
Council Newsletter



CITY MANAGER'S NOTES August 18, 2011

Upcoming Council Meetings

City Council will meet on **Monday, August 22, 2011**. A Special Meeting will be held at 5:00 p.m. in Council Chambers. The Study Session will begin at 5:30 p.m. in the Community Room. There is no Regular Meeting scheduled. The agendas are attached. Sandwiches will be available at 4:30 p.m.

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

City facilities will be closed on **Friday, September 2, 2011** for a furlough day. City facilities will also be closed on **Monday, September 5, 2011** for Labor Day.

The following meeting will be **Tuesday, September 6, 2011**.

Informative Memoranda

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

1. News Release concerning "Drive Sober or Get Pulled Over" campaign.
2. Woof & Wag 5K Run/Walk flyer on Saturday, August 27, 2011.
3. Article entitled "Englewood Police launches online crime reports, crime tip options."
4. Article entitled "Goodwill's new Outlet World offers bargains, Amazon books."
5. Article highlighting Englewood from *Out of Denver, the Lifestyle Magazine*, August/September, 2011.
6. Article from Colorado Municipalities, August, 2011, entitled "What's the Future of Local Government."
7. Letter announcing that Littleton/Englewood Wastewater Treatment Plan earned a Gold Peak Performance Award from the National Association of Clean Water Agencies.
8. Letter from Concerned Residents of Englewood.
9. Memorandum concerning the Project Update.
10. Police Department July, 2011, Summary Report.
11. Calendar of Events.
12. Tentative Study Session Topics.
13. Minutes from the Alliance for Commerce in Englewood Committee meeting of July 14, 2011.
14. Minutes from the Planning and Zoning Commission meeting of August 2, 2011.
15. Minutes from the Liquor and Medical Marijuana Licensing Authority telephone poll of August 3, 2011.

Leigh Ann Hoffhines

From: Leigh Ann Hoffhines
Sent: Monday, August 15, 2011 10:20 AM
To: 'pressreleases@ccnewspapers.com'; 'Tom Munds - Englewood Herald'; 'Kevin Hamm'; 'Daniel Smith'; 'Villager - News Desk'; 'Englewood Herald - News'; 'Englewood Herald - News Editor'
Cc: Leigh Ann Hoffhines
Subject: Englewood Police join "Drive Sober or Get Pulled Over" campaign



**City of Englewood, Colorado
News Release**

For Immediate Release: August 15, 2011
Media Contact: Officer Taylor, Englewood Police Department
Phone: 303-783-6814
E-Mail:

Englewood Police Department joins nationwide "Drive Sober or Get Pulled Over" campaign

Englewood, CO: Over the Labor Day holiday, the Englewood Police Department will join nearly 10,000 other law enforcement agencies nationwide in an intensive crackdown on impaired driving. From August 19 through September 5, 2011 Englewood Police will participate in a nationwide effort known as "Drive Sober or Get Pulled Over" and will be aggressively looking for impaired drivers on Englewood's streets.

Across the country, it is illegal to drive with a blood alcohol concentration of .08 grams per deciliter or higher. In 2009 alone, 10,839 people died in crashes in which a driver or motorcycle rider was at or above the legal limit, according to the National Highway Traffic Safety Administration. The age group with the highest percentage of alcohol-impaired-driving fatalities in motor vehicle traffic crashes was the 21 to 24 age group.

Officer Taylor of the Englewood Police Department is heading up Englewood's *Drive Sober or Get Pulled Over* campaign. "Our mission is to keep the Englewood community safe," said Officer Taylor. "If we find you driving impaired, we will arrest you. No exceptions. Driving impaired is simply not worth the consequences."

#

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



WOOF & WAG



5K RUN/WALK

Benefiting



HUMANE SOCIETY
OF THE SOUTH PLATTE VALLEY

Presented by



Saturday August 27, 2011 8:00am

Hosted By

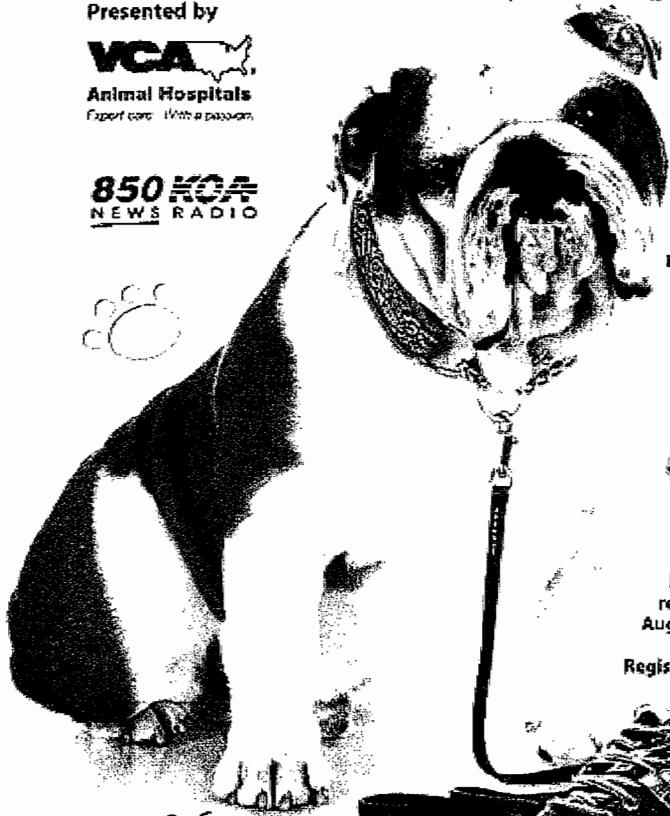


7301 S. Santa Fe Drive
Littleton, CO 80120

Register online, by mail or at the Humane Society of the South Platte Valley at 2129 W. Chenango Avenue, Unit A, Littleton, CO 80120.

Registration information is also available at all Denver Metro area VCA Animal Hospitals. All registration forms must be received **NO LATER THAN** August 26, 2011. \$30 pre registration.

Registration is also available on Race Day.



Register at www.woofandwag.org



City of Littleton



Englewood Police launches online crime reports, crime tip options

The Englewood Police Department recently launched two new information/technology services that can help residents get involved in fighting crime in their neighborhoods: online crime reports and anonymous crime tip reporting. Through the police department's partnership with CrimeReports, Englewood residents can now view online crime reports that show the locations and types of crimes that have taken place in Englewood. Residents also have the ability to send anonymous crime tips online or by cell phone to report crimes in their neighborhoods.

The new crime report maps provide timely crime information, allowing residents to see where

certain crimes have taken place throughout the community. The crime reports are available via the city of Englewood's website at www.engagewoodgov.org. Residents can also sign up for daily, weekly, or monthly email crime alerts. In addition, CrimeReports offers a free iPhone application that iPhone users can download from iTunes.

Englewood residents can also submit anonymous crime fighting tips through the Internet or via text messaging, using TipSoft, a secure application that encrypts the informants' information to ensure anonymity. The Englewood Police Department encourages residents to report information about

non-urgent illegal activities, such as unsolved cases, vandalism, theft, drugs, or information they may have about crimes being planned in the community. The tip service should only be used for non-emergency tips. To report a crime in progress or for emergencies, residents should dial 9-1-1.

Cell phone users can access the TipSoft crime tip service by texting "EPDTIPS" (followed by your crime tip) to **274637 (CRIMES)**. The system will auto-reply with a confirmation containing your unique "tip alias."

For more detailed instructions on submitting crime tips online or via your cell phone, visit www.tipsoft.com.

Goodwill's new Outlet World offers bargains, Amazon books

BY DENNIS HUSPENI

DENVER BUSINESS JOURNAL

It's hard to imagine that savvy consumers could find a Prada purse or designer jeans at a Goodwill store.

But those items are among the tons (literally) of merchandise that will be available from the Goodwill Industries of Denver's Outlet World, the third such operation in the state.

In April, the not-for-profit company bought a 95,000-square-foot industrial warehouse at 3155 S. Platte River Drive, northwest of Sante Fe Drive and Hampden Avenue in Englewood. Goodwill converted it into a bulk retail outlet, storage and processing warehouse, and home for its new e-commerce venture with Amazon to sell used books.

It opens Saturday, Aug. 13.

"We've found markets for all these commodities," said Jesse Wolff, CEO of Goodwill Industries of Denver. "The trick is whatever we don't sell at our retail stores, we find a market for and re-sell it and keep it out of landfills."

