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# *Council Newsletter*

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## CITY MANAGER'S NOTES

April 28, 2011

### **Upcoming Council Meetings**

City Council will meet on **Monday, May 2, 2011**. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers. The agendas are attached. Sandwiches will be available in the City Council Conference Room at 5:30 p.m.

The Citizen of the Year celebration is **Monday, May 9<sup>th</sup>**, at the Malley Center.

The following City Council meeting will be **Monday, May 16, 2011**.

### **Informative Memoranda**

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

1. News Release honoring Marty Mosman as the 2011 Citizen of the Year.
2. News Release concerning the open burning ban.
3. Letter expressing appreciation two employees in the Community Development and Public Works Departments for their assistance.
4. Letter complimenting Ted's Men's Clothiers.
5. Articles from *YourHub.com* concerning Englewood's South Broadway Post Office and the Epic Spring Cleaning Event on April 30<sup>th</sup>.
6. Kent Place Information Sheet.
7. Information from CML concerning "Lessons on Local Government" resource for schools.
8. Amendment to a Ground Lease Agreement between Englewood McLellan Reservoir Foundation and Ben Franklin Academy regarding the addition of a surrender clause.
9. Memorandum concerning the Project Update.
10. Calendar of Events.
11. Tentative Study Session Topics.

Leigh Ann Hoffhines

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**From:** Leigh Ann Hoffhines  
**Sent:** Monday, April 25, 2011 2:47 PM  
**To:** Tom Munds - Englewood Herald ( ); Daniel Smith ( ); Kevin Hamm ( ); Villager - News Desk ( )  
**Cc:** Leigh Ann Hoffhines  
**Subject:** May 9 Reception Honors 2011 Englewood Citizen of the Year



**City of Englewood, Colorado**  
**News Release**

**For Immediate Release:** April 25, 2011  
**Media Contact:** Michael Flaherty, Deputy City Manager  
**Phone:** 303-762-2314  
**E-Mail:**

**Englewood City Council to honor Marty Mosman as 2011 Citizen of the Year**

**Englewood, CO:** Englewood City Council has chosen to honor long-time resident Marty Mosman as the Englewood Citizen of the Year for 2011. The community is invited to join the celebration at a reception in Marty's honor on Monday, May 9, 2011 at 7 pm at the Malley Senior Recreation Center, located at 3380 South Lincoln Street in Englewood.

Each year City Council honors a citizen who has made significant contributions to the community. This year, Council selected Marty Mosman, who has lived in Englewood for most of her life and has devoted countless hours in service to the people of this community. Marty's long list of accomplishments includes helping found the Western Arapahoe County Homeless Alliance and volunteering at Inter-Faith Community Services, the local Salvation Army, the local women's shelter, and as a Neighborhood Watch Block Captain. Marty is also an active volunteer with the City of Englewood. She has served on several of Englewood's boards and commissions over the years and has volunteered her time at the Englewood Police Department and the Malley Senior Recreation Center as well.

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Leigh Ann Hoffhines  
Communications Coordinator  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80110  
303-762-2316

Leigh Ann Hoffhines

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**From:** Leigh Ann Hoffhines  
**Sent:** Thursday, April 28, 2011 12:46 PM  
**To:** 7 News ( ); 9 News ( ); Carlos Illescas ( ); Daniel Smith ( ); Denver Post - News Room ( ); Channel 2 ( ); Tom Munds - KOA Radio  
Englewood Herald ( ); Kevin Hamm ( ); Villager - News Desk  
**Cc:** Marla Wilcox; Leigh Ann Hoffhines  
**Subject:** City of Englewood: Fire Ban Lifted



**City of Englewood, Colorado**  
**News Release**

**For Immediate Release:** April 28, 2011  
**Media Contact:** Marla Wilcox, Fire Marshal  
**Phone:** 303-762-2365  
**E-Mail:** ..

## **Englewood Fire Marshal lifts open burning ban**

**Englewood, CO:** As a result of the recent precipitation the Denver metro area has received, the City of Englewood has lifted the fire ban that went into effect March 25, 2011.

The Englewood Fire Department reminds residents that no open burning of leaves, refuse or trash is allowed in the city. Residents should also be aware that it is illegal to possess, store, sell, use, or ignite fireworks in the City of Englewood without a permit from Englewood's Fire Marshal.

According to the Englewood Municipal Code, fire pits are allowed only when located 25 feet or more from any combustible structure (including fences) and are not allowed on decks. Fire pits or other burning devices shall be commercially manufactured or constructed of non-combustible materials. Only charcoal or unpainted and untreated wood can be burned in the fire pits. Burning of rubbish, garbage, plastic, rubber, grass or tree trimmings, brush, or construction debris is not allowed. The fire pits may only be used if they do not "cause injury, detriment, nuisance, or annoyance to the general public" or "endanger the comfort, repose, health, or safety of any person or of the public generally." Neighbors who notice emissions that may fit this category should report them to the Englewood Police non-emergency number at 303-762-2438. Fire pits are not allowed to be used on high pollution days.

Charcoal or gas-burning barbecues and other open flame devices are not restricted at single family homes or duplexes. However, they are not allowed on balconies of multiple housing units unless the building is protected by a sprinkler system, and they are not allowed within 10 feet of any combustible materials, such as building siding.

The Englewood Fire Department will continue to monitor weather conditions throughout the summer and may consider reactivating the open burning ban if it is determined that extreme fire hazards exist.

