



**Agenda for the
Regular Meeting of the
Englewood City Council
Tuesday, July 5, 2011
7:30 pm**

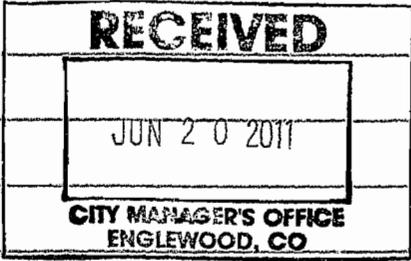
Englewood Civic Center – Council Chambers
1000 Englewood Parkway
Englewood, CO 80110

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 June 20, 2011.
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.)
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.
8. Communications, Proclamations, and Appointments.
 - a. Letter from Muhammad Hakeem indicating his resignation as an alternate member on the Englewood Cultural Arts Commission.
 - b. A resolution reappointing Heather Bartunek to the Englewood Cultural Arts Commission.
 - c. A resolution appointing Doug Cohn as an Alternate Member of the Englewood Code Enforcement Advisory Committee.

- d. A resolution appointing Jerad Harbaugh as an Alternate Member on the Englewood Planning and Zoning Commission.
- e. A resolution appointing Brie Hopping-Merlino as a Youth Member on the Englewood Public Library Board.
- f. A resolution appointing James Jordan to the Englewood Code Enforcement Advisory Committee.
- g. A resolution appointing James Jordan to the Englewood NonEmergency Employees Retirement Board.
- h. A resolution appointing Paul Kern to Keep Englewood Beautiful.
- i. A resolution appointing Daryl Kinton to the Englewood Planning and Zoning Commission.
- j. A resolution reappointing Randy Kloewer as a Youth Member on the Englewood Parks and Recreation Commission.
- k. A resolution reappointing Chad Knoth to the Alliance for Commerce in Englewood.
- l. A resolution reappointing Richard Lay to the Englewood Local Liquor and Medical Marijuana Licensing Authority.
- m. A resolution appointing Trent Lind to the Alliance for Commerce in Englewood.
- n. A resolution appointing Lindsay Mohn to Keep Englewood Beautiful.
- o. A resolution appointing Kristy Reed to the Englewood Cultural Arts Commission.
- p. A resolution appointing Heather Roberts to the Englewood Code Enforcement Advisory Committee.
- q. A resolution reappointing Steven Schalk to the Alliance for Commerce in Englewood.
- r. A resolution recommending the appointment of Jarrod Schleiger to the Englewood Housing Authority.
- s. A resolution reappointing Donna Schnitzer to the Englewood Cultural Arts Commission.
- t. A resolution reappointing Maggie Stewart to the Englewood Cultural Arts Commission.
- u. A resolution appointing Jessie Van Gundel to Keep Englewood Beautiful.
- v. A resolution appointing Katie Walsh to Keep Englewood Beautiful.
- w. A resolution reappointing Hugo Weinberger to the Alliance for Commerce in Englewood.
- x. A resolution appointing Jason Whyte as an Alternate Member on the Alliance for Commerce in Englewood.

9. Consent Agenda Items.
 - a. Approval of Ordinances on First Reading.
 - b. Approval of Ordinances on Second Reading.
 - i. Council Bill No. 34, approving an Intergovernmental Agreement with Arapahoe County for the November 1, 2011 Coordinated Election.
 - c. Resolutions and Motions.
10. Public Hearing Items. (No Public Hearing Scheduled)
11. Ordinances, Resolutions and Motions
 - a. Approval of Ordinances on First Reading.
 - i. Council Bill No. 35 - Recommendation from the Police Department to adopt a bill for an ordinance accepting an Edward Byrne Memorial Justice Assistance Grant from the Bureau of Justice Assistance. **Staff Source: Jeff Sanchez, Deputy Chief of Police.**
 - b. Approval of Ordinances on Second Reading.
 - c. Resolutions and Motions.
 - i. Recommendation from the Community Development Department to approve a resolution extending the existing suspension or moratorium on the enforcement of select provisions of the Englewood Municipal Code pertaining to banners, portable signs, and murals for a period of six months until February 1, 2012. **Staff Source: Alan White, Director of Community Development.**
12. General Discussion.
 - a. Mayor's Choice.
 - b. Council Members' Choice.
13. City Manager's Report.
14. City Attorney's Report.
15. Adjournment



MuHAMMAD HA Keem
 ZoelbITZER STRASSE 12
 09125
 Chemnitz, Germany

17. June 2011

DEAR MR woodward,

I Like TO THANK you FOR
 giving me the opportunity TO
 become an alternate member
 OF the cultural ARTS commission.
 I am in the process of
 getting MARRY in Germany
 and will stay TO be an
 ENGLISH TEACHER and FINE ARTS
 TEACHER as well.

Thank you

M. Hussein

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING HEATHER BARTUNEK TO THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Cultural Arts Commission was established by the Englewood City Council with the passage of Ordinance No. 5, Series of 1996; and

WHEREAS, the purpose of the Cultural Arts Commission is to provide planning for the development of cultural arts activities and to implement an Arts Plan; and

WHEREAS, Heather Bartunek has served as a member of the Englewood Cultural Arts Commission; and

WHEREAS, Heather Bartunek’s term expired July 1, 2011; and

WHEREAS, Heather Bartunek has offered to serve and has applied for reappointment to the Englewood Cultural Arts Commission; and

WHEREAS, the Englewood City Council desires to reappoint Heather Bartunek to the Englewood Cultural Arts Commission for another term;

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

Section 1. Heather Bartunek is hereby reappointed to the Englewood Cultural Arts Commission. Heather Bartunek’s term will be effective immediately and will expire July 1, 2014.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING DOUG COHN AS AN ALTERNATE MEMBER TO THE
CODE ENFORCEMENT ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD.

WHEREAS, the Englewood Code Enforcement Advisory Committee was established by the
Englewood City Council with the passage of Ordinance No. 71, Series of 1997; and

WHEREAS, the Code Enforcement Advisory Committee is an advisory committee focused on
the activities and services of code enforcement and regulatory processes of the Neighborhood
Services section of the Department of Safety Services, the Committee makes recommendations to
City Council and to the City Manager or designee for improvements relating to the Neighborhood
Services in the City; and

WHEREAS, Doug Cohn has graciously offered to serve on the City of Englewood’s boards
and commissions and currently there are no vacancies on the boards and commissions; and

WHEREAS, the Englewood City Council desires to appoint Doug Cohn as alternate member
to the Code Enforcement Advisory Committee; and

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

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

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

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

Section 1. The Englewood City Council hereby appoints Doug Cohn as an alternate member
of the Code Enforcement Advisory Committee.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING JERAD HARBAUGH AS AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Jerad Harbaugh has graciously offered to serve on the City of Englewood's boards and commissions and currently there are no vacancies on the boards and commissions; and

WHEREAS, the Englewood City Council desires to appoint Jerad Harbaugh as alternate member to the Planning and Zoning Commission; and

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

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

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

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

Section 1. The Englewood City Council hereby appoints Jerad Harbaugh as alternate member of the Englewood Planning and Zoning Commission.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING BRIE HOPPING-MERLINO AS A YOUTH MEMBER TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Public Library Board was established by the Englewood Home Rule Charter to develop and maintain a modern Library System; and

WHEREAS, Brie Hopping-Merlino has applied for appointment to the Englewood Public Library Board; and

WHEREAS, the Englewood City Council applauds the volunteerism of this Englewood youth and desires to appoint Brie Hopping-Merlino to the Englewood Public Library Board; and

WHEREAS, Brie Hopping-Merlino meets the requirements set forth by City Council for appointment as youth member to the Public Library Board.