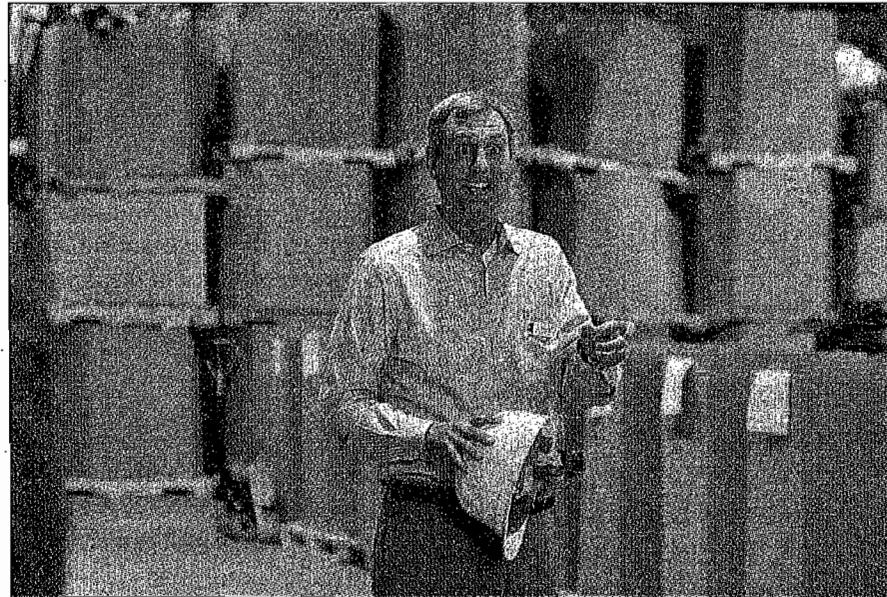
The Outlet Worlds are run differently than the retail stores. Whatever doesn't sell from the shelves of Goodwill's 23 retail stores ends up here. Customers can buy by the pound from containers filled with merchandise, and which are restocked every hour with fresh items.

The cost is \$1.49 per pound for 19 pounds or less, 99 cents per pound for 20-49 pounds and 59 cents per pound for 50 or more pounds. (Shoes and glassware are a little more.)

There are few retail customers at the Outlet Worlds. Most customers are resellers who move the merchandise at a flea market or garage sales, or take it down to Mexico, Wolff said.

Out of the estimated 75 million tons of stuff donated to Goodwill Industries of Denver annually, two-thirds is sold or recycled.

"We'd love to get that [waste] number to zero," Wolff said.



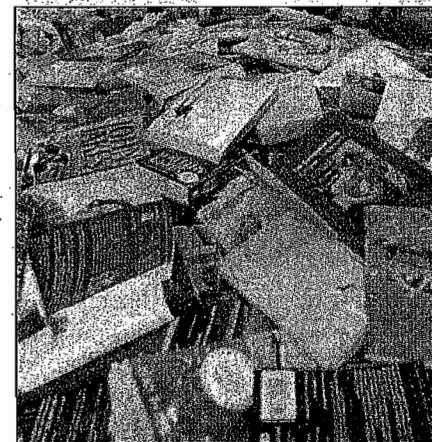
Jesse Wolff, president and CEO of Goodwill, gives a tour at Goodwill Outlet World in Englewood, where boxes of items are sold at a discounted rate compared to their retail stores. If they don't sell, they are recycled.

The company contracts with Dell to recycle donated computers. As for the 80,000 pounds of old televisions donated per week, Goodwill sells what it can but must pay to recycle the rest at 7 or 8 cents per pound.

"With some 1.5 million pounds of televisions per year, that can get expensive," Wolff said.

Walking through the warehouse was reminiscent of the final scene of the movie "Raiders of the Lost Ark," where the Ark of the Covenant is hidden among endless isles of storage containers. Twenty-foot-high rows of storage boxes, filled by 65 tractor-trailer truck loads weekly, contain past treasures — the end of the line for just about every consumer product imaginable: televisions, Christmas trees, snowboards, bicycles, small appliances, tons of clothes and even a brown plastic coin bank in the shape of a guitar with Elvis Presley's picture on the front.

Goodwill bought two new \$140,000 bal-



KATHLEEN LAVINE | BUSINESS JOURNAL

Goodwill plans to partner with Amazon.com to sell used books distributed from this warehouse via e-commerce.

ers from Portland-based PCI Waste and Recycling Equipment. They bundle unsold clothes, wire, plastics and metal into 1,000-pound squares for Goodwill offi-

cial to re-sell in bulk. The baled items go to recycling companies; for example, the clothing goes to textile manufacturers for re-use.

Merchandise from the storage facility will be used to re-stock store shelves, including for seasonal rushes such as Halloween and Christmas.

After a recent job fair in Englewood, Goodwill hired 30 people to run the Outlet World. Goodwill expects eventually to have up to 100 employees there.

Englewood Mayor Jim Woodward said the city is pleased to have the Outlet World, which took over a space abandoned by a Kacey Fine Furniture store after the chain closed all its Colorado stores last year.

"Many don't realize how accessible this location is, right next to Santa Fe, which connects to 470 down south and I-25 up north," Woodward said. "This is located in an enterprise zone, which carries a lot of benefits, including tax breaks."

Goodwill has a habit of filling big box retail spaces. Its most recent retail store opening was in a former Staples building at 6435 E. Hampden Ave., Denver.

The operation also will begin an online bookshelf program where Amazon shoppers can buy from a stock of 50,000 used books. Online shoppers at Goodwill's website (www.goodwilldenver.org) also will be able to buy "high-end" merchandise like Prada purses, designer jeans, sports memorabilia and collectibles.

"It's amazing the high-end stuff people will donate," Wolff said. "As a retailer, we have to have an online presence no different from Abercrombie & Fitch."

Wolff estimated the new e-commerce venture could net the company \$3 million to \$4 million in additional revenue, with most of it earmarked to pay for work force education programs.

"We're not here to make money," Wolff said. "We use what we make here to invest in the community and invest in people."

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A GLANCE AT SOUTH DENVER (SODE)

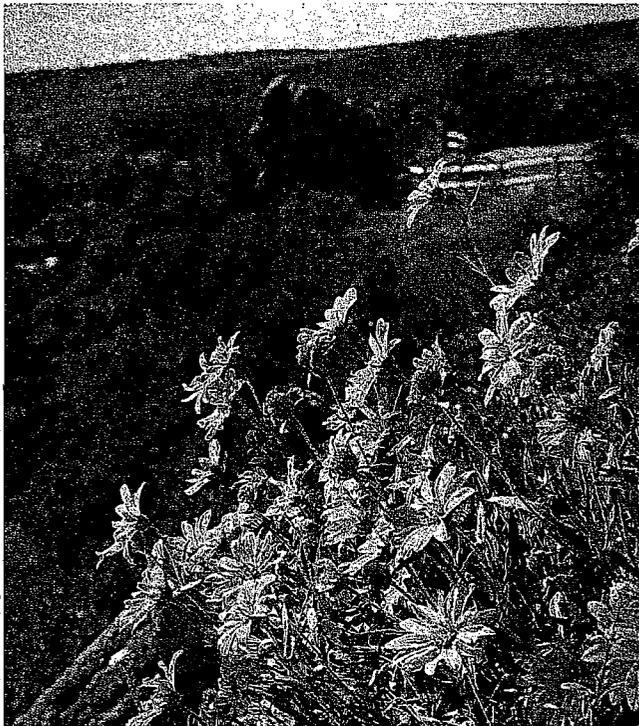


Photo by Barbara Spagnolo

Top: Natural beauty abounds in Castle Rock. Left: Happy hour in Castle Rock.

