	\$ 220,000
4.	Program income received as of (date) 11-30-2010	-0-
5.	Projected program income for remainder of contract period	\$ 750,000
6.	Surplus from original CDOH award [1. - (2. + 3.)].	-0-
7.	Estimated funds available for additional activities [4. + 5.]	\$ 750,000

Summary of PI sources (sales of NSP acquired properties, P&I on NSP financing, etc):

Rental PI -0-
Sales PI \$750,000
units x # months -0-
Repaid finance mechanism funds -0-

Proposed activities:

(NOTE: must continue existing contracted NSP eligible activity. Any program plan to market single family homes at or below 50% of AMI must be included and approved by the State.)

Purchase, rehabilitation, and resale.

Proposed property(ies):

(NOTE: provide information on number, type (SF/MF,) reuse (owner or rental), location (eligible area(s)), source(s))

Acquire three single-family units.
Reuse - sell as owner occupied units.
Acquisition within the 11 eligible Census Tracts.

Estimated costs (proposed budget):

Maximum NSP admin: 2%
Amount prioritized for use in Project Delivery Costs (by dollar amount and percentage)
Amount prioritized to serve households at/below 50% AMI: \$187,500

Acquisition	\$450,000
Rehab	\$180,000
Appraisals	\$ 1,000
Pre-Purchase Counseling	\$ 500
Marketing	\$ 30,000
Project Development	\$ 69,000
Project Carrying Costs	\$ 4,500
Administration	\$ 15,000
TOTAL	\$750,000

Explain plan to continue to expend both remaining awarded funds and program income prior to March 10, 2012. Current awarded funds are fully obligated. As units are sold, PI will be used to acquire, rehab, and sell additional single-family units.

Major milestones for completion (prior to, and concluding March 10, 2012)

Identification of properties: 10-31-2011

Acquisition/Closing: 12-31-2011

Redevelopment: 2-28-2012

Marketing: 12-31-2012

Occupancy (sale or rental): 12-31-2012

Returning NSP Program Income

All outstanding program income will be returned to DOH by March 10, 2013, if not requested at an earlier date by DOH.

The NSP Program Income Reuse Plan must be accepted and certified by the certifying official of the NSP grant, and written acceptance by the Division of Housing must be obtained.

Name of Certifying Official of the NSP Grant:

James K. Woodward

Signature

Title of Certifying Official:
Mayor

Date: January 4, 2011

Accepted and Certified by the Division of Housing

Date:

Contract: # HONSP09308

Grantee Name: City of Englewood

Contracted NSP Activity: Homeownership

Grantee Address: 1000 Englewood Parkway, Englewood, CO 80110-2373

Telephone: 303 762-2349

E-mail: jgrimmett@englewoodgov.org

Contact Person: Janet Grimm

COUNCIL COMMUNICATION

Date: January 4, 2011	Agenda Item: 11 a ii	Subject: An Ordinance Authorizing the Purchase of two additional Single Family Houses Funded through the Neighborhood Stabilization Program Grant and the Program Income Reuse Plan
Initiated By: Community Development Department		Staff Source: Janet Grimmett, Housing Finance Specialist Harold J. Stitt, Senior Planner

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council approved Resolution 34, Series of 2009 on March 23, 2009 authorizing the Community Development Department to file an application for Federal funding through the Neighborhood Stabilization Program (NSP1); Ordinance 37, Series of 2009, approved on September 21, 2009, authorizing the Neighborhood Stabilization Program (NSP1) Grant Agreement; and Ordinance 49, Series of 2009, approved on November 2, 2009, authorizing the purchase of ten houses in fulfillment of the NSP1 contract; Resolution 35, Series of 2010, approved a transfer and supplemental appropriation of long term asset reserve funds (LTAR) to fund improvements related to the Federal Neighborhood Stabilization Program (NSP1) project; and Ordinance 27, Series of 2010, amended the NSP1 budget to add \$500,000 to the grant amount and authorizing the purchase of up to three additional foreclosed single-family homes.