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

Section 1. Brie Hopping-Merlino is hereby appointed as a youth member to Englewood Public Library Board. Brie Hopping-Merlino's term will be effective immediately and will expire July 1, 2012.

ADOPTED AND APPROVED this 5th day of July, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING JAMES JORDAN TO THE CODE ENFORCEMENT
ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Code Enforcement Advisory Committee was established by the
Englewood City Council with the passage of Ordinance No. 71, Series of 1997; and

WHEREAS, James Jordan has applied to serve as a member of the Englewood Code
Enforcement Advisory Committee; and

WHEREAS, the Englewood City Council desires to appoint James Jordan to the Englewood
Code Enforcement Advisory Committee;

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

Section 1. James Jordan is hereby appointed to the Englewood Code Enforcement Advisory
Committee. James Jordan's term will be effective immediately and will expire
July 1, 2013.

ADOPTED AND APPROVED this 5th day of July, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

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above is a true copy of Resolution No. _____, Series of 2011.

Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2011

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

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

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

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

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

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

Section 1. James Jordan is hereby appointed to Englewood Non-Emergency Employees
Retirement Board. James Jordan's term will be effective immediately and will expire February 1,
2015.

ADOPTED AND APPROVED this 5th day of July, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING PAUL KERN TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

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

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

ADOPTED AND APPROVED this 5th day of July, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
 SERIES OF 2011

A RESOLUTION APPOINTING DARYL KINTON TO THE PLANNING AND
 ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, there is a vacancy on the Englewood Planning and Zoning Commission; and

WHEREAS, Daryl Kinton has applied to serve as a member of the Englewood Planning and Zoning Commission; and

WHEREAS, Daryl Kinton was previously named as an alternate to the Englewood Planning and Zoning Commission; and

WHEREAS, the Englewood City Council desires to appoint Daryl Kinton to the Englewood Planning and Zoning Commission;

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

Section 1. Daryl Kinton is hereby appointed to the Englewood Planning and Zoning Commission. Daryl Kinton's term will be effective immediately and shall expire February 1, 2013.

ADOPTED AND APPROVED this 5th day of July, 2011.

ATTEST:

 James K. Woodward, Mayor

 Loucrishia A. Ellis, City Clerk

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 Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING RANDY KLOEWER AS A YOUTH MEMBER
OF THE PARKS AND RECREATION COMMISSION FOR THE CITY OF
ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Parks and Recreation Commission was established to advise City Council in all matters pertaining to recreation; and

WHEREAS, Randy Kloewer is a current member of the Englewood Parks and Recreation Commission; and

WHEREAS, Randy Kloewer’s current term expired July 1, 2011; and

WHEREAS, Randy Kloewer has offered to serve and has applied for reappointment to the Englewood Parks and Recreation Commission; and

WHEREAS, the Englewood City Council applauds the volunteerism of this Englewood youth and desires to reappoint Randy Kloewer to the Englewood Parks and Recreation Commission;

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

Section 1. Randy Kloewer is hereby reappointed as a youth member to the Parks and Recreation Commission. Randy Kloewer’s term will be effective immediately and will expire July 1, 2012.

ADOPTED AND APPROVED this 5th day of July, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING CHAD KNOTH TO THE ALLIANCE FOR COMMERCE
IN ENGLEWOOD (ACE) COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

WHEREAS, Chad Knoth is a current member of Alliance For Commerce In Englewood
Committee; and

WHEREAS, Chad Knoth's term expired July 1, 2011; and

WHEREAS, Chad Knoth has offered to serve and has applied for reappointment to the
Alliance For Commerce In Englewood Committee; and

WHEREAS, the Englewood City Council desires to reappoint Chad Knoth to the Alliance for
Commerce in Englewood Committee;

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

Section 1. Chad Knoth is hereby reappointed to Alliance For Commerce in Englewood
Committee. Chad Knoth's term will be effective immediately and will expire July 1, 2014.

ADOPTED AND APPROVED this 5th day of July, 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
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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. _____
 SERIES OF 2011

A RESOLUTION REAPPOINTING RICHARD LAY TO THE ENGLEWOOD LOCAL LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Local Liquor and Medical Marijuana Licensing Authority has been created and has all powers of the local licensing authority as set forth by the State of Colorado to grant or refuse licenses for the sale at retail of malt, vinous or spirituous liquors and fermented malt beverages, to conduct investigations as required by law, and to suspend or revoke such licenses for cause in the manner provided by law; and

WHEREAS, the Local Liquor and Medical Marijuana Licensing Authority shall grant or refuse local licenses for the cultivation, manufacture, distribution, and sale of Medical Marijuana as provided by law; suspend, fine, restrict, or revoke such licenses; and

WHEREAS, Richard Lay is a current member of the Englewood Local Liquor and Medical Marijuana Licensing Authority; and

WHEREAS, Richard Lay's current term expired July 1, 2011; and

WHEREAS, Richard Lay has offered to serve and has applied for reappointment to the Englewood Local Liquor and Medical Marijuana Licensing Authority; and

WHEREAS, the Englewood City Council desires to reappoint Richard Lay to the Englewood Local Liquor and Medical Marijuana Licensing Authority;

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

Section 1. Richard Lay is hereby reappointed to the Englewood Local Liquor and Medical Marijuana Licensing Authority. Richard Lay's term will be effective immediately and will expire July 1, 2014.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING TRENT LIND TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD COMMITTEE (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

WHEREAS, Trent Lind has applied to serve as a member of Alliance For Commerce In Englewood Committee; and

WHEREAS, the Englewood City Council desires to appoint Trent Lind to Alliance For Commerce In Englewood Committee;

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

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

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING LINDSAY MOHN TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

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

Section 1. Lindsay Mohn is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Lindsay Mohn’s term will be effective immediately and will expire February 1, 2013.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING KRISTY REED TO THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Cultural Arts Commission was established by the Englewood City Council with the passage of Ordinance No. 5, Series of 1996; and

WHEREAS, the purpose of the Cultural Arts Commission is to provide planning for the development of cultural arts activities and to implement an Arts Plan; and

WHEREAS, a vacancy exists on the Englewood Cultural Arts Commission; and

WHEREAS, Kristy Reed has graciously applied for appointment to the Englewood Cultural Arts Commission; and

WHEREAS, the Englewood City Council desires to appoint Kristy Reed to the Englewood Cultural Arts Commission to fill the vacancy expiring July 1, 2011.