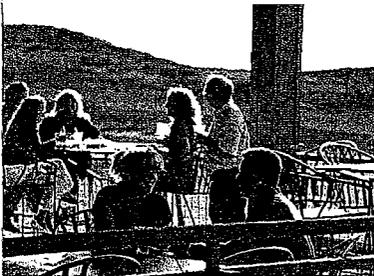


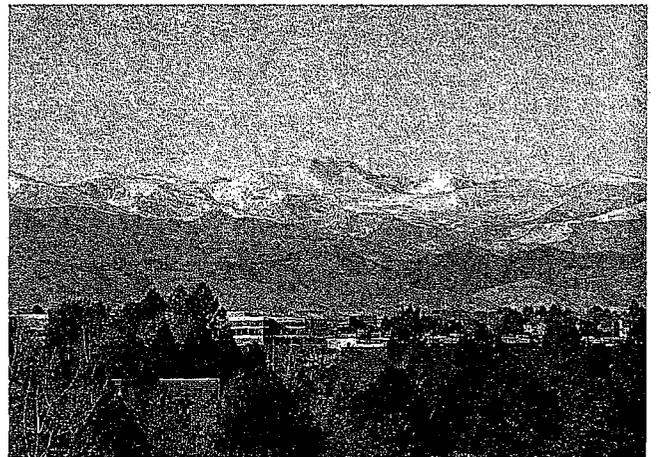
Photo by Mark Simms Photographics

TOWN OF CASTLE ROCK

The town of Castle Rock is roughly 20 miles south of metro Denver and extends for 33 square miles, centered on I-25. The town may have a large footprint, but it has

a small-town feel. Its 46,000 residents dwell primarily in single-family homes and enjoy quick access to both the calm of open spaces and the buzz of the big city. Homes range from century-old historic cottages to modern construction. Recreational opportunities abound, with nearly 20 parks, more than 50 miles of public trails and nearly 6,000 acres of open space nearby. The historic downtown area features quaint boutiques, gourmet cuisine, street festivals and more. Castle Rock was recently recognized as one of the best places in the country to live by both Family Circle magazine and RelocateAmerica.com.

Median cost of a single-family home: \$267,000
crgov.com



Top left: Outdoor cinema in Centennial. Top right: Centennial offers an active lifestyle for residents. Above: A mile-high view from Centennial.

CENTENNIAL

A commercial powerhouse, the City of Centennial encompasses the mixed-use development of the Streets of SouthGlenn, along with the 500,000 square-foot Centennial Promenade and the new IKEA store. Centennial has also been ranked for the past six years as the "Safest City" in Colorado with a population of more than 75,000. The community is a big draw to families, with the award-winning Littleton Public Schools and Cherry Creek School District. More than 100,000 residents live in Centennial, which has somewhat of a checkerboard appearance on a map; it is bisected by I-25, with Arapahoe Road as the long east-to-west Main Street.

Median home price: \$288,000
centennialcolorado.com

It is no secret that Colorado is widely regarded as one of the best places in the country to live, work and play. The south metro Denver area is a snapshot of the state, with thriving communities happily enjoying all the amenities of the area. Around 350,000 of the city's 2.8 million population call the south metro area home, with every demographic from young singles to families and retirees. The area has something for everyone, offering up wide-open spaces, high-tech business opportunities, world-class dining and cultural opportunities and unsurpassed recreational activities. "SoDe," as this magazine has coined it, provides the best of the best in the state.

By Kelly Smith



Photo courtesy Tom White

Pastoral scenery in Cherry Hills Village.

CHERRY HILLS VILLAGE

With roughly 6,000 inhabitants, the City of Cherry Hills Village is an up-scale, yet semi-rural enclave on the western edge of Arapahoe County. Incorporated in 1945, the Village is bordered by Hampden to the north, Belleview to the south, Clarkson to the west, and a quirky eastern boundary that meanders along Dahlia, Quincy and Monaco. The community has more than 25 miles of trails, 47 acres of parkland and two horse arenas; the Highline Canal also passes through, offering even more recreation. Cherry Hills Village is comprised of only single-family homes, with little commercial development.

Median home value \$996,000
cherryhillsvillage.com



Photo by City of Englewood

Above: Englewood's CityCenter is a mixed-use development that is the hub of the community. Left: The bridge at the Englewood Light Rail station. Left bottom: Englewood's Pirate's Cove water park.



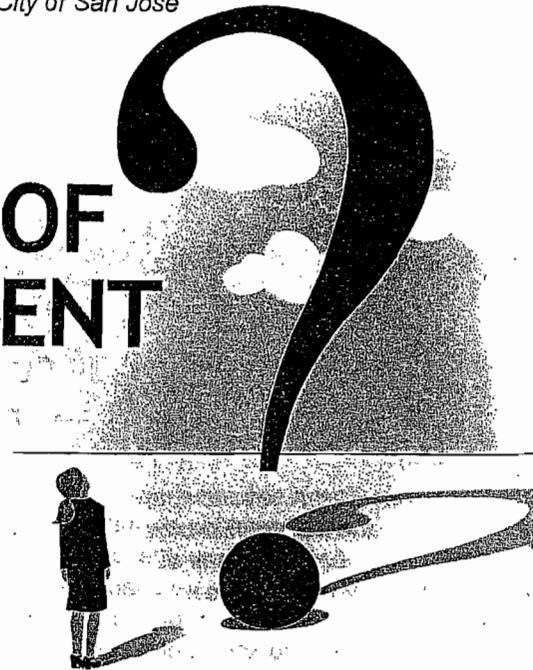
ENGLEWOOD

With borders reaching roughly from Clarkson St: to Santa Fe Ave. and Yale to Belleview, Englewood's 30,000 residents enjoy affordable housing in a centrally located, culturally aware community. A mix of singles, retirees and families call Englewood home, occupying apartments, condominiums and single-family homes. There is an urban vibe to this transit hub, which offers convenient Light Rail and RTD access to downtown Denver, the DTC and the nearby mountains. Shopping, the arts, concerts, and other recreation opportunities include the CityCenter Englewood, Hampden Hall, the Museum of Outdoor Arts, the Pirates Cove aquatic facility, two rec centers, golf, more than a dozen parks, and the adjacent South Broadway corridor.

Median Home Price: \$176,900
englewoodgov.org

By Debra Figone, San Jose, Calif., city manager; Kim Welsh, San Jose chief strategist; Mark Danaj, Fremont, Calif., assistant city manager; and Dr. Frank Benest, former Palo Alto, Calif., city manager, ICMA Next Gen Advisory member and consultant to the City of San Jose

INNOVATIONS IN APPROACH: WHAT'S THE FUTURE OF LOCAL GOVERNMENT



Big economic, technological, and social megaforges threaten the viability of local governments across the nation. The question "What's the future of local government?" is not just a topic of academic interest but a critical business issue for public agencies. If a local government can create a vision or "story" about its future, it can help shape that future. Without a vision, a public agency will be reactive and forced to change, one crisis after another.

Sponsored by the Alliance for Innovation, this white paper suggests an emerging model for local government, and provides some big questions that will hopefully provoke further conversation about the future of local government.

The Alliance for Innovation is a membership-based community of practice that encourages innovation in local government. This What's the Future of Local Government? white paper is intended to provoke a needed conversation.

An online forum to discuss, share, and comment on the white paper is available for Alliance members at www.transformgov.org. For more information about the Alliance or the white paper, contact Pamela Muse, western regional director at 888-468-6450 or pmuse@transformgov.org.

Crippled public agencies

The traditional direct service model of local government is now seriously threatened. It is not just the budget, staffing, and service cutbacks crippling local governments. A whole series of forces calls into question the traditional model, including:

Escalating demands and mission creep.

Over time, citizens have increased their demands on local government to respond to a whole variety of issues. Currently, local governments are being urged to respond to climate issues, the home foreclosure disaster, the retirement of baby boomers, and the adolescent obesity challenge (to name just a few). Consequently, local governments have become full-service organizations that attempt to be all things to all people. To exacerbate matters, local government leaders have a heroic urge to respond to any new community problem or demand with a public service.

Mandates without money. Local agencies increasingly have been mandated by state and federal governments to provide new services or enforce new regulations without sufficient funding, thus siphoning money from other more basic services.

Static structures. The organizational structures, systems, processes, and rules of local government are oriented

toward a static world. Rigid job classifications, civil service and hiring rules, and purchasing and contracting systems are not aligned with a dynamic and disruptive world. For instance, a public agency cannot compete with a private corporation that can hire a soon-to-graduate student on the spot at a university career fair.

Accelerating technology. Technology is changing all service delivery. As just one example, a number of local governments have launched smart phone applications so that residents can report potholes, graffiti, sidewalk damage, and other service needs. Several years ago, whoever would have guessed that public officials would be tweeting constituents about community issues?

Big challenges cross boundaries.

No one institution — government, business, faith-based group, nonprofit, educational agency — can solve any one problem. Regardless of budget resources, the city police department cannot resolve by itself a major gang violence problem. All the big adaptive challenges of the day (e.g., economic vitality, climate protection, family stability, reinvestment in infrastructure, educational achievement, and immigration) require boundary-crossing.

Out-of-whack tax system. The tax system funding local governments is

The future of local government is not an academic issue. The viability of local government agencies is based on our ability to reenvision our government and figure out real-world actions to move us in the desired direction.

often based on the old industrial economy. Local agencies generally receive tax revenue when a tangible good is sold. However, our economy is now service- and knowledge-based. The provision of services or the creation of knowledge does not generate tax revenue to fund local government programs. While there seems to be little political will for modernization, the tax system needs to be better aligned with the new economy if local governments are to perform their historic role.