RECOMMENDED ACTION

Staff recommends that Council approve a bill for an ordinance authorizing the purchase of up to two additional unidentified bank-owned foreclosed single-family residences located in the eligible census tracts throughout the City of Englewood to fulfill the NSP1 contract with the Colorado Department of Local Affairs.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

In 2008, the Federal government passed the Housing and Economic Recovery Act (HERA), the first new legislation in a generation for housing and economic development. HERA appropriated \$3.92 billion for the Neighborhood Stabilization Program (NSP1) to support the acquisition, rehabilitation, or demolition of foreclosed and abandoned properties. The State of Colorado received a total of \$53 million in NSP1 funds of which \$37.9 is directly administered by the State.

On March 30, 2009, the Community Development Department submitted an application to the Colorado Department of Local Affairs, Division of Housing for NSP1 funding for Project Rebuild. Project Rebuild will purchase and rehabilitate ten (10) abandoned or foreclosed single-family properties in the City's ten eligible census tracts.

The State Housing Board approved the Project Rebuild NSP1 application on July 14, 2009. The Board awarded the City \$1,253,379. DOH committed an additional \$500,000 for property acquisition. This amount covered the cost of purchasing three more bank owned foreclosed homes. The Colorado Division of Housing (DOH) requested that Community Development Housing staff provide a Program Income Reuse Plan to permit the reuse of projected program income derived from the sale of NSP units for the acquisition, rehab, and sale of additional units by March 10, 2012.

To date, Project Rebuild has acquired eleven (11) single-family vacant foreclosed properties located in the eligible census tracts. The current NSP1 project calls for the acquisition, rehab, and sale of thirteen (13) foreclosed single-family properties. With the approval of the NSP1 Program Income Reuse Plan, it is anticipated that two (2) additional unidentified properties could be purchased. This would bring the total of purchased properties to fifteen (15).

Generally, Real Estate Owned (REO) lenders and government holding agencies (e.g. FHA, VA, FNMA, etc.), require closing dates to be set within 30 days of their acceptance of an offer to purchase or bid. Given this short time frame to close on a property, it would be impossible for staff to gain Council approval for acquisition of individual site-specific properties given the 45-60 day ordinance approval timeframe.

Section 72 of the Home Rule Charter requires that real property may be sold, but only by ordinance, not using the emergency provision. Each property acquired for Project Rebuild will be brought before Council as soon as possible to receive approval to sell each property to eligible buyers. This will maximize the marketing efforts. This process will expedite the subsequent sale and closing of the property.

FINANCIAL IMPACT

Existing Community Development staff has the required expertise to acquire foreclosed properties, provide rehabilitation, and sell the properties to eligible buyers. All acquisition and rehab expenses will be covered by the NSP1 grant.

LIST OF ATTACHMENTS

Proposed Bill for an Ordinance

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. 3
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO ADDITIONAL UNIDENTIFIED SINGLE-FAMILY, VACANT, FORECLOSED PROPERTIES LOCATED IN THE CITY OF ENGLEWOOD, COLORADO TO FULFILL THE AMENDED NEIGHBORHOOD STABILIZATION PROGRAM CONTRACT BETWEEN THE COLORADO DEPARTMENT OF LOCAL AFFAIRS AND THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City Council of the City of Englewood, Colorado authorized an application to the Colorado Department of Local Affairs, Colorado Division of Housing, for a portion of Arapahoe County's allocations of the Federal Neighborhood Stabilization Program funds (NSP1) for funding Project Rebuild by the passage of Resolution No. 34, Series 2009; and

WHEREAS, the City of Englewood Project Rebuild was awarded \$1,253,379 to purchase, rehabilitate, and sell single-family vacant, foreclosed properties in eligible census tracts located in the City of Englewood; and

WHEREAS, the City Council of the City of Englewood, Colorado authorized the execution of an intergovernmental contract for Neighborhood Stabilization Program grant funding between the Colorado Department of Local Affairs and the City of Englewood, Colorado which allowed the purchase of 10 qualifying and then three additional properties for rehabilitation under this program; and

WHEREAS, generally, when real estate is owned by lenders and government holding agencies (e.g. FHA, VA, FNMA, etc.) they require closing dates to be set within 30 days of their acceptance of an offer to purchase or bid. With this short time frame it would be impossible to gain City Council approval for acquisition of individual site-specific properties given the 45-60 day ordinance approval timeframe; and