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

Section 1. Kristy Reed is hereby appointed to the Cultural Arts Commission for the City of Englewood, Colorado. Kristy Reed's term will become effective immediately and expiring July 1, 2012.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING HEATHER ROBERTS TO THE CODE ENFORCEMENT
ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Code Enforcement Advisory Committee was established by the
Englewood City Council with the passage of Ordinance No. 71, Series of 1997; and

WHEREAS, Heather Roberts has applied to serve as a member of the Englewood Code
Enforcement Advisory Committee; and

WHEREAS, the Englewood City Council desires to appoint Heather Roberts to the
Englewood Code Enforcement Advisory Committee;

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

Section 1. Heather Roberts is hereby appointed to the Englewood Code Enforcement
Advisory Committee. Heather Roberts' term will be effective immediately and will expire
July 1, 2013.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING STEVEN SCHALK TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD (ACE) COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

WHEREAS, Steven Schalk is a current member of Alliance For Commerce In Englewood Committee; and

WHEREAS, Steven Schalk's term expired July 1, 2011; and

WHEREAS, Steven Schalk has offered to serve and has applied for reappointment to the Alliance For Commerce In Englewood Committee; and

WHEREAS, the Englewood City Council desires to reappoint Steven Schalk to the Alliance for Commerce in Englewood Committee;

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

Section 1. Steven Schalk is hereby reappointed to Alliance For Commerce in Englewood Committee. Steven Schalk's term will be effective immediately and will expire July 1, 2014.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION RECOMMENDING JARROD SCHLEIGER FOR APPOINTMENT TO THE ENGLEWOOD HOUSING AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, there is a vacancy in the Englewood Housing Authority; and

WHEREAS, Jarrod Schleiger has applied to serve as a member of the Englewood Housing Authority; and

WHEREAS, the Mayor desires to appoint Jarrod Schleiger as a member of Englewood Housing Authority; and

WHEREAS, the Englewood City Council supports the Mayor's appointment.

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

Section 1. Jarrod Schleiger is hereby appointed to the Englewood Housing Authority for the City of Englewood, Colorado. Jarrod Schleiger's term will be effective immediately and will expire on July 1, 2016.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING DONNA SCHNITZER TO THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Cultural Arts Commission was established by the Englewood City Council with the passage of Ordinance No. 5, Series of 1996; and

WHEREAS, the purpose of the Cultural Arts Commission is to provide planning for the development of cultural arts activities and to implement an Arts Plan; and

WHEREAS, Donna Schnitzer has served as a member of the Englewood Cultural Arts Commission; and

WHEREAS, Donna Schnitzer’s term expired July 1, 2011; and

WHEREAS, Donna Schnitzer has offered to serve and has applied for reappointment to the Englewood Cultural Arts Commission; and

WHEREAS, the Englewood City Council desires to reappoint Donna Schnitzer to the Englewood Cultural Arts Commission for another term;

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

Section 1. Donna Schnitzer is hereby reappointed to the Englewood Cultural Arts Commission. Donna Schnitzer’s term will be effective immediately and will expire July 1, 2014.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING MAGGIE STEWART TO THE CULTURAL ARTS
COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Cultural Arts Commission was established by the Englewood
City Council with the passage of Ordinance No. 5, Series of 1996; and

WHEREAS, the purpose of the Cultural Arts Commission is to provide planning for the
development of cultural arts activities and to implement an Arts Plan; and

WHEREAS, Maggie Stewart has served as a member of the Englewood Cultural Arts
Commission; and

WHEREAS, Maggie Stewart's term expired July 1, 2011; and

WHEREAS, Maggie Stewart has offered to serve and has applied for reappointment to the
Englewood Cultural Arts Commission; and

WHEREAS, the Englewood City Council desires to reappoint Maggie Stewart to the
Englewood Cultural Arts Commission for another term;

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

Section 1. Maggie Stewart is hereby reappointed to the Englewood Cultural Arts
Commission. Maggie Stewart's term will be effective immediately and will expire July 1, 2014.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING JESSIE VAN GUNDEL TO KEEP ENGLEWOOD
BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

WHEREAS, Jessie Van Gundel has applied to serve as a member of the Keep Englewood Beautiful Commission;

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

Section 1. Jessie Van Gundel is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Jessie Van Gundel’s term will be effective immediately and will expire February 1, 2012.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING KATIE WALSH TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

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

Section 1. Katie Walsh is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Katie Walsh’s term will be effective immediately and will expire February 1, 2013.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING HUGO WEINBERGER TO THE ALLIANCE FOR
COMMERCE IN ENGLEWOOD (ACE) COMMITTEE FOR THE CITY OF ENGLEWOOD,
COLORADO.

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

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

WHEREAS, Hugo Weinberger is a current member of Alliance For Commerce In Englewood
Committee; and

WHEREAS, Hugo Weinberger's term expired July 1, 2011; and

WHEREAS, Hugo Weinberger has offered to serve and has applied for reappointment to the
Alliance For Commerce In Englewood Committee; and

WHEREAS, the Englewood City Council desires to reappoint Hugo Weinberger to the
Alliance for Commerce in Englewood Committee;

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

Section 1. Hugo Weinberger is hereby reappointed to Alliance For Commerce in Englewood
Committee. Hugo Weinberger's term will be effective immediately and will expire July 1, 2014.

ADOPTED AND APPROVED this 5th day of July, 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

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING JASON WHYTE AS AN ALTERNATE TO THE ALLIANCE FOR COMMERCE IN ENGLEWOOD COMMITTEE (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, Jason Whyte has graciously offered to serve on the Alliance For Commerce In Englewood Committee; and

WHEREAS, currently there are no vacancies on Alliance For Commerce In Englewood Committee; and

WHEREAS, the Englewood City Council desires to appoint Jason Whyte as an alternate member to ACE: and

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

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

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

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

Section 1. The Englewood City Council hereby appoints Jason Whyte as alternate member to Alliance For Commerce In Englewood Committee.

ADOPTED AND APPROVED this 5th day of July, 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

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. 34
INTRODUCED BY COUNCIL
MEMBER WILSON

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO, BY AND THROUGH THE ARAPAHOE COUNTY CLERK AND RECORDER, AND THE CITY OF ENGLEWOOD, COLORADO, TO CONDUCT A COORDINATED ELECTION ON NOVEMBER 1, 2011.