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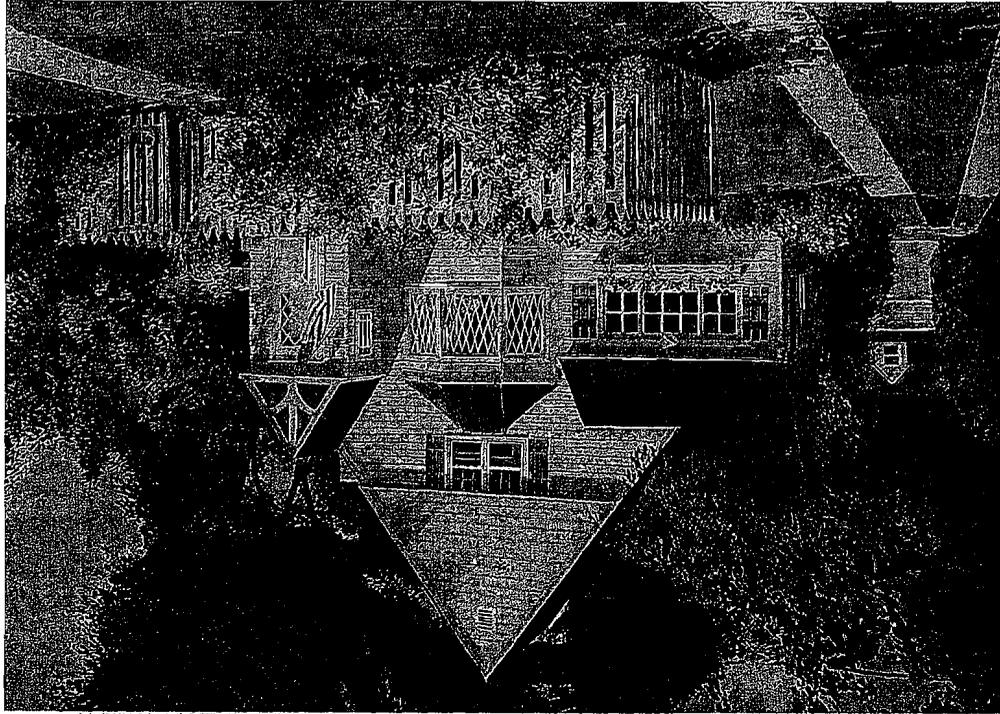
Leigh Ann Hoffhines  
Communications Coordinator  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80110  
303-762-2316

[www.engagewoodgov.org](http://www.engagewoodgov.org)

Thank you to  
Tricia and  
Dave Henderson  
from a woman they  
helped.

April 21, 2011

Dear Tricia and David,  
Thank you both so very  
much for your assistance  
with the explanation and  
clear identification of  
the location of the City  
owned land and recorded  
agreement which might  
have become a title issue



for a home I will be  
listing at 2845 S. Ogden St.  
We're able to have the issue  
removed by the title company  
Thanks to your help and  
extra efforts.

We're *Very* lucky to have  
assets *Lammermann House, c. 1937*  
in our *TYLER RYDER*  
*Watercolor, 19½ x 27 inches*  
*Denver's Jewett Park Neighborhood* like you  
city.

Private Collection  
Much obliged.

**Neil E. Jones  
4997 Tule Lake Drive  
Littleton, Colorado 80123**

April 23, 2011

The Honorable Jim Woodward  
Mayor of the City of Englewood, Colorado  
Civic Center  
1000 Englewood Parkway  
Englewood, CO 80110



Dear Mayor Woodward,

About thirty years ago I discovered Ted's Men's Clothiers in downtown Englewood. I have been a loyal and happy client ever since.

As a result of my numberless visits to Ted's I have also become a satisfied customer of a variety of Englewood's other downtown merchants. Over the years I have been pleased to recommend their food, service, and merchandise to many friends and associates.

I am sure you know that I am not alone in my high regard for Ted's. I personally know prominent attorneys, accountants and other professionals living as far away as Nebraska who have become loyal clients.

I'm pleased for this opportunity to relay my conviction to City officials that Ted's Men's Clothiers has become an important magnet for attracting visitors to downtown Englewood.