Citizen mistrust. As the closest unit of government to the people, local governments in the past could rely on people's special allegiance. Now, local agencies are just another institution, just another service provider. Declining confidence in all levels of government, including local government, is based on a convergence of forces, including anti-government media, anti-government politicians who run against city hall, an inability to effectively address the big issues confounding communities, and periodic scandals. Citizen mistrust is reflected in ballot-box initiatives and tax and fee restrictions, as well as the public's seeming unwillingness to work with local officials in making tough choices. To make matters worse, citizens do not understand how services are funded, creating a fundamental disconnect between the impacts of ballot-box budgeting and the continuing demands for services.

The "vending machine" is broken

Local government typically performs as a "vending machine." Citizens with certain responsibilities and obligations

have become passive consumers of local government services. They put a quarter into the vending machine and expect a quarter (if not a dollar) worth of service. When the vending machine does not perform as desired, consumers kick it.

The other problem with the vending machine is that it is based on a deficit model. Local government services are used to fix problems and people. Moreover, as passive consumers, people take no responsibility for the problem or the solution.

Assuming a reasonable level of ongoing funding (a big assumption), the vending machine model works for most technical problems, such as filling potholes. However, it is insufficient to tackle the big adaptive challenges that cross boundaries.

The emerging model

After decades of responding to new community, business, and union demands, we have entered an era of "takeaways." As Michael Mandelbaum, a Johns Hopkins University foreign policy expert, has stated, we are entering a new era "where the great task of government and of leaders is going to be to take away things from people." As local government leaders are forced to downsize services and staffing, restrain pay and roll back benefits, shutter buildings, and eliminate grants to nonprofits and subsidies to businesses, we will need to engage in difficult conversations focused on redefining the expectations, roles, and systems of local government.

Given this new era, we believe that there are at least eight elements to an emerging model for viable local governments.

More disciplined government, focused on its "core" businesses.

In the midst of accelerating and discontinuous change, most private, public, and nonprofit organizations are struggling to define "core" businesses. What is core and noncore for a local government depends on the community. For example, in northern California, a county executive approached the city managers in the county to discuss which discretionary services their governments may wish to contract out and those core businesses they desired to keep in-house. Surprisingly, public safety was not identified as a service that must be provided by the city government. Public safety services may be essential, but police and fire programs could easily be provided by other agencies (e.g., the county or a joint powers authority) in perhaps a more cost-effective manner. City managers did indicate that their agencies wanted to keep in-house land use planning (related to the physical character and economic viability of their communities) and park programming (related in part to the quality of life in their communities).

To identify the core, local government leaders obviously need to have courageous conversations involving elected officials, management, labor unions, and business and community groups. Once the core is defined (no easy task), then elected officials and top management need to be focused on the core businesses and not get distracted.

As one example of this effort, the City of San Jose, Calif., is engaged in a program prioritization process to identify the most important services based on the strength of the impact on a set of outcomes desired by the council and the community. Once ranked as a high-priority program, top management and the governing board can decide the nature of the local government involvement. For example, should local government deliver the service itself or ensure that it is delivered by some other entity (presumably at a lower cost and perhaps more effectively)?

Demonstrating value. As just another service provider, local government agencies will be required to deliver and demonstrate value. Local agencies operate in a competitive marketplace. Taxpayers/consumers are asking in increasingly strident voices if they are receiving value for their tax dollars. Reducing its cost structure, streamlining, performance measures, and other accountability efforts are key initiatives as local government improves its value proposition.

Integration of technology into all service delivery. Obviously, technology will become an integral part of all service delivery. Technology has already transformed many library services. Surveillance cameras are transforming police work. New building technologies call into question fire suppression services.

Constantly morphing organizations and systems requiring ever-learning employees. Local government agencies need to jettison rigid personnel systems and practices, as well as ossified purchasing and contracting processes. Constantly morphing organizational structures and practices will require flexible and ever-learning employees who will take on new challenges about which they know little, do some research, respond, make mistakes, and fix their responses as they go along. The model of loyal, compliant civil servants needs to evolve more to knowledge workers who are self motivated, change-proficient, and adaptable.

In this kind of dynamic environment, technical know-how quickly becomes obsolete. Learn-how becomes as important as know-how.

Shared services. Given the cost structure of local government, shared services (collaborative service delivery) will become a more prevalent approach for providing services to the public. Shared service approaches include:

Self-service. Examples include businesspeople who conduct self-inspections in certain low-risk situations, just like library patrons who check out their own books.

Contracting out. Local agencies can contract to private, nonprofit, and other public organizations' backroom functions as well as many discretionary public safety and community services.

Regionalizing services. Fire, police, public safety communications, SWAT and hazmat teams, employee development, and purchasing can all be delivered by regional organizations such as joint power authorities.

Leveraging assets. Local governments can sell or barter their services, expertise, equipment, facilities, and technologies to other public and nonprofit entities, reducing the cost for everyone.

Partnering to co-produce the service. Local governments increasingly will partner with neighborhood associations, nonprofits, voluntary parent and sports groups, and business organizations to deliver all kinds of service. Instead of directly delivering the service, local agencies can provide their expertise, facilities, some level of seed funding, or other assistance so that these other interested entities can organize after-school programs, neighborhood safety efforts, tree planting and maintenance, and economic development activities.

Nongovernmental solutions. Typically, local government is at the center of problem solving. People look to local government to solve all problems. This government-centric approach is no longer viable due to constrained resources. Given the continuing limitations of public agencies, local

government must put the issue (e.g., economic vitality, affordable housing, gangs, education achievement) in the center and become just one partner among many. With an issue-centric approach, local government leaders can better resist the heroic urge to take on every new challenge.

Authentic civic engagement. To address any significant challenge, local agency representatives need to cross boundaries. Local government is now just another player. To exert leadership in such a situation and address tough issues, local government officials must start conversations with other players, convene stakeholders, facilitate problem-solving, integrate the interests of other parties, and mobilize action. Only through this kind of authentic engagement can local governments turn stakeholders into partners.

Committing to authentic engagement requires a "barn raising" model for local government work. In our agrarian past, families who needed to raise a barn would put out a call to neighbors. Someone would hold a ladder; someone else a hammer; others would bring the food for all the workers. In addressing complex adaptive challenges, local government needs to put out a call for different kinds of contributors and engage them in barn raising. As opposed to the vending machine approach, barn raising is an asset, not a deficit, model.

Change in workforce. Even for the most sophisticated agency, all of the above elements in the emerging model portend significant transformation of the local government workforce, especially moving away from traditional risk-averse, seniority-based systems.

Shared services require employees who are adept at operating within networked environments in which success is increasingly dependent on relationships. More than ever before, the ability to reach intended goals will be based upon alliances with internal and external partners — the lean core organization managing relationships with providers on behalf of the organization's constituents. For example, in San Jose, the parks

department was able to avoid some summer pool closures because of new relationships it leveraged with external private sector operators. This new model was very different than the traditional and increasingly unaffordable model of staffing pools with city employees.

Given the move toward self-motivated, adaptable workers, agencies will have to prepare for employees who are more self-reliant in their careers. Workers will depend more on themselves than the organization, looking to the agency less for lifetime employment and security and more for skill-building — something smart organizations will provide to have a competitive edge in attracting the best talent. The old social contract of loyalty to the employer in exchange for lifetime employment has long ago left the private sector. Local governments need to adapt to the new social contract of public employees who will stay with local agencies as long as they are learning and expanding their portfolio of experiences and skills.

Knowledge-sharing and portability will also continue to grow and influence the local government landscape. Knowledge used to be something that was hoarded (“the more knowledge I have, the more I am worth”), but now this approach is progressively viewed as weakness, especially among knowledge workers. Employees want opportunities to leverage knowledge-sharing. This is most evident in the explosion of social networking opportunities. In addition, few boundaries will exist for when and where work is done with perhaps some continued exceptions for public safety services. Employees will expect flexibility on where and when work will be performed. As job tenures are becoming shorter, some may see work as a series of time-defined projects. Retirement reform efforts and movement away from the traditional defined benefit toward the defined contribution retirement plans may be seen as complementary to this portability trend.