WHEREAS, pursuant to the Uniform Election Code of 1992 (Articles 1 to 13 of Title 1, C.R.S.) as amended, governmental entities are encouraged to cooperate and consolidate elections in order to reduce taxpayer expenses; and

WHEREAS, the City of Englewood has participated with Arapahoe County in conducting coordinated elections since 1993; and

WHEREAS, Arapahoe County and the City of Englewood have determined that it is in the best interest of the taxpayers and the electors to conduct a Coordinated Election on November 1, 2011; and

WHEREAS, Arapahoe County and the City of Englewood desire to set forth their respective responsibilities for the Coordinated Election pursuant to the Intergovernmental Agreement.

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

Section 1. The Intergovernmental Agreement for Coordinated Election is attached hereto as "Exhibit A". The Intergovernmental Agreement for Coordinated Election is hereby accepted and approved by the Englewood City Council.

Section 2. The Mayor is authorized to sign said Agreement for and on behalf of the City of Englewood.

Introduced, read in full, and passed on first reading on the 20th day of June, 2011.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 24th day of June, 2011.

Published as a Bill for an Ordinance on the City's official website beginning on the 22nd day of June, 2011 for thirty (30) days.

Read by title and passed on final reading on the 5th day of July, 2011.

Published by title in the City's official newspaper as Ordinance No. ____, Series of 2011, on the 8th day of July, 2011.

Published by title on the City's official website beginning on the 6th day of July, 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 the Ordinance passed on final reading and published by title as Ordinance No. ____, Series of 2011.

Loucrishia A. Ellis

**INTERGOVERNMENTAL AGREEMENT
FOR COORDINATED ELECTION
ARAPAHOE COUNTY
NOVEMBER 1, 2011
(Election)**

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This Intergovernmental Agreement is entered into by and between the Board of County Commissioners of the County of Arapahoe, State of Colorado and the Arapahoe County Clerk and Recorder (hereinafter jointly referred to as the "County") and the

City of Englewood (hereinafter referred to as the "Political Subdivision" and/or "jurisdiction").

WHEREAS, pursuant to the Uniform Election Code of 1992, (Articles 1 to 13 of Title 1, C.R.S.) as amended, governmental entities are encouraged to cooperate and consolidate elections in order to reduce taxpayer expenses; and

WHEREAS, the County and the Political Subdivision have determined that it is in the best interest of the taxpayers and the electors to conduct a Coordinated Election on November 1, 2011; and

WHEREAS, the County and the Political Subdivision desire to set forth their respective responsibilities for the Coordinated Election pursuant to this Intergovernmental Agreement.

NOW, THEREFORE, IT IS AGREED by the County and the Political Subdivision as follows:

1. The November 1, 2011 election shall be conducted as a Coordinated Election in accordance with the Uniform Election Code of 1992 (Articles 1-13 of Title 1, C.R.S.). The election participants shall be required to execute agreements with Arapahoe County for this purpose and may include municipalities, school districts and special districts within the Arapahoe County limits and the State of Colorado.
2. The November 1, 2011 election shall be conducted by the County as a Vote Center Election with the use of paper ballots, electronic voting equipment and voting machines.
3. The Arapahoe County Clerk and Recorder shall be designated as the Coordinated Election Official and the Political Subdivision hereby identifies Loucrishia A. Ellis, City Clerk as its Designated Election Official.
4. The County shall perform the following tasks in relation to said election, to wit:
 - a. Negotiate an agreement for the printing of the official ballots.
 - b. Provide a copy of the ballot layout and the text of the official ballot to the Designated Election Official for proofreading before authorization to begin printing of all ballots.
 - c. Certify the complete number of registered electors within the Arapahoe County portion of the Political Subdivision no later than October 12, 2011.
 - d. Provide a copy of the Political Subdivisions' legal boundaries as defined in the Arapahoe County Street List Locator no later than July 29, 2011.
 - e. Provide support on the date of the election by telephone and in person, should the need arise, until counting of the ballots is completed.
 - f. Provide unofficial results of the election on election night by telephone or by facsimile transmittal or electronic transmittal upon request.

A

- e. Remit payment directly to Arapahoe County within 60 days of billing for its prorated share of **ALL COSTS** relating to the printing and mailing of ballots and all other election expenses described in Section 4.
 - f. Comply with the provisions of the Uniform Election Code of 1992 (Articles 1-13 of Title 1, C.R.S.), and the time guidelines schedule as attached hereto as these relate to the November 1, 2011 election. The Political Subdivision shall notify the County of any exception no later than 29 days prior to the election.
 - g. The Political Subdivision shall defend and resolve at its sole expense all challenges relative to the candidates, ballot issues and/or ballot questions as certified to the County for inclusion in the November 1, 2011 Coordinated Election.
 - h. Submit to the County a map identifying the participating jurisdiction's boundaries no later than July 25, 2011.
 - i. Certify to the County, no later than August 19, 2011, the Political Subdivision's legal boundaries from the Street List Locator provided to the Political Subdivision on July 29, 2011.
 - j. Obtain and deliver a certified copy of the property owners' list for the Political Subdivision, (if deemed applicable), that has been reviewed against the voter registration records in the office of the Arapahoe County Clerk and Recorder.
 - k. Deliver all requests for mail-in ballots to the County for processing. Such requests shall be delivered or faxed daily to the Arapahoe County Clerk and Recorder's office.
6. If there is no determination pursuant to 42 USC Sec. 1973aa-1a prior to the November 1, 2011 election that Arapahoe County is a covered county, then the provisions of subsection 5.a.(2) of this agreement shall not be applicable.
 7. The Political Subdivision avers that it has sufficient funds available in its approved budget to pay its prorated election expenses for the November 1, 2011 Coordinated Election.
 8. Unless otherwise agreed in writing, this Intergovernmental Agreement and the interpretation thereof shall be governed by the laws of the State of Colorado.
 9. Should any provision of this Intergovernmental Agreement be determined by a court of competent jurisdiction to be unconstitutional or otherwise null and void, it is the intent of the parties hereto that the remaining provisions of this Intergovernmental Agreement shall be of full force and effect.
 10. Notices to be provided under this Intergovernmental Agreement shall be given in writing either by hand delivery or deposit in the United States mail, certified mail, return receipt requested, with sufficient postage, to the following persons:

<p>Nancy A. Doty Arapahoe County Clerk and Recorder 5334 South Prince St. Littleton, Colorado 80166-0211</p>	<p>DEO Name: <u>Loucrishia A. Ellis</u> Title: <u>City Clerk</u> Address: <u>1000 Englewood Parkway</u> City, St, Zip: <u>Englewood, CO 80110</u></p>
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Coordinating Jurisdiction Calendar for November 1, 2011 Vote Center Coordinated Election