Sincerely yours,

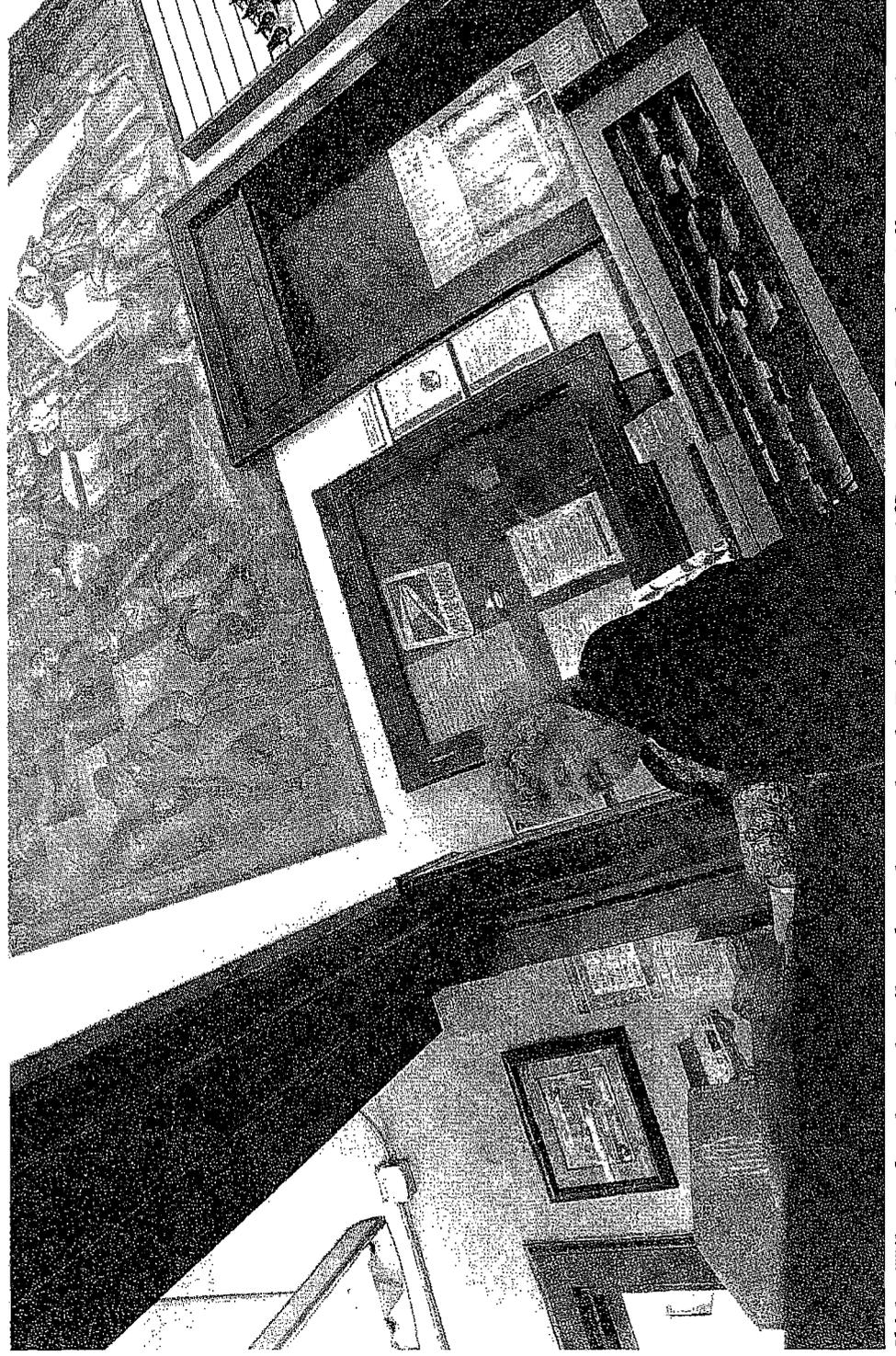
Neil E. Jones

cc: Mr. Ted Vasilas

# Post office effort back on track

Englewood's historic-designation application went MIA for a bit »4L

4-28-11



Littleton seeks to ban "bath salts" »4L

New section of Cherry Creek Trail opens »5L

Clothes get a new turn at Kids Again »6L

Police blotter .....2L  
Preps .....24L  
Sudoku .....25L

Shirley Wilson, of Englewood, mails packages last week at the Englewood Post Office on South Broadway. Efforts to place the 1938 building with its historic Boardman Robinson mural on the National Historic Register are moving forward. "I definitely want to keep this one," said Wilson, who has been using the long-standing branch for more than 40 years. *Kristin Morin YourHub.com*

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4-28-11

Your City

# Post office a step closer

## Englewood officials persevere to get historic designation



A customer fills out mailing addresses last week at the Englewood Post Office. The city is working to get final approval to designate the building on the National Historic Register. *Kristin Morin, YourHub.com*

By **Daniel Smith**  
*YourHub.com*

The effort to attain historic designation for the Englewood Post Office on South Broadway and its New Deal-era mural is moving closer to its goal.

But not without a little detective work by the city.

Last year, the city council moved to prevent the Postal Service from closing the facility, built in 1938, in favor of a nearby post office. With that battle won, it then undertook having the facility placed on the National Historic Register.

The process has had many steps, from local action to designation by the State Historical Society and on to the Postal Service for its review. At one point this year, Mayor Jim Woodward said contact with Postal Service Preservation Officer Dallan Wordekemper — the point person in their

talks — was lost. The phone number and email for him no longer worked, Woodward said.

"So our application is out there in limbo-land," Woodward said at the time.

U.S. Rep. Diane DeGette's office was contacted for help. Eventually, it was discovered Wordekemper's office had been moved in a postal reorganization.

The good news is Wordekemper approved the building receiving historic designation and the process now moves up the ladder. However, Woodward said Wordekemper warned it could take additional time because of the agency's reorganization.

Woodward said the National Park Service, which actually makes the designation, has been receptive to such a decision for the building.

The Postal Service still could sell the building, but the mural would be

preserved. The building itself, Woodward noted, is in remarkable shape for its age and a good candidate for another use.

The six-by-12-foot mural by noted artist Boardman Robinson, titled "Colorado Horse Sale," was one of 18 he was commissioned to do for Colorado post offices in the 1930s and '40s.

Once final Postal Service approval is made, a letter will go to the city with the official notice — in a more timely fashion, city officials hope.

Woodward noted last year that he noticed the Postal Service sent about the potential closing of the building came to him the day after Christmas and left very little time to mount the vigorous community and legislative campaign that prevented that from happening.

*Daniel Smith: 303-954-2671 or smithd@yourhub.com*

Your Hub.com  
4-28-11

#### ENGLEWOOD

**Epic Spring Cleaning Event set for April 30.** The City of Englewood is collaborating with neighboring communities to help organize the second annual Epic Spring Cleaning Event to benefit Inter-Faith Community Services and ARC Thrift Stores. The event will take place from 9 a.m. to 2 p.m. April 30 at Home Depot, 3000 W. Belleview Ave. in Littleton.

The Epic Spring Cleaning Event is a great opportunity for residents to get rid of unwanted items while supporting local charities. Just drop off your gently used clothing, household items, small electronics and furniture at the Home Depot parking lot. Non-perishable food and toiletries will also be collected. Donations are tax-deductible and donors will receive a tax donation slip when they drop off their items.