Lastly, as local governments become leaner core organizations that provide services through convening stakeholders, facilitating adaptive

challenges, and managing relationships with internal and external providers, the relative makeup of the local government workforce will become even more knowledge worker in composition. Knowledge work involves more diverse and amorphous tasks guided by professional judgment as opposed to traditional production or clerical work that is routine, clear-cut, and predictable. U.S. Department of Labor statistics already demonstrate that state and local government workers are twice as likely as their private sector counterparts to have a college or advanced degree. The leaner local government of the future is likely to be even more highly skilled than the general labor market and represent a diversity of professionals.

Promoting the emerging model

To promote the new model of local government in an era of takeaways, appointed and elected officials need to engage in courageous conversations about limitations, expectations, and the “what” and “how” of government. While modernizing and reforming contracting, purchasing and civil service systems are absolutely essential elements of the emerging model, local governments will still be held to high standards. Citizens and their elected representatives will continue to require fairness, equity, accountability, and transparency — key ethical values that are the hallmarks of the public sector, especially local government. These changes will first require conversations with all parties in order to surface issues and obstacles and then ultimately political courage by local government leaders.

In addition to courage, local government agencies must free up “slack resources” to make strategic investments, either by overcutting or by partnering with other entities. These strategic investments include investments in technology and employee development.

Government now needs to reap the benefits of IT-led productivity growth that has accrued to the private sector in the last three decades. This means investing in enterprise-wide IT systems, such as customer relationship management

(CRM) systems, enterprise resource planning (ERP) systems, and knowledge management (KM) systems. Of course, with approximately 70 percent of resources invested in employees, local governments cannot increase the productivity of knowledge work without investing in employee development through new learning and employee development initiatives. As opposed to IT investments, learning initiatives are relatively cheap. These include job rotations, special assignments, interim positions, talent exchanges internally and externally, team leadership assignments, and soft skills training.

Provoking a needed conversation

This white paper is intended to provoke a conversation among local government leaders across the country about the future of local government and thus learn from each other’s best thinking. To help initiate the conversation, here are some critical questions:

- Are the problems jeopardizing the traditional model of local government transitory or long-term challenges?
- Are there other trends and forces not discussed in this white paper that are threatening the viability of local government as we know it?
- Can local governments survive and hopefully one day thrive without aligning the tax system with the service and knowledge economy?
- Is the “emerging model” outlined in this white paper sufficient to address the overwhelming challenges facing local governments today?
- In practice, how do local government leaders rebuild trust and confidence in our public agencies?
- If the traditional model of local government is not viable in the mid- to long-term, what practical steps must local government leaders take now to move toward a more viable model?

The future of local government is not an academic issue. The viability of local government agencies is based on our ability to envision our government and figure out real-world actions to move us in the desired direction.

EXECUTIVE COMMITTEE

July 29, 2011

Jeff Theerman
Executive Director
Metropolitan St. Louis
Sewer District
Saint Louis, MO

Dennis Stowe
Manager
Littleton/Englewood Wastewater Treatment Plant
2900 South Platte River Drive
Englewood, CO 80110

David R. Williams
Director of Wastewater
East Bay Municipal
Utility District
Oakland, CA

Dear Dennis:

Suzanne E. Goss
Government Relations Specialist
JEA (Electric, Water & Sewer)
Jacksonville, FL

It gives me great pleasure to inform you that the Littleton/Englewood Wastewater Treatment Plant earned a *Gold Peak Performance Award* for its Littleton/Englewood Wastewater Treatment Plant. Congratulations on this extraordinary accomplishment!

Julius Ciaccia, Jr.
Executive Director
Northeast Ohio Regional
Sewer District
Cleveland, OH

Enclosed is the *Gold Peak Performance* certificate honoring your facility's achievement of 100% compliance with its National Pollutant Discharge Elimination System (NPDES) permits for 2010. Also included with your certificate is an order form for personalized *Peak Performance* apparel - a great way to reward your staff's achievement! Choose from the Mens or Ladies polo or poplin shirts or the unisex fleece vest. All options will carry the 2010 *Peak Performance Award Winner* logo and can be personalized with your Agency's name to acknowledge the excellence of your staff's work over the past year.

Kevin L. Shafer
Executive Director
Milwaukee Metropolitan
Sewerage District
Milwaukee, WI

NACWA celebrated its 2010 *Peak Performance Award* winners at an Awards Ceremony during its 2011 Summer Conference on July 20 in Chicago, Illinois. Honorees will also been recognized in the August/September issue of the *Clean Water Advocate* and on the NACWA website.

Ken Kirk

In an effort to help you share this great accomplishment with your local media, an online publicity kit is available on the NACWA website. The *Peak Performance* publicity kit includes the *Peak Performance* logo and its usage guidelines; suggestions of ways to announce your award; and a sample press release.

Again, congratulations to you and all the Littleton/Englewood Wastewater Treatment Plant employees on a job well done!

Sincerely,

Philip Friess
Chair, NACWA Awards Committee
Department Head, Technical Services
Sanitation Districts of Los Angeles County, CA

Ken Kirk
Executive Director

GOLD AWARD



The National Association of Clean Water Agencies
is pleased to present this award to

**Littleton/Englewood Wastewater Treatment Plant,
CO**

Littleton/Englewood Wastewater Treatment Plant
in recognition of its complete and consistent National
Pollutant Discharge Elimination System permit compliance
during the calendar year **2010**

Ken Kirk, *NACWA Executive Director*

The NACWA logo consists of a large, stylized, curved graphic element on the left that resembles a wave or a ribbon. To its right, the acronym "NACWA" is written in a large, bold, sans-serif font. Below the acronym, the tagline "A Clear Commitment to America's Waters" is written in a smaller, sans-serif font.

NACWA
A Clear Commitment to America's Waters

This letter is a response to the City Manager's request to put some of our thoughts in a letter for the City Council:

For many years we have enjoyed the benefits of living with a diversity of wildlife in our neighborhood. Recently this idea has been tested by a pack of seven coyotes. These animals are bold, brazen and aggressive in their behavior, both to humans and to other animals. As a pack, they spend a lot of time in our backyards and have killed many of our domestic animals. They prevent us from allowing our domestic pets out into our own fenced backyards day or night and they have a ready and easy supply of animals to comfortably survive on. They have also attacked and killed our domestic animals in our presence while we were in easy eye sight of them and they have growled at us. At night they wake us with horrific screeching, growling and screaming noises. We have been finding the remains of domestic animals in our yards daily. When approached, they stand their ground and growl.

We have consulted with The Colorado Division of Wildlife (DOW) and have begun to make changes to our yards so that they are less attractive to coyotes. We have also attempted many of the hazing measures that have been suggested. Even after taking these measures, and others that have been suggested, the animals continue to return. At the moment, we cannot allow our children to go into our backyards and our day-to-day activity is greatly affected. We feel certain that it is only a matter of time before there is an unfortunate incident involving humans and coyotes in Englewood.

We would like to share that these animals have exhibited hostile behavior toward ourselves and our dogs and they approach our houses and doors and are present at all times of day and night. We are told that in the fall they will become more aggressive. Even if an individual resident was able to deter an animal from their own backyard, this would not end the problem for others-- Coyotes would just become a neighbor's problem and we don't believe this is a real solution. We are concerned for people with small children and we also believe that our residents should be notified about these risks.

The DOW suggested that we ask for information on Englewood's coyote management plan. Last year the DOW sponsored a symposium for local governments on the coyote management. City officials told us that Englewood does not currently have a coyote management plan due largely to lack of funding, but they do have a general wildlife plan. The Division of Wildlife has suggested that every City come to a management plan regarding coyotes. We would like the City to support planned and reasonable dispatch of those animals that are seen as a considerable threat to our safety and well-being. If large packs of coyote are allowed to have free-range of a small city, uninhibited, we have been told that their numbers will increase exponentially, pets will continue to be attacked, and serious harm to residents could result. There is liability involved here especially since there has been multiple, recent aggressive attacks on humans in nearby areas.

We ask that the City of Englewood take the lead in coming up with a plan that is humane to wildlife and also respects the safety of our residents.

Thank you for your consideration on this matter and for your time and open discussion.

Concerned Residents of Englewood

MEMORANDUM



TO: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: David Henderson, Engineering/Capital Projects Administrator ✓

DATE: August 18, 2011

SUBJECT: PROJECT UPDATES –Servicenter Salt/Sand Storage, Union Ave. Bridge Repair, Kent Place, Urban Drainage Projects, Security Camera Project, Xcel Energy Projects, Denver S. Broadway Improvements, Concrete Utility Program 2011, Safety Services Generator Project, City Radio System, Street Maintenance Projects 2011, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects

SERVICENTER SALT/SAND STORAGE

The Servicenter is fast tracking the installation of a fabric storage building for salt and sand storage. This 45' X 60' structure is required to protect the salt from the elements and prevent it from leaching into storm drains or the Platte River. As the City moved to using IceSlicer last year, we converted the existing covered storage for IceSlicer and moved the salt and sand outdoors. It is necessary to keep salt/sand on hand for a major storm.