Date	Event	Reference
22-Jul	Last day to notify county clerk of intent to participate in the coordinated election	1-7-116(5); 1-1-106(5); IGA Agreement
25-Jul	Jurisdiction to provide copy of legal boundaries to County Clerk	IGA Agreement
29-Jul	County Clerk to provide copy of legal boundaries to jurisdiction	IGA Agreement
3-Aug	Earliest day for School District Candidates to circulate nominating petitions (90 days prior)	1-4-803 (1)(b)
19-Aug	Jurisdiction to certify legal boundaries to County Clerk	IGA Agreement
23-Aug	Last day to sign IGA	1-7-116(2)
26-Aug	Last day for school director candidates to file petition (67 days prior)	1-4-803 (2)
29-Aug	Last day for write in candidate for non-partisan election to file intent (64 days prior)	1-4-1102(2)
2-Sep	Coordinating jurisdictions to certify ballot content (60 days prior)	1-8-116(2) 1-1-106(5)
16-Sep	Deadline for filing Tabor pro/con statements with DEO (Friday before the 45 th day before the election)	Art X, Sec. 20(3)(b)(v); 1-7-901 (4)
17-Sep	UOCAVA ballot mailing deadline (45 days prior)	
20-Sep	Tabor notices filed with County Clerk (42 days prior)	1-7-904
30 Sep	Ballots in custody of County Clerk (32 days prior)	1-5-403 (1)
30-Sep	Clerk to provide registration lists and Assessor to provide property owners list to coordinating	1-5-303 (1); 1-5-304; 1-7.5-107(2)(a); 1-1-106(5)

COUNCIL COMMUNICATION

Date: July 5, 2011	Agenda Item: 11 a i	Subject: Acceptance of 2011 Justice Assistance Grant CFDA #16.738
Initiated By: Police Department		Staff Source: Jeff Sanchez, Deputy Chief of Police

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council has focused on ensuring that Englewood is safe, clean, healthy, and attractive. For the past three years, City Council has approved the Police Department's applications for and acceptance of Edward Byrne Memorial Justice Assistance Grants aimed at enhancing public safety in the community.

RECOMMENDED ACTION

The Police Department is recommending that City Council adopt a Bill for an Ordinance authorizing the Englewood Police Department to accept grant award No. CFDA #16.738 from the Bureau of Justice Assistance Edward Byrne Memorial Justice Assistance Grant (JAG).

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The City of Englewood Police Department was notified on June 6, 2011 that it had been awarded \$20,903.00 from the Bureau of Justice Assistance (BJA). The Police Department is planning on purchasing approximately three Autoliv Noptic Thermal Imaging devices that will be placed on the spot lights of three patrol vehicles. Additionally, the Police Department will purchase autolock police batons for all uniform personnel. The current devices are outdated and worn. The purchase of these batons will also enhance consistency in that all officers will be outfitted with the same device. The award is based upon a Congressionally-mandated JAG formula which factors in the state's population and the state's share of violent crime statistics. The Police Department is required to submit an application to the Bureau of Justice Assistance outlining how this allocation will be spent. The BJA requires that an official review by City Council be conducted prior to the submission of the application if at all possible.

FINANCIAL IMPACT

This is a non-matching grant so there is no financial impact to the Police Department.

LIST OF ATTACHMENTS

Bill for an Ordinance

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. 35
INTRODUCED BY COUNCIL
MEMBER _____

A BILL FOR

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT REGARDING THE APPLICATION FOR AND ACCEPTANCE OF AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: LOCAL SOLICITATION CFDA #16.738.

WHEREAS, the Englewood City Council previously authorized the application for and acceptance of Justice Assistance Grants (JAG) with the passage of Ordinance #49, Series of 2008; Ordinance #12, Series 2009; and Ordinance #27, Series of 2009; and Ordinance #16, Series of 2010; and

WHEREAS, the Justice Assistance Grant is a non-matching grant for 2011, awarding the City of Englewood Twenty Thousand Nine Hundred and Three dollars, (\$20,903.00);

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 City to apply for and accept the Justice Assistance Grant from Edward Byrne Justice Assistance Grant Program, attached hereto as Exhibit A.

Section 2. The City Manager is authorized to execute said intergovernmental agreement regarding the grant for and on behalf of the City of Englewood.

Introduced, read in full, and passed on first reading on the 5th day of July, 2011.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 8th day of July, 2011.

Published as a Bill for an Ordinance on the City's official website beginning on the 6th day of July, 2011 for thirty (30) days.

ATTEST:

James K. Woodward, Mayor

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 5th day of July, 2011.

Loucrishia A. Ellis

OMB No. 1121-0329

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance



The U.S. Department of Justice (DOJ), Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2011 Local Solicitation

Eligibility

Applicants are limited to units of local government appearing on the FY 2011 JAG Allocations List. To view this list, go to www.ojp.usdoj.gov/BJA/grant/11jagallocations.html. For JAG program purposes, a unit of local government is: a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribe that performs law enforcement functions (as determined by the Secretary of the Interior). Otherwise a unit of local government may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes. In Louisiana, a unit of local government means a district attorney or parish sheriff. In the District of Columbia or any United States Trust Territory, a unit of local government is any agency of the District of Columbia or federal government performing law enforcement functions for the District of Columbia or Trust Territories of the United States.

Deadline

Registration for this funding opportunity is required prior to application submission, by selecting the "Apply Online" button associated with the solicitation title in OJP's Grants Management System (GMS). (See "How to Apply," page 11.) All registrations and applications are due by 8:00 p.m. eastern time on July 21, 2011. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting the application, contact the Grants Management System Support Hotline at 1-888-549-9901, option 3, or via e-mail to

Note: The GMS Support Hotline hours of operation are Monday–Friday from 6:00 a.m. to 12 midnight eastern time, except federal holidays.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1–877–927–5657, via e-mail to , or by live web chat. The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, and 8:30 a.m. to 8:00 p.m. eastern time, Monday through Friday, on the solicitation close date. You may also contact your State Policy Advisor:
www.ojp.gov/BJA/resource/ProgramsOffice.html.

Release date: June 6, 2011

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation CFDA #16.738

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG-funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes, and procedures.

Deadlines: Registration and Application

Registration is required prior to submission. The deadline to register in GMS is 8:00 p.m. eastern time on July 21, 2011 and the deadline for applying for funding under this announcement is 8:00 p.m. eastern time on July 14, 2011. Please see the "How to Apply" section, page 6, for more details.

Eligibility

Please refer to the cover page of this solicitation for eligibility under this program.

JAG Program—Specific Information

Formula

Once each fiscal year's overall JAG Program funding level is determined, BJA partners with the Bureau of Justice Statistics (BJS) to begin a four step grant award calculation process which consists of:

1. Computing an initial JAG allocation for each state and territory, based on their share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine if the state or territory allocation is less than the minimum ("de minimus") award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state or territory is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on their share of violent crime and population.
3. Dividing each state's final award amount (except for the territories and District of Columbia) between state and local governments at a rate of 60 and 40 percent, respectively.
4. Determining local unit of government award allocations, which are based on their proportion of the state's three-year violent crime average. If a local eligible award amount is less than \$10,000, the funds are returned to the state to be awarded to these

local units of government through the state agency. If the eligible award amount is \$10,000 or more, then the local government is eligible to apply for a JAG award directly from BJA.