*City of Englewood*

number — the point person in th

**KENT PLACE INFORMATION SHEET****AS OF: 4/22/2011**

**The information provided below is intended to be a current status update on the Kent Place project schedule, projected uses and construction related coordination items. All information is subject to change and will be updated on a bi-weekly basis.**

**Off-Site Improvements:**

- Improvements include University Blvd. widening, lengthening of the southbound right-turn and southbound left-turn deceleration lanes on University approaching Hampden, the installation of a new traffic signal on University at the Kent Place project entrance, utility (water and storm sewer) improvements, and the installation of a privacy wall, sidewalk and landscaping on the east side of University.
- Anticipated Construction Start - June 1, 2011
- Anticipated Completion - September 15, 2011
- Parking – All contractor parking will be on the project site.
- Construction Access:
  - University Blvd. north of the project site is NOT a designated truck route, therefore project related Semi-trucks are confined to the project frontage and not permitted to travel north of the project site.
- Off- Site Construction Hours:
  - University Boulevard – per Englewood roadway standard: 8:30 a.m. – 3:30 p.m. Lane restrictions on University are likely during off-site construction. Delays should be expected.
  - Hampden Avenue – TBD. Controlled by CDOT and its standards
- Traffic Impact Study:
  - Traffic generation by current plan vs. 2006 approved plan using similar trip rate methodology:
    - 10% reduction in daily trips from the project site.
    - 10% decrease to the AM peak hour trip volumes
    - 8% decrease to the PM peak hour trip volumes
  - The design provides for interconnectivity and coordination between the new traffic signal and the existing signal at University & Hampden which will help manage queuing between the intersections. The new signal will also provide an opportunity for additional gaps on northbound University north of the site for exiting from side streets.
  - To help mitigate existing and future peak hour queuing and access concerns along southbound University Ave, the project proposes to add Do-Not-Block intersection markings and signage at the Floyd Place and Floyd Avenue intersections north of the project. These improvements will assist traffic in turning into and out of these side streets along University.

# K E N T P L A C E

## On-Site Improvements:

- Project to include (see attached site plan and updates at [www.continuumpartners.com/projects/kentPlace.html](http://www.continuumpartners.com/projects/kentPlace.html)):
  - A 30,000 square foot grocery store with a 10,000 square foot mezzanine for storage and food preparation. The grocery store will be the first store of this type for King Soopers and will emphasize fresh and organic foods presented with a market feel in a concept unique to this location. The store will feature chef-prepared items, along with special selections such as artisan breads, expanded specialty cheeses, freshly prepared sushi, and chef-prepared bistro meals. Expanded natural and organic products will be available throughout the entire market. Additionally, there will be specialty items prepared in the produce, meat, and seafood departments.
  - Approximately 14,000 square feet of retail and restaurant space.
  - Approximately 4,000 square foot free-standing Bank with limited drive-through service anticipated. A PUD amendment will be required for the drive-through and will be submitted once details and layout are determined.
  - Multifamily residential- Forum Real Estate Group ([www.Forumre.com](http://www.Forumre.com)) to develop a 300-unit project, standing 4 stories tall above parking and stepping down along adjacent property lines in accordance with the PUD bulk planes.
  
- Anticipated Retail Infrastructure Construction Start - June 15, 2011
- Anticipated Retail Building Construction Start – September 1, 2011
- Anticipated Retail Opening - October 1, 2012
- Parking – All contractor parking will be on the project site.
- Construction Access –
  - University Blvd. north of the project site is NOT a designated truck route, therefore project related Semi-trucks are confined to the project frontage and not permitted to travel north of the project site.
  - Semi-trucks are not permitted to turn left from northbound University into the site until a traffic signal is installed.
  - Construction traffic will also utilize a right-in, right-out access along westbound Hampden Ave.
  
- On-site Construction Hours – Per City of Englewood Municipal Code or the existing PUD, whichever is more restrictive.

## Current Construction Schedule:

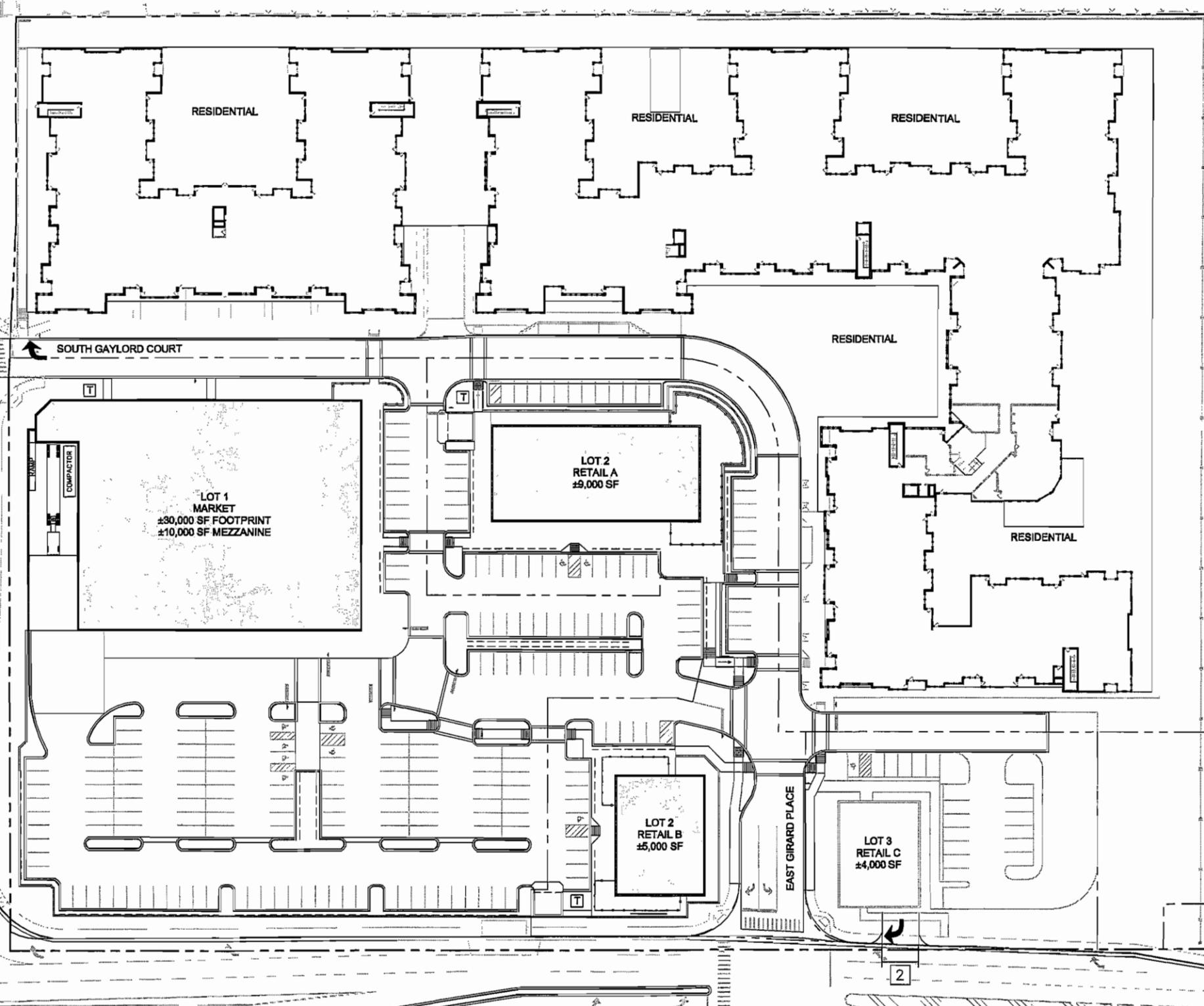
	2Q '11	3Q '11	4Q '11	1Q '12	2Q '12	3Q '12	4Q '12		3Q '13		2Q '14
<b>Infrastructure</b>											
<b>Market</b>											
<b>Retail / Shops</b>											
<b>Multifamily</b>											
Phase 1											
Phase 2											