This project is budgeted in the 2011 Servicenter Budget. The estimated building cost is \$39,000. The fabric tent structure sits on top of an asphalt pad with block around the perimeter. The Street Division will prepare the pad and install the block foundation with in-house labor. Four bids were received at the bid opening held on July 21st. The low bid (\$34,000) was submitted by WGES and is below our estimate. **WGES should deliver submittals and a proposed construction scheduled soon.**

UNION AVE. BRIDGE REPAIRS

Council approved awarding a contract to Technology Constructors. Contract documents have been signed by contractor. Based on recent discussions with the contractor, we will wait until after Labor Day to close the bridge. This will allow adequate time to have all materials on site and the contractor will have additional labor available by that time. This will give us the best opportunity to reduce the amount of time that the bridge will be closed. Our contractor is required to mail notification to the surrounding properties 3 weeks prior to the bridge closing. Variable message signs will be installed 10 days prior to the closing. **The bridge is scheduled to close on September 13th. Notifications have been mailed to properties in the area. Additional personal contact will be made with high traffic business in the area and the project will be publicized on the City's web site.**

KENT PLACE

The developer has selected Mark Young Construction, Inc. as the contractor for both onsite and offsite work. Permits have been issued for all of the off-site work, along with grading and retaining wall work on-site. **Continuum Partners and Regency Centers Corporation are supplying bi-weekly project information. A link to this information is available on the City's web site:**

<http://www.englewoodgov.org/Index.aspx?page=498>

Off-site work

Hampden (State Hwy. 285)

Saw cutting asphalt and some water line installation work continued during the daytime. A two-lane closure of Hwy. 285 is required for the majority of the water line work. CDOT does not allow two-lane closures during the day so the work must be performed at night between the hours of 7:00 PM and 5:30 AM. **Night work for the Hampden water line is scheduled to begin Sunday evening, August 21st.** Staff has reminded the contractor of the City's noise ordinance and they will be monitoring the

sound levels during the night work. A variable message board sign was installed on Hwy. 285 east of University to notify motorists of the upcoming work on 285. **Next week, the contractor will begin grading for new curb/gutter and widening Hampden for the turn lane into the site.**

University Blvd. (Englewood roadway)

This is an Englewood street and we are requiring all work to be performed during the day between the hours of 8:30 AM and 3:30 PM. **A variable message board sign is scheduled to be set on August 24th. Saw cutting, erosion control, and surveying will follow.**

On-site work

The contractor has mobilized and set up a construction trailer. **Erosion control will be in place this week and the contractor expects to begin clearing the site and rough grading. Attached is the latest schedule supplied by the contractor.**

Police/Code Enforcement

Englewood Police received notice that transients may be entering the Kent Place construction site. Police met with the contractor's foreman and project manager to discuss security and to recommend methods to help minimize incidents. Contact phone numbers were exchanged, including 24 hour emergency contact numbers to be kept by Police Dispatch.

Staff notified the contractor representatives that weeds on-site are in violation of Englewood Ordinances. The contractor was instructed to trim weeds and keep the site in compliance. Police/Code Enforcement staff will follow up to ensure compliance with codes. The Police reminded the contractor to avoid using neighborhood streets to transport construction equipment, as oversize equipment is not permitted on neighborhood streets. The contractors will continue to ensure their staff is considerate of the neighbors and that they maintain a partnership with the City during the project.

URBAN DRAINAGE PROJECTS

The Urban Drainage and Flood Control District (UDFCD), at the request of the City, continued performing drainage repair work on the High School Detention Basin. This work consists of the installation of a new under-drain pipe in the west swale, the repair and cleaning on other sections of the existing under-drain pipe, and some minor channel cleaning in Little Dry Creek. This work is expected to take approximately one month to complete, and will not have any effect on the school's utilization of the ball fields. Staff has notified the school district of the work.

SECURITY CAMERA PROJECT

The consultant, Cator, Ruma, & Associates, is finalizing questions, making adjustments to plans, and finalizing proposed security camera placement. The next step is to refine schedule for RFP and implementation.

XCEL ENERGY PROJECTS

Race St. through Kent Village

The project is complete.

Santa Fe Light Poles

The Tri-Cities group discussed the status of this project at a meeting held in Littleton.

DENVER S. BROADWAY IMPROVEMENTS

The City of Denver continued construction on S. Broadway between Wesley and Yale.

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

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

CONCRETE UTILITY 2011

T & M Construction continued removing and replacing concrete in the SE quadrant. Questions regarding this work should be directed to the Concrete Utility, 303-762-2360 or concreteutility@englewoodgov.org.

SAFETY SERVICES GENERATOR PROJECT

City Council approved a Bill for an Ordinance to accept a FEMA "Assistance to Firefighters Grant". This grant includes the purchase and installation of a 200KW generator. The new generator has been installed. The last phase of the project requires a 2 hour shutdown of the facility while final connections are made. **The final hookups were completed on August 17th. Punch list items and final training/testing will be completed soon.**

CITY RADIO SYSTEM-REPLACEMENT WITH PUSH TO TALK

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

STREET MAINTENANCE PROJECTS 2011

Residential rotomilling and overlays continued this week. Street Division staff place "No Parking" signs the day before scheduled work and notices are distributed to affected properties. Project lists are on the City's web site, <http://www.englewoodgov.org/Index.aspx?page=893>; construction updates listed under Street Closures.

CDOT is scheduled to complete rotomilling on Belleview (between Broadway and Santa Fe) by the middle of next week. Asphalt overlay is scheduled to begin on August 29th and should be complete in 6-7 working days.

CITYCENTER SITE DEVELOPMENT

Alexan East and West Parcels

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

Parkway Retail / Office Buildings

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

Bally's Building

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

Retail South of the Parkway

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

Gold Mine Pad

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

CityCenter Site

EEFI continues project management of all infrastructure on the site. Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance. **The Museum of Outdoor Arts has installed a new temporary "Design and Build" piece in the Sculpture Garden between the Civic Center and Bally buildings. The work is titled Mundus Lux (Universal Light). Fourteen large orbs represent the Big Dipper and Little Dipper. Attached is a nighttime photo.**

Wal Mart Expansion

Wal Mart's contractor continued construction of a 10,488 square foot addition to the east side of the store. The project will eliminate the tire/auto section and add square footage for groceries.

Bradley Station Environmental

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

ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)

PA-84 West

Construction for TT of Denver (Mike Ward Infiniti) is progressing on a schedule for a fall opening.

PA-85 (RTD site)

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

PA-85 (Benjamin Franklin Charter School)

Construction of the Benjamin Franklin Charter School continued. The contractor expects to complete construction by September.

AIR QUALITY/ENERGY SAVING PROJECTS

Flex Fuel Program

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

Hybrid Vehicle Purchase

The City of Englewood applied for a grant through the Regional Air Quality Commission for funding of hybrid vehicle technology. Two units that have met the replacement criteria for 2011 and will be replaced with Ford Escape hybrid vehicles. One of the hybrid vehicles has been received and will be utilized by the Fire Department. **The other hybrid is expected to be delivered this month and will be used by the Building Division.** The total cost of these vehicles is within the budgeted replacement amount designated for these units, and if the grant is successful, the additional cost of the hybrid technology will be deposited back into the CERF fund.

"Green" Programs

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

Energy Saving Projects

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

Electric Vehicle Charging Stations

Staff discussed a potential grant to install charging stations at the Study Session on May 23rd. The joint application has been submitted to the Department of Energy.