Award Amount

Eligible award amounts under JAG are posted annually to BJA's JAG web page: www.ojp.usdoj.gov/BJA/grant/jag.html.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.

Purpose Areas

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and criminal justice information systems for criminal justice that will improve or enhance such areas as:

- Law enforcement programs.
- Prosecution and court programs.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

Note: The authorizing statute for the JAG Program provides that funds are to be used for the purposes above and notes that these purposes include all of the purposes previously authorized under the Edward Byrne Memorial State and Local Assistance Program (Byrne Formula) and the Local Law Enforcement Block Grant Program (LLEBG). This provision may be useful to applicants in understanding all of the allowable uses under the above purpose areas. For example, relying on this provision, it can be understood that the JAG Purpose Area "Prosecution and court programs" listed above, provides the states and local units of government with the authority to fund defender, judicial, pretrial, and court administration efforts as well as prosecution programs. For a listing of prior Byrne Formula and LLEBG purpose areas, see www.ojp.usdoj.gov/BJA/grant/byrnepurpose.html. Although these two programs have been eliminated, their prior purpose areas may be useful in appreciating the scope of the JAG purpose areas.

JAG funds may also be used to address key statutory requirements that may not be otherwise funded, including requirements from the state and federal level, such as addressing limited English proficiency requirements and other similar mandates.

Priorities

BJA recognizes that the downturn in the economy has resulted in significant pressures on state and local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. In light of this, it is important to make SAAs and local JAG recipients aware of several areas of priority that may be of help in maximizing the effectiveness of the Byrne JAG funding at the state and local level.

As an overall framework for success, we encourage both state and local comprehensive justice planning, bringing all of the system stakeholders together, including law enforcement, courts, prosecutors, defenders, corrections officials, and other stakeholders to create a comprehensive and strategic justice plan to ensure coordination and a more effective justice system.

As a part of this strategic planning process, we strongly encourage state and local planners to consider programs that are evidence-based and have been proven effective; in a difficult budgetary climate, it is critical that dollars are spent on programs whose effectiveness is proven. However, we recognize that state and local programs can also be excellent laboratories for innovative programs that can be models for other states and localities addressing difficult problems. BJA has made resources available to SAAs and others to provide training and technical assistance in identifying and using evidence-based practices as the outcome of a comprehensive and strategic justice plan in the state or local community. We also strongly encourage SAAs and local recipients to use JAG funding to support, replicate and expand strategic efforts to assess system cost drivers and to make appropriate policy changes that can reduce system costs while not jeopardizing public safety. These efforts include justice reinvestment and court reengineering as well as others.

In addition to these overarching considerations and in addition to our longstanding and unwavering commitment to keeping violent crime at its lowest level in decades, the following priorities represent key areas where we will be focusing nationally and invite each state to join us in addressing these challenges as a part of our JAG partnership.

Counterterrorism and Information Sharing/Fusion Centers

A key priority for DOJ and, indeed, the entire Administration, is effective counterterrorism and terrorism prevention programs. We recognize that state and local law enforcement are critical partners in detecting, identifying, preventing, and disrupting acts of violence against the United States by both domestic and international extremist organizations. Preventing terrorism remains the first goal of DOJ's strategic plan and remains a priority for BJA. A key priority of the National Strategy on Information Sharing for preventing terrorism includes support for State and Major Urban Area fusion centers (fusion centers) to address gaps in achieving full implementation of Global's Baseline Capabilities for fusion centers. Through the partnership of the U.S. Department of Homeland Security and DOJ the support for these fusion centers also enhances a state's response to "all crimes" by improving information sharing and coordination with local law enforcement agencies.

Evidence-Based Programs or Practices

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence (generally obtained through one or more outcome evaluations). Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

Economic Crime

As our economy shows signs of recovery, it is essential that we not allow this progress to be thwarted by economic crime, including mortgage fraud, financial crimes, fraud, and intellectual property crimes that threaten our economic growth and stability.

Reentry and Smart Probation

In order to lessen the burden on what has been described as an overreliance on incarceration, it is essential that those who have served time can transition back into the community and into crime-free pro-social lives. To do this, we will emphasize smart and effective approaches to offender reentry and will support statewide and local efforts in justice reinvestment, which reduces costly spending on incarceration and reinvests a portion of the savings into other areas of the justice system without sacrificing accountability.

Indigent Defense

Another key priority area is ensuring that justice is truly done in the criminal justice system—the Attorney General has consistently stressed that the crisis in indigent defense reform is a serious concern of his, a concern which is shared by OJP and BJA. As a former prosecutor and judge, however, the Attorney General is also acutely aware that without adequate funding for the courts, prosecution, problem-solving courts, and other innovative, cost-saving alternatives to incarceration, true justice cannot be achieved.

Children Exposed To Violence

Last, but certainly not least, we must ensure that, in the context of our continued focus on addressing violent crime, children who are exposed to violence are responded to effectively so that these experiences do not risk the futures of these children and do not fuel the cycle of violence.

These priorities and others will be the focus of our efforts during FY 2011, and we invite you as a partner and grantee to join us in our efforts to address these critical issues.

Interoperable Communications

Grantees (including sub-grantees) that are using FY 2011 JAG Program funds to support emergency communications activities should comply with the *FY 2011 SAFECOM Guidance for Emergency Communication Grants*, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at www.safecomprogram.gov.

Grantees interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The recipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC) in the state of the project. As the central coordination point for their state's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of the SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of

SWICs for each of the 56 states and territories. Please contact _____ if you are not familiar with your state or territory's SWIC. If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the recipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Please note that for future year solicitations (FY 2012), BJA will require that the SWIC provide approval for changes in interoperable communication projects. Grantees should establish communications with the SWIC in their state or territory in the near future in order to ensure seamless coordination on all projects going forward.

Grantees (and sub-grantees) should provide a listing of all communications equipment purchased with grant award funding (plus the quantity purchased of each item) to their assigned BJA State Policy Advisor once items are procured during any periodic programmatic progress reports.

Responsibilities

The Chief Executive Officer (CEO) of an eligible unit of local government or other officer designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting quarterly financial status (SF-425) and performance metrics reports and annual programmatic reports; and providing ongoing oversight and assistance to any subrecipients of the funds.

Length of Awards

Awards are made in the first fiscal year of the appropriation and may be expended during the following 3 years, for a total grant period of 4 years. Extensions beyond this period may be made on a case-by-case basis at the discretion of the Director of BJA and must be requested via the Grants Management System (GMS) **no less than 30 days prior to the grant end date.**

Administrative Funds

A unit of local government may use up to 10 percent of the award, plus any interest accrued, for costs associated with administering JAG funds.

Disparate Certification

A disparate allocation occurs when a city or municipality is allocated one-and-one-half times (150 percent) more than the county, while the county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crimes. A disparate allocation also occurs when multiple cities or municipalities are collectively allocated four times (400 percent) more than the county, and the county bears more than 50 percent of the collective costs associated with prosecution or incarceration of each municipality's Part 1 violent crimes.