EAST HAMPDEN AVENUE

SOUTH GAYLORD COURT

EAST GIRARD PLACE

SOUTH UNIVERSITY BOULEVARD



**LEGEND**

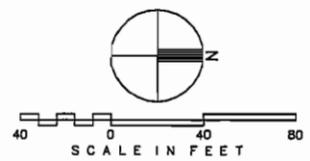
- RIGHT OF WAY
- - - INTERNAL LOT LINE

**KEY NOTES**

- 1 TEMPORARY AND PERMANENT ACCESS
- 2 ±24' TEMPORARY ACCESS (RIGHT OUT ONLY) UNTIL SIGNAL IS OPERATIONAL

**DISCLAIMER:**

THE INFORMATION CONTAINED HEREIN IS FOR MARKETING PURPOSES ONLY AND IS SUBJECT TO CHANGE WITHOUT NOTICE. NO REPRESENTATION OR WARRANTY OF ANY KIND IS BEING MADE HEREIN OR HEREBY, INCLUDING ANY REPRESENTATION OR WARRANTY WITH RESPECT TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SET FORTH HEREIN. FOR EXAMPLE, AND WITHOUT LIMITATION, THE NAMES OF POTENTIAL TENANTS OR OCCUPANTS REFLECTED IN THESE MATERIALS OR SITE PLAN ARE NOT INTENDED TO, NOR DO THEY, NECESSARILY INDICATE TENANTS OR OCCUPANTS WHO HAVE MADE SPECIFIC COMMITMENTS OR HAVE SIGNED LEASES OR OCCUPANCY AGREEMENTS IN THE PROJECT. RATHER, THEY ARE INTENDED TO ILLUSTRATE A POTENTIAL TENANT AND OCCUPANT MIX. INTERESTED PARTIES AND THEIR LEGAL, TAX AND OTHER ADVISORS SHOULD CONDUCT A CAREFUL INDEPENDENT INVESTIGATION OF THE PROJECT TO DETERMINE TO THEIR OWN SATISFACTION AND SUITABILITY OF THE PROJECT FOR THEIR OWN INDIVIDUAL CIRCUMSTANCES AND NEEDS. ALL MARKS DISPLAYED ON THIS DOCUMENT ARE PROPERTY OF THEIR RESPECTIVE OWNERS. THESE MATERIALS MAY NOT BE REPRODUCED OR DISTRIBUTED IN WHOLE OR IN PART WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF THE OWNER.



**SITE PLAN**  
APRIL 28, 2011

**From:** Leigh Ann Hoffhines  
**Sent:** Tuesday, April 26, 2011 4:37 PM  
**To:** Gary Sears  
**Cc:** Mike Flaherty; Sue Carlton-Smith  
**Subject:** FW: CML Launches New Resource for Teachers

Hi Gary – I received this notice last week regarding CML’s new “Lessons on Local Government” resource for schools. I thought it was important to let the schools know about it so I have forwarded the website link and a brief explanation to all the school principals and social studies teachers (for whom I could find email addresses) in the Englewood School District.

Just FYI – Leigh Ann

Leigh Ann Hoffhines  
Communications Coordinator  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80110  
303-762-2316

[www.engagewoodgov.org](http://www.engagewoodgov.org)

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**From:** CML [<mailto:cml@cml.org>]  
**Sent:** Wednesday, April 20, 2011 1:34 PM  
**Subject:** CML Launches New Resource for Teachers



Now we need *your* help!

CML, in partnership with Special District Association (SDA) and Colorado Counties, Inc. (CCI), is pleased to launch *Lessons on Local Government* (LOLG), a resource for Colorado’s K-12 teachers to easily find curriculum materials that meet the State’s social studies and civics standards.

This supplementary resource is intended to save teachers time searching for and planning lessons pertaining to Colorado social studies standards. The *LOLG* website contains curriculum materials, links to worldwide and local resources, innovative community and student engagement activities, and more.

And we know it’s already working..... a teacher recently shared the following with us:  
"With great resources like this I get to do what I do best, teach kids, instead of spending a lot of time writing curriculum."

Now we need your help! Help us get the word out about *LOLG* to educators in your community! Reach out to the superintendents, principals, educators, and curriculum writers (if you have one) in your city or town by forwarding them the brochure found [here](#), post it to your city or town's website, run an article about it in your municipal newsletter, post it to your facebook page, or simply visit your schools and tell them about it!