WHEREAS, Section 72 of the Englewood Home Rule Charter requires that real property may be sold, but only by ordinance, not using the emergency provision; and

WHEREAS, each property acquired for Project Rebuild will be brought before City Council as soon as possible to receive approval to sell each property to eligible buyers; and

WHEREAS, it is anticipated Council will approve a second amendment to the NSP1 Grant which will allow the City to retain the NSP1 Grant Program Income funds until the program ends in 2013; and

WHEREAS, Staff requests the City Council authorize the purchase of two (2) additional currently unidentified qualifying houses with those retained funds.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes the purchase of two (2) additional unidentified single-family, vacant, foreclosed properties located in the eligible census tracts throughout the City of Englewood as a part of the NSP1 contract with the Colorado Department of Local Affairs funded through the Neighborhood Stabilization Program Grant (NSP1 Grant).

Introduced, read in full, and passed on first reading on the 4th day of January, 2011.

Published by title in the City's official newspaper on the 7th day of January, 2011

Published as a Bill for an Ordinance on the City's official website beginning on the 5th day of January 2011 for thirty (30) days.

James K. Woodward, Mayor

ATTEST:

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 4th day of January, 2011.

Loucrishia A. Ellis

COUNCIL COMMUNICATION

Date: January 4, 2011	Agenda Item: 11 c i	Subject: Integrated Emergency Management Course
Initiated By: Englewood Office of Emergency Management		Staff Source: Steve Green, Emergency Management Coordinator

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

This grant supports the following Council Goals;

- 1) Englewood as a city that is safe, clean, healthy and attractive.
- 2) Englewood as a progressive city that provides responsive and cost efficient services.

RECOMMENDED ACTION

Staff seeks Council's support for a resolution authorizing the City's application to the National Emergency Training Center (NETC) to participate in an Integrated Emergency Management Course at the NETC in Emmitsburg, Maryland in fiscal year 2012.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Emergency Management Institute, located at the National Emergency Training Center, holds community-specific training to help jurisdictions develop and implement their policies, plans and procedures, in an exercise format, to assist in preparing for crises specific to that jurisdiction.

Application to attend the training is an annual competitive process, overseen in Colorado by the Department of Local Affairs, Division of Emergency Management.

As a part of the application, the senior elected official of the City is required to sign a cover letter to the application packet, indicating the support of the City in allowing employees to attend this training.

FINANCIAL IMPACT

The training is fully funded by the NETC, with the exception of meals for participants. The cost of meals for City employees is expected to be reimbursed through the EMPG grant process for Fiscal Year 2012.

LIST OF ATTACHMENTS

Cover Letter for Application
Reminder Notice for IEMC Course
Resolution

Hans Kallam, Director
Colorado Division of Emergency Management
Department of Local Affairs
9195 East Mineral Avenue
Suite 200
Centennial , Colorado 80112

January 5, 2011

Dear Mr. Kallam,

On behalf of the City of Englewood, I respectfully request consideration to receive a community-specific Integrated Emergency Management Course (IEMC). We have determined that the City of Englewood meets the criteria for application and selection for this course conducted by FEMA's Emergency Management Institute (EMI).

We understand that approval for an IEMC will require a major commitment from our community and we are prepared to meet that commitment. As such, I believe our community is an ideal candidate and would benefit significantly from participation in this course to exercise our emergency operations center (EOC) SOPs and our emergency operations plans.

Heavy rail tracks run through the city used by about 44 freight trains per day. Light rail track parallels the heavy rail through the city, carrying a large number of passengers daily. We are active regionally in both day to day activities, emergency response activities and disaster planning, mitigation and recovery activities, as detailed in our packet.

We request an IEMC program that will help to prepare us for all hazards planning, mitigation, response and recovery, as well as the specific hazards detailed in our packet. The attached documents provide detailed information concerning our current emergency management program and our disaster history.

We request your endorsement of this application to be forwarded to the FEMA Region 8 Administrator along with our application package.