- ★ Jurisdictions certified as disparate must identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which

jurisdiction will serve as the applicant/fiscal agent for joint funds, must be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.ojp.usdoj.gov/BJA/grant/jag11/11JAGMOU.pdf.

Governing Body Review

The applicant agency (fiscal agent in disparate situations) must make the grant application available for review by the governing body (or to the organization designated by the governing body) not fewer than 30 days before the application is submitted to BJA.

Public Comment

The applicant agency (the fiscal agent in disparate situations) must include a statement that the application was made public and that, to the extent of applicable law or established procedure, an opportunity to comment was provided to citizens and to neighborhood or community-based organizations.

Budget Information

Match Requirement

While match is not required with the JAG Program, match can be used as an effective strategy for states and units of local government to expand justice funds and build buy-in for local criminal justice initiatives.

Supplanting

Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose. Supplanting is prohibited under JAG. Please see BJA's [JAG web page](#) and the updated JAG FAQs for examples of supplanting.

Trust Fund

Award recipients may drawdown JAG funds in advance. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds. This trust fund requirement only applies to direct JAG award recipients as well as subrecipients that are not on a reimbursement basis.

Prohibited Uses

No JAG funds may be expended outside of JAG purpose areas. Even within these purpose areas, however, JAG funds cannot be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters).
- Luxury items.
- Real estate.
- Construction projects (other than penal or correctional institutions).
- Any similar matters.

*For information related to requesting a waiver to use funds for any prohibited item, please refer to the updated JAG FAQs on BJA's [JAG web page](#).

Reporting Requirements

Once an award is accepted, award recipients must submit quarterly financial status (SF-425) and annual performance reports through [GMS](#).

In addition, applicants who receive funding under this solicitation must provide data that measures the results of their work. Please refer to "Performance Measures" below for further information.

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act of 1993 (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. **Quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) web site: www.bjaperformancetools.org. The performance measure can be found at: www.bjaperformancetools.org/help/ARRAJAGandJAGCombinedIndicatorGrid.pdf.**

All JAG recipients should be aware that BJA is currently considering changes to the JAG performance reporting processes, including measures. While state administering agencies will play a role in the process, recipients are advised that the reporting requirements noted above may be subject to modification through this process.

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Please refer to the section "What an Application Must Include" (below) for additional information.

Note on project evaluations: Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protections. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" (28 C.F.R. § 46.102(d)). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the "Confidentiality" section on that web page.

Notice of New Post-Award Reporting Requirements

Applicants should anticipate that all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), will be required to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at www.fsr.gov/.

Please note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

How to Apply

Applications are submitted through OJP's Grants Management System ([GMS](#)). GMS is a web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of awards at OJP. Applicants must register in GMS for each specific funding opportunity and should begin the process immediately to meet the GMS registration deadline, especially if this is the first time using the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If the applicant experiences technical difficulties at any point during this process, please e-mail grants@ojp.usdoj.gov or call 888-549-9901 (option 3), Monday-Friday from 6:00 a.m. to midnight eastern time, except federal holidays. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants should complete the following steps:

1. **Acquire a DUNS number.** A DUNS number is required to submit an application in GMS. In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS (Data Universal Numbering System) number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life

cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.
3. **Acquire a GMS username and password.** A new user must create a GMS profile by selecting the "First Time User" link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/qmscbt/.
4. **Verify the CCR registration in GMS.** OJP requests that all applicants verify their CCR registration in GMS. Once logged into GMS, please click the "CCR Claim" link on the left side of the default screen. Click the submit button to verify the CCR registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the "Funding Opportunities" link on the left side of the page. Please select the Bureau of Justice Assistance and the Edward Byrne Memorial Justice Assistance Grant (JAG) Program—Local Solicitation.
6. **Register by selecting the "Apply Online" button associated with the solicitation title.** The search results from step 5 will display the solicitation title along with the registration and application deadlines for this funding opportunity. Please select the "Apply Online" button in the "Action" column to register for this solicitation and create an application in the system.
7. **Submit an application consistent with this solicitation by following the directions in GMS.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, an applicant must wait for GMS approval before submitting an application. Applicants are urged to submit the application **at least 72 hours prior** to the due date of the application.

Note: OJP's Grants Management System (GMS) does not accept executable file types as application attachments. The disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Experiencing Unforeseen GMS Technical Issues

If an applicant experiences unforeseen GMS technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must contact the Bureau of Justice Assistance Programs Office staff **within 24 hours after the deadline** and request approval to submit the application. At that time, BJA Programs Office staff will instruct the applicant to submit specific information detailing the technical difficulties. The applicant must e-

mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and GMS Help Desk tracking number(s) received. After the program office reviews all of the information submitted, and contacts the GMS Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow GMS instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the OJP funding web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

This section describes what an application is expected to include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision nevertheless be made to make an award, will result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," "Memoranda of Understanding," etc.) for all required attachments.

1. Application for Federal Assistance (SF-424)

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form.

2. Program Narrative

Applicants **must** submit a program narrative that generally describes the proposed program activities for the four year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a **joint application** must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

3. Budget and Budget Narrative

Applicants **must** submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. This narrative should include a full breakdown of administrative costs, as well as an overview of

how funds will be allocated across approved JAG purpose areas. Applicants should utilize the following approved budget categories to label the requested expenditures: Personnel, Fringe Benefits, Travel, Equipment, Supplies, Consultants/Contracts, and an Other category. For informational purposes only, a sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

4. Review Narrative

Applicants **must** submit information documenting that the date the JAG application was made available for review to the governing body, or to an organization designated by that governing body, on a date not less than 30 days before the application was submitted to BJA. The attachment must also specify that an opportunity to comment was provided to citizens to the extent applicable law or established procedures make such opportunity available. Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

5. Abstract

Applicants **must** provide an abstract that includes the applicant's name, title of the project, goals of the project, and a description of the strategies to be used. In addition, above or below the abstract narrative, applicants **must identify up to five project identifiers** that would be associated with proposed project activities. The list of all identifiers can be found at www.ojp.usdoj.gov/BJA/grant/jag11/JAGIdentifiers.pdf. The abstract **must not** exceed a half-page, or 400-500 words.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

6. Tribal Authorizing Resolution (if applicable)

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from

all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions.

7. Additional Attachments (if applicable)

Jurisdictions certified as disparate **must** identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application **must** determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds, **must** be completed, and signed by the Authorized Representative for each participating jurisdiction. The signed MOU **must** be attached to the application. For a sample MOU, go to www.ojp.usdoj.gov/BJA/grant/jag11/11JAGMOU.pdf.

Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

8. Other Standard Forms

Additional forms that may be required in connection with an award are available on OJP's funding page at www.ojp.usdoj.gov/funding/forms.htm. For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Please note in particular the following forms.