Click [here](#) to check out the website!

*Lessons on Local Government*: Compiled by teachers, for teachers.

Questions? Email [Lisa White](#) for more information.

Colorado Municipal League  
1144 Sherman Street | Denver, CO 80203  
(p) 303-831-6411 or 866-578-0936 | (f) 303-860-8175

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

---

H. Michael Miller, Esq.  
Berenbaum Weinshienk PC  
370 17th Street, 48<sup>th</sup> Floor  
Denver, Colorado 80202

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(Space Above for Recorder's Use Only)

FIRST AMENDMENT TO GROUND LEASE

THIS FIRST AMENDMENT TO GROUND LEASE (this "**First Amendment**") is made and entered into as of the 22nd day of March, 2011, by and among **ENGLEWOOD/MCLELLAN RESERVOIR FOUNDATION**, a Colorado nonprofit corporation ("**Landlord**"), and **BENJAMIN FRANKLIN ACADEMY PROJECT DEVELOPMENT, LLC** ("**Tenant**").

Recitals:

A. Englewood/McLellan Reservoir Foundation, as Landlord, and Benjamin Franklin Academy Project Development, LLC, as Tenant, entered into that certain Ground Lease ("**Lease**") dated as of March 22, 2011 relating to the property described on Exhibit A to the Lease (the "**Premises**"). All capitalized terms shall have the meaning set forth in the Lease unless otherwise defined herein.

B. The parties discovered that they inadvertently omitted the provision hereinafter provided relating to the surrender of the Premises upon expiration of the Lease,

C. The parties also desire to correct the Permitted Exceptions as set forth on Exhibit D of the Lease.

NOW THEREFORE, in consideration of the mutual covenants herein set forth, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The following Section 20 is hereby added to the Lease:

20. Surrender of Premises. Upon termination of the Lease, whether by expiration of the Initial Term and any extension option or otherwise, Landlord shall have the option (a) to take possession of part or all of Tenant's Improvements then situated on the Premises and retain ownership of such improvement free and clear of any claim of Tenant, or (b) to require the Tenant, at its sole cost and expense, to raze and remove all or any portion of the Tenant's Improvements, and in either case to fill and grade the Premises to the condition as existed on the Commencement Date, or seed such portion of the Premises as designated by Landlord. Landlord shall exercise its option by written notice to Tenant. Tenant shall have until the later of the termination of the Lease or ninety (90) days following such notice to raze and remove any or all of the Tenants Improvements designated in Landlord's notice and to fill and grade the Premises or seed the portion

designated by Landlord, and in the event such ninety (90) day period extends beyond the termination of the Lease, Landlord shall permit the Tenant to retain possession of the Premises during such ninety (90) day period, without any additional compensation to Landlord, for the sole purpose of completing such work. In the event Tenant exercises its option to surrender the Termination Parcel as provided in Paragraph 2.2.C of the Lease, Landlord's options shall apply to such Termination Parcel, and Tenant shall have until the later of the last day of the 60<sup>th</sup> month following the Base Rent Start Date or ninety (90) days following Landlord's notice to Tenant of Landlord's election to raze and remove any or all of the Tenants Improvements situated on the Termination Parcel as designated in Landlord's notice and to fill and grade the Termination Parcel to restore it to the condition existing on the Commencement Date or seed the portion designated by Landlord, and in the event such ninety (90) day period extends beyond the termination of the Lease with respect to the Termination Parcel, Landlord shall permit the Tenant to retain possession of the Premises during such ninety (90) day period, without any additional compensation to Landlord, for the sole purpose of completing such work.

2. Permitted Exceptions. The Permitted Exceptions, and Exhibit D attached to the Lease, are hereby amended to reflect the Permitted Exceptions as set forth on Exhibit D-1 attached to this First Amendment.

3. Ratification. Except as hereinabove expressly amended, Landlord and Tenant hereby ratify and affirm the Lease and acknowledge and agree that the Lease shall remain in full force and effect according to its terms.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, this Lease has been executed as of the date written above.

LANDLORD:

**ENGLEWOOD/MCLELLAN RESEVOIR  
FOUNDATION**

A Colorado non profit corporation

By: \_\_\_\_\_

STEWART H. FONDA

Name

PRESIDENT

Title

TENANT:

**BENJAMIN FRANKLIN ACADEMY PROJECT  
DEVELOPMENT, LLC, a Utah limited liability**

company.

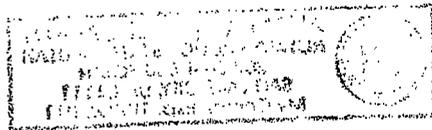
By: \_\_\_\_\_

Glenn H. Heman

Name

Manager

Title



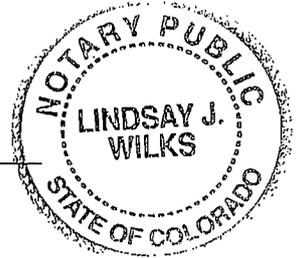
STATE OF COLORADO )  
 ) ss.  
COUNTY OF ARAPAHOE )

The foregoing Memorandum of Lease was acknowledged before me this 25<sup>th</sup> day of April, 2011, by Stewart H. Fonda, as President of Englewood/McLellan Reservoir Foundation, a Colorado non-profit corporation.

WITNESS my hand and official seal.

My commission expires: 4/25/2011

\_\_\_\_\_  
Notary Public *l*



STATE OF UTAH )  
 ) ss.  
COUNTY OF SALT LAKE )

The foregoing Memorandum of Lease was acknowledged before me this 18<sup>th</sup> day of April, 2011, by Glenn Hileman, as Manager of Benjamin Franklin Academy Project Development, LLC, a Utah limited liability company.

WITNESS my hand and official seal.