I have appointed the following individual(s) as our Point of Contact for this request:

Name: Stephen Green

Position Title: Emergency Management Coordinator

Organization and Address: Englewood Fire Department
3615 S. Elati St.
Englewood, Co 80110

Telephone #/email address: 303-762-2476
sgreen@englewoodgov.org

Thank you for your consideration.

Sincerely,

James Woodward
Mayor
City of Englewood

EMERGENCY MANAGEMENT INSTITUTE

NATIONAL EMERGENCY TRAINING CENTER • EMMITSBURG, MD 21727



FEMA

Fiscal Year 2012 Community-specific Integrated Emergency Management Course (IEMC)

REMINDER: The deadline for applying to the Emergency Management Institute (EMI) for a community-specific IEMC in FY2012 is January 15, 2011.

Each year States, counties, cities, Tribal communities and specialized jurisdictions throughout the United States apply to the Emergency Management Institute (EMI) to conduct an IEMC for their jurisdictions. IEMCs are exercise-based courses that place jurisdictions' emergency operations center (EOC) personnel in realistic crisis situations within a structured learning environment. The jurisdiction selects the scenario(s) it wants to exercise (for example, a special event, hurricane, or terrorist incident), the exercises are then developed to reflect the hazards or events facing the jurisdiction, the type of EOC used by the jurisdiction, and the organizations included in the jurisdictional emergency plans.

A community-specific IEMC builds awareness and skills needed to develop and implement a jurisdiction's policies, plans, procedures, and mutual aid agreements in an EOC environment. Skilled EMI exercise specialists conduct a pre-course analysis in the jurisdiction in order to collect local information, identify critical infrastructure, study transportation systems, and analyze current response plans. From this information, exercises are built to test the jurisdiction's planned approach to specific hazards and to surface issues for which the IEMC participants may need to re-evaluate and develop corrective action plans.

IEMCs are Homeland Security Exercise and Evaluation Program (HSEEP) compliant and designed for personnel who fill specific emergency support positions within their community. Personnel who attend are officials from local, regional, State and federal emergency management agencies, senior level personnel from response agencies and organizations (e.g., law enforcement, fire, emergency medical services, and public health), managers from volunteer organizations active in disasters (VOADs), and representatives from private organizations which participate in local, regional, and state responses. Each participant is assigned a role similar to their real-life position. To view a list of positions of appropriate attendees, please go to the IEMC website at:

<http://www.training.fema.gov/EMIWeb/IEMC/iemcpos.asp>

Emergency personnel can attain readiness either through managing emergencies or through participating in exercises - clearly, exercises are the preferred method of gaining the necessary expertise. IEMC participants are challenged to use new ideas, skills, and abilities in addition to their own knowledge and experience. In this way, the IEMC allows individuals to rehearse their real-life roles in a realistic emergency situation, while at the same time identifying additional planning needs.

For information on how to prepare and submit an application for a community-specific IEMC, click on the link:

<http://training.fema.gov/EMIWeb/IEMC/selprocess.asp>

For continual updates on IEMCs, and to sign up for our **free email subscription service**, click on the link: [Sign up via our free e-mail subscription service](#) at our web site:

<http://www.training.fema.gov/EMIWeb/IEMC/>

BULLETIN

No.: 857

Friday, December 10, 2010



RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION SUPPORTING THE CITY'S APPLICATION TO PARTICIPATE IN THE
2012 INTEGRATED EMERGENCY MANAGEMENT COURSE AT THE NATIONAL
EMERGENCY TRAINING CENTER

WHEREAS, the Emergency Management Institute, located at the National Emergency Training Center (NETC), holds community-specific training to help jurisdictions develop and implement their policies; plans and procedures to assist in preparing for crises specific to that jurisdiction; and

WHEREAS, application to attend the training is overseen in Colorado by the Department of Local Affairs, Division of Emergency Management; and

WHEREAS, the training is fully funded by the NETC, with the exception of meals for participants.

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

Section 1. Council supports the City's application to participate in the 2012 Integrated Emergency Management Course at the National Emergency Training Center

ADOPTED AND APPROVED this 4th day of January, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

Loucrishia A. Ellis, City Clerk