RECENTLY INSTALLED MOA "DESIGN BUILD" ART IN SCULPTURE GARDEN

MUNDUS LUX (UNIVERSAL LIGHT)



Englewood Police Department Summary Report

For Period July 1, 2011 through July 31, 2011



TYPE OF INCIDENT	July 2011	July 2010	YTD 2011	YTD 2010
PATROL AND TRAFFIC				
Total Activities	6,577	6,563	40,798	43,665
Officer Initiated Activities	3,105	3,226	20,130	23,184
Misdemeanor Arrests	210	181	1,183	1,168
Felony Arrests	14	18	139	121
Warrant Arrests	44	48	268	336
DUI Arrests	17	24	157	166
Hazardous Summonses	322	272	2,280	2,418
Laser Summonses	431	457	2,515	3,474

INVESTIGATIONS				
Case Filings	7	14	115	127
Summons	1	1	19	21
Deactivated (no additional leads)	25	30	232	209
Unfounded	11	11	85	42
Victim Failure to Prosecute	3	8	37	38
Other Jurisdiction	8	2	62	27
Located Missing Person/Runaway	4	4	44	17
Non Criminal Death Investigations	8	8	44	30
Prosecution Declined by District Attorney	1	0	12	5
TOTAL	68	78	650	516

NEIGHBORHOOD SERVICES				
Impact Team				
Projects initiated	17	43	170	191
Residential	10	30	109	137
Business	7	13	61	54
Projects Cleared	11	15	106	113
Community Contacts	6	68	163	267
Residential	0	1	1	30
Business	6	67	162	237
Community Events	8	10	42	42
TOTAL	65	247	814	1,071
Code Enforcement				
Cases Opened	385	891	2,649	4,200
Notices of Violation	169	598	1,407	2,545
Postings	20	71	277	462
Summons	52	26	133	118
Patrol Referrals	27	59	197	382
TOTAL	653	1,645	4,663	7,707
Traffic Bureau				
High Accident Locations - Summons	160	277	909	1,821
School Zone - Summons	0	0	91	117
Citizen Complaint	89	16	647	245
Other	2	4	32	28
TOTAL	251	297	1,679	2,211
Community Relations				
Community Events/Activities	10	9	93	59
Persons in Attendance	1,367	1,500	5,168	2,508

ENGLEWOOD POLICE DEPARTMENT SUMMARY REI

For Period July 1, 2011 through July 31, 2011



TYPE OF INCIDENT	July 2011	July 2010	YTD 2011	YTD 2010
COMMUNICATIONS/RECORDS				
<i>Reported Part I Crimes</i>				
Murder/Manslaughter	0	0	0	0
Rape	1	2	15	6
Robbery	0	2	20	13
Assault (includes all assaults)	46	36	267	232
Burglary	20	11	161	131
Theft	132	156	928	865
Auto Theft	16	11	128	109
Arson	1	1	9	2
Reported Part I Crimes TOTAL	216	219	1,528	1,339
Calls for Service TOTAL	4,347	4,036	26,237	26,152

VICTIM ASSISTANCE RESPONSE				
Incidents with victim assistance provided	96	78	600	516
People served relative to incidents	125	120	870	702
Domestic Violence victims	55	22	292	141

CITY OF ENGLEWOOD
2011 CALENDAR OF EVENTS



Mon., Aug. 22	5:00 p.m.	Special Meeting, City Council Chambers
	5:30 p.m.	City Council Study Session, Community Room
Fri., Sep. 2		City Furlough Day – City Facilities Closed
Mon., Sep. 5		City Hall Closed — Labor Day
Tues., Sep. 6	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Wed, Sept 7	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, Community Development Conference Room
	7:00 p.m.	Planning & Zoning Commission, Community Development City Council Chambers
	Cancelled	Local Liquor and Medical Marijuana Licensing Authority, Telephone Poll
Thurs. Sept 8	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
	5:30 p.m.	Parks & Recreation Commission, Broken Tee Englewood Golf Maintenance Facility, 4000 South Clay Street
	6:30 p.m.	Transportation Advisory Committee, City Council Conf. Rm.
Sat. Sept. 10	9:00 a.m.	2012 Budget Workshop, Community Room
Mon., Sep. 12	5:00 p.m.	City Council Study Session, Community Room
Tues., Sep. 13	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful Commission, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Sep. 14	6:30 p.m.	Urban Renewal Authority, Community Development Conf. Rm.
	7:00 p.m.	Board of Adjustment and Appeals, City Council Chambers

Mon., Sep. 19	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues, Sept 20	7:00 p.m.	Planning & Zoning Commission, City Council Chambers
Wed., Sep. 21	6:30 p.m.	Code Enforcement Advisory Committee Meeting, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., Sep. 26	6:00 p.m.	City Council Study Session, Community Room
Mon., Oct. 3	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues., Oct 4	7:00 p.m.	Planning & Zoning Commission, City Council Chambers
Wed., Oct. 5	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., Oct. 10	6:00 p.m.	City Council Study Session, Community Room
Tues., Oct. 11	5:00 p.m.	Water and Sewer Board, Community Development Conf. Rm.
	6:30 p.m.	Keep Englewood Beautiful Commission, City Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Oct 12	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
	7:00 p.m.	Board of Adjustment and Appeals, City Council Chambers
Thurs. Oct 13	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
	5:30 p.m.	Parks & Recreation Commission, Englewood Recreation Center, 1155 West Oxford Avenue
Mon., Oct. 17	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues, Oct 18	7:00 p.m.	Planning & Zoning Commission, City Council Chambers

TENTATIVE

**STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL**



August 29	No Meeting Scheduled – 5 th Monday
September 6	Study Session & Regular Meeting – Tuesday Water and Sewer Board Interviews Medical Marijuana Residential Regulations Non-Emergency Retirement Pension Board Changes
September 12	Study Session 2012 Budget Workshop @ 5:00 p.m.
September 19	Study Session & Regular Meeting City-wide Retail Financial Report
September 26	Study Session
October 3	Study Session & Regular Meeting Executive Session - Personnel
October 10	Study Session Executive Session - Litigation UV/CH2M Hill Report – 6:30 p.m.
October 17	Study Session & Regular Meeting Financial Report
October 24	Study Session
October 31	No Meeting Scheduled – 5 th Monday
November 7	Study Session & Regular Meeting Study Session cancelled Swearing-in of New Council @ Regular Meeting
November 14	Study Session
November 21	Study Session & Regular Meeting Financial Report
November 28	Study Session Aid to Other Agencies Discussion City Council's participation on Boards/Commissions

8/18/2011

December 5	Study Session & Regular Meeting Board/Commission Reappointment Discussion
December 12	Study Session Financial Report
December 19	Study Session & Regular Meeting Holiday Dinner – No Study Session Scheduled
December 26	No Meeting Scheduled Due to Holidays
January 4	Study Session & Regular Meeting – Tuesday Service Line Warranties Contract Renewal
January 9	Study Session Board & Commission Interviews
January 17	Study Session & Regular Meeting - Tuesday Financial Report Citizen of the Year Selection
January 23	Study Session
January 30	No Meeting Scheduled – 5 th Monday
February 6	Study Session & Regular Meeting
February 13	Study Session
February 21	Study Session & Regular Meeting - Tuesday Financial Report
February 27	Study Session

FUTURE STUDY SESSION TOPICS

Historic Preservation
 Unrelated Persons per Household
 Inclusive Cities
 Sign Code
 Civility
 ACE role in business initiatives

8/18/2011

ALLIANCE FOR COMMERCE IN ENGLEWOOD

July 14, 2011

Minutes and audio are available at:
<http://www.englewoodgov.org/Index.aspx?page=771>

I. CALL TO ORDER



The regular meeting of the Alliance for Commerce in Englewood (ACE) was called to order at 11:40 a.m. in the City Council Conference Room of the Englewood Civic Center, Chair Sarconi presiding.

Present: Schalk, Sarconi, Champion, Calonder (entered 11:52), Knoth, Lind Whyte (alternate)

Absent: Weinberger, Vasilas

Also present: Joe Jefferson, City Council Liaison
Colleen Mello, Englewood Chamber of Commerce
Rosemarie Cavral

Staff present: Alan White, Community Development Director
Darren Hollingsworth, Economic Development Coordinator

APPROVAL OF MINUTES

April 14, 2011



Chair Sarconi stated that the Minutes of April 14, 2011 were to be considered for approval. It was determined there was a quorum. Chair Sarconi asked if there were any changes or adjustments to the Minutes. There were none.

Lind moved:

Knoth seconded: THE MINUTES OF APRIL 14, 2011 BE APPROVED AS WRITTEN

The motion carried unanimously.

May 12, 2011

Chair Sarconi stated that the Minutes of May 12, 2011 were to be considered for approval. It was determined there was a quorum. Chair Sarconi asked if there were any changes or adjustments to the Minutes. There were none.

Lind moved:

Knoth seconded: THE MINUTES OF MAY 12, 2011 BE APPROVED AS WRITTEN.

The motion carried unanimously.

INTRODUCTION OF NEW MEMBERS



Mr. Lind and Mr. Whyte introduced themselves.

II. ACE BUSINESS



ROLES AND GOALS OF ACE

Mr. Hollingsworth reviewed the role of ACE. It was formed in 2000 and consisted of 7 members. Recently City Council increased the membership to 9. He reviewed the top three goals that ACE had established at a past meeting.