My commission expires: 10-29-2011

\_\_\_\_\_  
Notary Public *l*

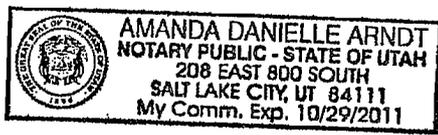


EXHIBIT D-1

1. Reservations contained in the Patent

From: The United States of America  
Recording Date: May 22, 1890  
Recording No: Book P at Page 80

Which among other things recites as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by local customs, laws and decisions of the courts; and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

2. Utility easement granted Public Service Company of Colorado as recorded February 27, 1964 in Book 155 at Page 344, Quit Claim Deed recorded August 12, 1970 in Book 208 at Page 114, released a portion of the property while also reserving said right of way.
3. Easement for water pipelines related facilities granted to the City and County of Denver, acting by and through its Board of Water Commissioners, recorded October 17, 1972 in Book 237 at Page 305.
4. Any tax, lien, fee, or assessment by reason of inclusion of the Land in the Highlands Ranch Metropolitan District No. 3, as evidenced by instrument(s) recorded December 30, 1991 at Book 1018 at Page 992.
5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Public Service Company of Colorado  
Purpose: utility lines and related facilities  
Recording Date: May 1, 2009  
Recording No: 2009032225

6. Agreement Regarding Property Restrictions, dated December 18, 2007 and recorded December 19, 2007 at Reception No. 2007097731, as amended by Amendment to Agreement Regarding Property Restrictions, recorded July 27, 2010 at Reception No. 2010045434, and by Second Amendment to Agreement Regarding Property Restrictions, recorded April 12, 2011 at Reception No. 2011023253.

# MEMORANDUM



**TO:** Gary Sears, City Manager

**THROUGH:** Rick Kahm, Director of Public Works ✓

**FROM:** David Henderson, Engineering/Capital Projects Administrator ✓

**DATE:** April 27, 2011

**SUBJECT:** PROJECT UPDATES –Kent Place, Security Camera Project, Xcel Energy Projects, Denver S. Broadway Improvements, Concrete Utility Program 2011, Safety Services Generator Project, Belleview Park Scorer’s Shed, City Radio System, Street Maintenance Projects 2011, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects

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## KENT PLACE

As this project develops, Public Works will provide updates as they pertain to offsite improvement construction. **Englewood, Arapahoe County, and CDOT met this week to coordinate State signal improvements at the Hwy. 285/University intersection with the proposed Kent Place development.**

## SECURITY CAMERA PROJECT

Initial site reviews for the security camera project are complete. The consultant, Chuck Kaffine, met with staff at each of the City facilities where camera upgrades are proposed. The consultant will begin developing recommended solutions for our review.

## XCEL ENERGY PROJECTS

Xcel submitted a permit application to upgrade power lines on Dartmouth Ave. between Fox and Broadway, and for the alleys east of 2900-3000 S. Broadway. Two of the poles on Dartmouth will be replaced along with all of the poles in the two alleys. New wire and arms will be installed. **Xcel continued work on the Dartmouth Ave. power line upgrade. Xcel customers are being “cut over” to the new power lines as the work progresses.**

## DENVER S. BROADWAY IMPROVEMENTS

**The City of Denver continued construction on S. Broadway, between Wesley and Yale. Water line work on the Denver side of the Yale intersection is complete.** Detours and lane closures are restricted to the hours of 8:30 AM to 3:30 PM.

Information about the Denver project can be seen at the following website:

<http://www.denvergov.org/ProjectsInProgress/SouthBroadwayWesleytoYale/tabid/434078/Default.aspx>

## CONCRETE UTILITY 2011

Council approved awarding a construction contract to T & M Construction. Concrete inspectors **continued the process of marking concrete to be included in this year’s program. Questions regarding this work should be directed to the Concrete Utility 303-762-2360 or [concreteutility@englewoodgov.org](mailto:concreteutility@englewoodgov.org).**

## SAFETY SERVICES GENERATOR PROJECT

City Council approved a Bill for an Ordinance to accept a FEMA “Assistance to Firefighters Grant”. This grant includes the purchase and installation of a 200KW generator. The building permit has been issued and a pre-construction meeting will be held soon.

## BELLEVIEW PARK SCORER’S SHED

**Pending Xcel Energy setting a meter, the project will be complete this week.**

**CITY RADIO SYSTEM-REPLACEMENT WITH PUSH TO TALK**

The Servicenter Garage continues to remove old radios from vehicles as they are being serviced.

**STREET MAINTENANCE PROJECTS 2011**

The Street Division continued cutting and patching potholes. Staff continued trimming overgrown trees in alleys (we are about 75% complete). The Street Division continued preparing a list for the 2011 in-house asphalt overlay program. Work is expected to begin in late May.

**CITYCENTER SITE DEVELOPMENT**

**Alexan East and West Parcels**

438 residential units. Alexan's occupancy level for January, 2011 is 93.8%. Commercial uses: Let It Bead, Curves for Women, State Farm, Lifetime Family Practice, Cuttin'It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, Creative Perspectives, CityCenter Community, and Solid Grounds.

**Parkway Retail / Office Buildings**

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

**Bally's Building**

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

**Retail South of the Parkway**

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

**Gold Mine Pad**

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

**CityCenter Site**

EEFI continues project management of all infrastructure on the site. Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance. **Our fountain contractor is preparing to turn on the fountain. A few repairs are necessary and we expect the fountain will be operational next week.**

**Wal Mart Expansion**

**Wal Mart's contractor continued construction of a 10,488 square foot addition to the east side of the store. The contractor is in the process of constructing a new centered entrance on the south side of the building.** The project will eliminate the tire/auto section and add square footage for groceries.