- a. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (required to be submitted in GMS prior to the receipt of any award funds).
- b. Disclosure of Lobbying Activities (required for any applicant that expends any funds for lobbying activities; this form must be downloaded, completed, and then uploaded).
- c. Accounting System and Financial Capability Questionnaire (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and then uploaded).
- d. Standard Assurances (required to be submitted in GMS prior to the receipt of any award funds).

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General (AAG).

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Nonsupplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – federal taxes certification requirement
- Active CCR Registration

Application Checklist
FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program:
Local Solicitation

The application checklist has been created to aid assist in developing an application.

Eligibility Requirement:

- _____ The jurisdiction listed as the legal name on the application corresponds with the eligible jurisdiction listed on BJA's JAG web page
- _____ The federal amount requested is within the allowable limit of the FY 2011 JAG Allocations List as listed on BJA's JAG web page

The Application Contains:

- _____ Standard 424 Form (see page 13)
- _____ Program Narrative (see page 13)
- _____ Budget and Budget Narrative (see page 13)
- _____ Review Narrative (the date the JAG application was made available to the governing body for review and that it was provided to the public for comment) (see page 14)
- _____ Abstract (see page 14)
- _____ Additional Attachment: Memorandum of Understanding (MOU), if in a funding disparity (see page 15)
- _____ Tribal Authorizing Resolution (if applicable) (see page 14)
- _____ Other Standard Forms as applicable (see page 15), including:
 - _____ Disclosure of Lobbying Activities (if applicable)
 - _____ Accounting System and Financial Capability Questionnaire (if applicable)
- _____ DUNS Number (see page 11)
- _____ CCR Registration (see page 12)

COUNCIL COMMUNICATION

Date: July 5, 2011	Agenda Item: 11 c i	Subject: Resolution extending the Temporary Suspension or Moratorium on the Enforcement of Selected Provisions the Englewood Municipal Code Pertaining to Banners, Portable Signs and Murals
Initiated By: Community Development Department		Staff Source: Tricia Langon, Senior Planner

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council approved Resolution No. 76, Series of 2009, on October 5, 2009, establishing a temporary suspension or moratorium on enforcement of certain sections of the Englewood Municipal Code 2000 dealing with banners and portable signs. Council also approved Resolution No. 28, Series of 2010, on February 1, 2010, establishing a temporary suspension or moratorium on enforcement of the discretionary approval process related to wall murals. Council combined the two moratoria (banner/portables and murals) into a joint action and extended each moratorium in 2010 under Resolution No. 69, Series 2010. Both moratoria were extended earlier this year under Resolution No. 5, Series of 2011. The joint resolution is scheduled to expire on August 1, 2011.

RECOMMENDED ACTION

In order to extend the current moratorium on enforcement, a resolution approving such an extension needs to be adopted. The attached resolution extends the enforcement moratorium for six months, to February 1, 2012.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

In early 2010 the Planning and Zoning Commission began analysis of sign code regulations issue and discussion of potential amendments. Sign code efforts were delayed by the necessity to adopt floodplain amendments to meet Federal Emergency Management Agency updates by the end of 2010. To date in 2011 the Commission reviewed initial drafts of several sections of the proposed sign code including administration, prohibited and exempt signs, and sign specifications. Larger work topics yet to be started include: standards for different zone districts, sign materials, temporary and electronic signage. It is anticipated that completion of these areas and initial stakeholder meetings could be finished by the end of the year.

Final drafting of the new Sign Code and the formal adoption process is anticipated to take an additional six months and be completed by early summer 2012. The moratorium extension provides time to complete proposed sign code amendments and begin the adoption process.

FINANCIAL IMPACT

There are no financial impacts to the City as a result of adopting this Resolution.

LIST OF ATTACHMENTS

Resolution

RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION RECOMMENDING TO THE CITY MANAGER OF THE CITY OF ENGLEWOOD, COLORADO AN EXTENSION OF THE EXISTING SUSPENSION OR MORATORIUM ON THE ENFORCEMENT OF SELECT PROVISIONS OF THE ENGLEWOOD MUNICIPAL CODE 2000, THE SIGN CODE, PERTAINING TO BANNERS AND PORTABLE SIGNS; THE DISCRETIONARY APPROVAL PROCESS BY THE CITY MANAGER OR DESIGNEE FOR SIGNS UNDER 16-6-13(K)(3)(b) AND 16-6-13(K)(4) E.M.C.; AND THE PROVISIONS PERTAINING TO WALL MURALS FOR A PERIOD OF SIX MONTHS UNTIL FEBRUARY 1, 2012.

WHEREAS, the City of Englewood has spent a great deal of money and effort promoting its downtown area as a shopping destination and a cultural and artistic venue; and

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

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

WHEREAS, the City Council has directed staff to review and revise, if necessary, provisions of the Sign Code concerning the use and display of wall murals; and

WHEREAS, it has been brought to Council's attention that some businesses in Englewood feel the Unified Development Code does not adequately address the use of banners and portable signs in relation to the remainder of the Sign Code; and

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

WHEREAS, City Council has deemed it necessary to coordinate the review of the Unified Development Code and found it appropriate to temporarily suspend enforcement of select provisions of the sign Code review by the staff and City Council by the passage of Resolution No. 76, Series of 2009; Resolution No. 3, Series of 2010; Resolution No. 28, Series of 2010 and Resolution No. 32, Series of 2010; Resolution No. 69, Series of 2010; and Resolution No. 5, Series of 2011; and

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

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

WHEREAS, the City Council finds that an additional six month moratorium or temporary suspension of the enforcement of certain provisions of the Englewood Municipal Code 2000

pertaining to wall murals; banners and portable signs and the discretionary approval process is necessary to implement and begin review of the Unified Development Code; and

WHEREAS, after a review of the effect of the moratorium relating to signs on the community, the recommendation may be to keep the Code as it currently exists so any person who purchases, erects or maintains a sign subject to this moratorium during the moratorium period in contravention of the existing Sign Code will do so at the risk of being subject to enforcement at the termination of the six month moratorium;

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

Section 1. The City Council of the City of Englewood, Colorado recommends the City Manager extend a moratorium or temporary suspension on the enforcement of the Englewood Municipal Code 2000 pertaining to banners and portable signs; the discretionary approval process by the City Manager or Designee for signs under 16-6-13(K)(3)(b) and 16-6-13(K)(4) E.M.C.; and the provisions pertaining to wall murals through February 1, 2012.

Section 2. All signs, even those subject to this moratorium, shall still be required to comply with 16-6-13(N) Prohibited, Hazardous, and Abandoned Signs as well as 16-6-13(M) Maintenance.

Section 3. The City Council finds the provisions of this Resolution are temporary in nature and are intended to be replaced by subsequent legislative enactment so that the moratorium or temporary suspension as specified in this Resolution should terminate on February 1, 2012.

ADOPTED AND APPROVED this 5th day of July, 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