**Bradley Station Environmental**

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

**ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)**

**PA-84 West**

**Construction for TT of Denver continued.** Completion is anticipated by September, 2011.

**PA-85 (RTD site)**

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

**PA-85 (Benjamin Franklin Charter School)**

**Construction of the Benjamin Franklin Charter School began last week. The contractor expects to complete construction by September.**

**AIR QUALITY/ENERGY SAVING PROJECTS**

**Flex Fuel Program**

Currently, thirty-three of our fleet vehicles are running on E-85 ethanol fuel. All new replacement vehicles (less than ¾ ton) will be compatible with E-85. Approximately 50 Flex Fuel vehicles will be in our fleet within two years. Currently, the cost of E-85 fuel is approx. \$0.55 per gallon less than regular unleaded gasoline. Thirteen of our fleet vehicles run on Compressed Natural Gas (CNG).

Hybrid Vehicle Purchase

The City of Englewood applied for a grant through the Regional Air Quality Commission for funding of hybrid vehicle technology. Two units that have met the replacement criteria for 2011 and will be replaced with Ford Escape hybrid vehicles. The total cost of these vehicles is within the budgeted replacement amount designated for these units, and if the grant is successful, the additional cost of the hybrid technology will be deposited back into the CERF fund.

"Green" Programs

We continue to work with our vendors to expand the Green product line as it becomes available. 90% of our custodial paper supplies are from recycled sources. The Servicenter is now "single-streaming" waste at the Servicenter and a dumpster has been supplied for *cardboard only* recycling.

Energy Saving Projects

In 2001, the Public Works Traffic Division began an ongoing program to convert traffic signals from incandescent lamps to Light-Emitting-Diode (LED) bulbs. To date, 80% of our City maintained signals have been converted. LED traffic signals use 90% less energy than incandescent lamps, last 5 times longer, and provide better visibility.

**CITY OF ENGLEWOOD**  
**2011 CALENDAR OF EVENTS**



Mon., May 2	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues., May 3	7:00 p.m.	Planning & Zoning Commission, City Council Chambers
Wed., May 4	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Liquor Licensing Authority, City Council Chambers
Mon., May 9	7:00 p.m.	Citizen of the Year Celebration, Malley Center
Tues., May 10	4:00 p.m.	NonEmergency Employees Retirement Board, Public Works Conference Room
	5:00 p.m.	Water and Sewer Board, Community Dev. Conf. Rm.
	6:30 p.m.	Keep Englewood Beautiful Commission, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., May 11	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, City Council Chambers
Thurs. May 12	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
	3:00 p.m.	Police Officers Pension Board, Public Works Conf. Rm.
	4:00 p.m.	Firefighters Pension Board, Public Works Conference Room
	5:30 p.m.	Parks & Recreation Commission, Malley Senior Recreation Center, 3380 South Lincoln Street
	6:30 p.m.	Transportation Advisory Committee, City Council Conf. Rm.
Mon., May 16	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues., May 17	7:00 p.m.	Planning & Zoning Commission, City Council Chambers

Wed., May 18	6:30 p.m.	Code Enforcement Advisory Committee Meeting, City Council Conference Room
	7:00 p.m.	Liquor Licensing Authority, City Council Chambers
Mon., May 23	6:00 p.m.	City Council Study Session, Community Room
<b>Mon., May 30</b>		<b>City Hall Closed — Memorial Day</b>
Wed., June 1	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Liquor Licensing Authority, City Council Chambers
Mon., June 6	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues., June 7	7:00 p.m.	Planning & Zoning Commission, City Council Chambers
Wed., June 8	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, City Council Chambers
Thurs. June 9	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
	5:30 p.m.	Parks & Recreation Commission, Duncan Park, 4800 South Pennsylvania Street
Mon., June 13	6:00 p.m.	Board and Commission Interviews, City Council Conference Room
Tues., June 14	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful Commission, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., June 15	7:00 p.m.	Liquor Licensing Authority, City Council Chambers
Mon., June 20	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues., June 21	7:00 p.m.	Planning & Zoning Commission, City Council Chambers

**TENTATIVE**

**STUDY SESSIONS TOPICS  
FOR ENGLEWOOD CITY COUNCIL**



- May 9 Study Session  
Citizen of the Year Celebration – Malley Center
- May 16 Study Session & Regular Meeting  
2010 CAFR Presentation  
Financial Report
- May 23 Study Session  
BID Marketing Campaign  
Rezoning of 3200, 3300, 3400 So. Grant/3400 So. Sherman  
City Council E-packets  
Citizen Notification Process/Informing Citizens
- May 30 No Meeting Scheduled – Memorial Day Holiday
- June 6 Study Session & Regular Meeting  
Tap Fee Rate Study
- June 13 Study Session  
Board and Commission Interviews
- June 20 Study Session & Regular Meeting  
Financial Report
- June 27 Study Session
- July 5 Study Session & Regular Meeting – Tuesday
- July 11 Study Session
- July 18 Study Session & Regular Meeting  
Financial Report & 6 Month Budget Review  
2012 Budget - tentative
- July 25 Study Session  
2012 Budget - tentative
- August 1 Study Session & Regular Meeting
- August 8 Study Session  
Board and Commission Appreciation Night @ Pirates Cove

August 15	Study Session & Regular Meeting Financial Report
August 22	Study Session
August 29	No Meeting Scheduled – 5 <sup>th</sup> Monday
September 6	Study Session & Regular Meeting – Tuesday
September 12	Study Session 2012 Budget Workshop
September 19	Study Session & Regular Meeting Financial Report
September 26	Study Session
October 3	Study Session & Regular Meeting
October 10	Study Session
October 17	Study Session & Regular Meeting Financial Report
October 24	Study Session
October 31	No Meeting Scheduled – 5 <sup>th</sup> Monday

### **FUTURE STUDY SESSION TOPICS**

Historic Preservation  
 Unrelated Persons per Household  
 Inclusive Cities  
 BID Liaison  
 PLACE Discussion  
 Sign Code  
 Civility  
 ACE role in business initiatives  
 Water Court cases

November 7	Study Session & Regular Meeting
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