ACE discussed various ways to reach their goals. Chair Sarconi said she liked the new Community Development Monthly Update.

OVERVIEW OF ECONOMIC DEVELOPMENT PROGRAMS



Mr. Hollingsworth reviewed the City's current business assistance programs.

III. PUBLIC COMMENT



There was no public comment.

IV. COMMENTS



CHAMBER OF COMMERCE

Ms. Mello provided an update on Chamber events:

1. Free haircuts for students in Englewood and Sheridan will be given on August 14th from 12 to 4 at 333 W Hampden Ave.
2. The next After Hours event will be held next Tuesday.
3. The Susan G. Komen Race for the Cure is asking for cities to participate in advertising this year's event to be held in October. The Chamber is looking into turning the water pink in the fountain by the City offices and placing pink ribbons around trees in the city.



BID COMMENTS

Mr. Vasilas was not present. Mr. Schalk provided an update on the Eats and Beats event that took place on June 25th. He stated there was a decent turn out and anticipates it will be held again next year. Mr. Jefferson said the City is considering providing some funding for the event in the future or even currently.



STAFF COMMENTS

Mr. Hollingsworth had nothing further to present.



CITY COUNCIL COMMENTS

Mr. Jefferson stated City Council would like ACE's comments regarding billboard signage within the City. They asked that the topic be placed on a future meeting agenda.



ACE COMMENTS

Mr. Knoth asked what Complete Streets was. He saw a flyer at the Eats and Beats event. Director White stated it was a project the City had been awarded a grant for from Tri-County. It is a project that looks at how the City can improve pedestrian and transit movements along Broadway and Old Hampden.

V. UPCOMING ACE BUSINESS

- a. The next meeting is scheduled for August 11, 2011.

No further business was brought forth for consideration. The meeting was adjourned at 1:08 p.m.

Barbara Krecklow, Recording Secretary

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
August 2, 2011**

Minutes and audio are available at:

<http://www.englewoodgov.org/Index.aspx?page=152>

I. CALL TO ORDER



The regular meeting of the City Planning and Zoning Commission was called to order at 7:03 p.m. in the City Council Chambers of the Englewood Civic Center, Chair Knoth presiding.

Present: Bleile, Roth, King, Knoth, Fish, Brick, Calonder (entered 7:45)

Absent: Harbaugh (alternate), Welker, Kinton

Staff: Tricia Langon, Senior Planner
Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES

July 6, 2011



Bleile moved:

Fish seconded: TO APPROVE THE JULY 6, 2011 MINUTES

Chair Knoth asked if there were any modifications or corrections.

There were none.

AYES: Bleile, Roth, Knoth, Fish, Brick

NAYS: None

ABSTAIN: King

ABSENT: Welker, Kinton, Calonder

Motion carried.

III. PUBLIC HEARING



CASE #2011-07, Unified Development Code Mailed Public Notice Amendments

Fish moved:

Bleile seconded: TO OPEN THE PUBLIC HEARING ON CASE #2011-07

AYES: Roth, Knoth, King, Brick, Bleile, Fish
NAYS: None
ABSTAIN: None
ABSENT: Calonder, Welker, Kinton

Motion carried.

Ms. Langon, Senior Planner, was sworn in and presented the case.

A summary of the proposed amendments for all mailed public notices for any rezoning, major subdivision, or telecommunication conditional use is as follows:

1. Standardize the required notification area based on radius from the subject property.
2. Increase the required notification area radius from 500 to 1,000 feet.
3. Standardize the minimum deadline by which a notice must be mailed to 10 days.
4. Require a mailed notice for the Planning and Zoning Commission public hearing for all rezonings.
5. Require a maximum of 180 days between a required neighborhood meeting and the Planning and Zoning Commission public hearing.
6. Require another neighborhood meeting if the time between the original neighborhood meeting and Commission public hearing exceeds 180 days.
7. Correct typos and use consistent language among subsections.



Bleile moved:

Fish seconded: TO CLOSE THE PUBLIC HEARING ON CASE #2011-07

AYES: Roth, Knoth, King, Brick, Bleile, Fish
NAYS: None
ABSTAIN: None
ABSENT: Calonder, Welker, Kinton

Motion carried.

Brick moved:

Roth seconded: *CASE #2011-07, AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE RELATED TO REQUIREMENTS FOR MAILED PUBLIC NOTICES FOR CERTAIN NEIGHBORHOOD MEETINGS AND PUBLIC HEARINGS AS STATED BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION.*

Commission discussion:

- Like all amendments except widening the mailing area radius.
- Enlarging the mailing area radius is an attempt to bring in more people, but would increase cost and make it harder for the applicant.
- Believe the issue is an attempt to involve the public more.
- Notices are currently placed on the City's website, in the *Englewood Herald* and the subject property is posted. Do not see the benefit in widening the mailing area radius and increased cost to applicant.
- Don't believe the extra cost of the mailing would be a deal breaker.
- Don't believe widening the mailing radius will bring in people; rarely does anyone who lives adjacent to subject property show up for hearings. Doubtful people who are further away will attend.

Mr. Bleile asked Mr. Brick if he would accept a friendly amendment. Mr. Brick and Mr. Roth stated they would.

Bleile moved:

King Seconded: *CASE #2011-07, AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE RELATED TO REQUIREMENTS FOR MAILED PUBLIC NOTICES FOR CERTAIN NEIGHBORHOOD MEETINGS AND PUBLIC HEARINGS AS STATED BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING CHANGE:*

- *To standardize the required notification area radius to 500 feet for any rezoning, major subdivision or telecommunication conditional use.*

AYES: King, Bleile, Fish, Knoth
NAYS: Brick, Roth
ABSTAIN: None
ABSENT: Calonder, Welker, Kinton

Motion carried.



Brick moved:

Roth seconded: *CASE #2011-07, AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE RELATED TO REQUIREMENTS FOR MAILED PUBLIC NOTICES FOR CERTAIN NEIGHBORHOOD MEETINGS AND PUBLIC HEARINGS AS STATED BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING CHANGE:*

- *To standardize the required notification area radius to 500 feet for any rezoning, major subdivision or telecommunication conditional use.*

AYES: Roth, King, Bleile, Fish
NAYS: Brick, Knoth
ABSTAIN: None
ABSENT: Calonder, Welker, Kinton

Motion carried.

IV. PUBLIC FORUM



There was no public present.

V. DIRECTOR'S CHOICE



Director White was not present.

VI. STAFF'S CHOICE



Ms. Langon provided an update on the Medical District Phase II. Work will continue on Sub-areas 3 and 5 followed by Sub-area 2. City Council has requested Staff prepare a process timeline for Sub-area 2.

She reminded all of the annual Board and Commission Appreciation Night at Pirate's Cove on Monday, August 8th.

Ms. Langon provided an update on future meetings:

August 16: Study Session, Hard Surface amendments or Sign Code amendments
September 7 (Wednesday): Tentative Public Hearing – Hard Surface amendments

VII. ATTORNEY'S CHOICE



Ms. Reid had nothing further to report.

VIII. COMMISSIONER'S CHOICE



Mr. Bleile congratulated Mr. Brick for sticking to his principles on the public hearing vote and allowing the friendly amendment. He said at the joint meeting with City Council on July 18th he felt there was one comment that was very accusatory to the Planning and Zoning

Commission and found it disheartening. The accusation was that this Board said "it would be better off if people scrape their house".

As a side note to the public notice discussion, Chair Knoth said neighborhood groups in Aurora are allowed to sign off on submittals to the City. He noted he was not in favor of the practice. Mr. King asked if that was Aurora City or Unincorporated Arapahoe County. Chair Knoth said he did not know. Mr. King said Arapahoe County does the same thing. Chair Knoth said on one side there are more people there, but on the other side you just added another layer to the process.

Mr. Roth said Code Enforcement looked at hard surface issues in 1997, 2000 and 2002 that he knows of as he was involved in the process during that time. Mr. Bleile said when he served on Code Enforcement it was also discussed. It is a recurring issue. Mr. Roth said he did attend the Sub-area 2 meeting held in July. In the future he said it would helpful for the Commission members to attend neighborhood meetings. Ms. Reid provided the legal requirements for members attending such meetings.

Mr. Calonder apologized for being late to the meeting.

Mr. Fish said he appreciated the comments from the Commission and City Council at the joint meeting. He said he feels Staff, City Council and the public have all done their job...it's done what it is suppose to be doing...getting everybody's opinion out there. He said he doesn't see anything broken at all.

The meeting adjourned at 7:52 p.m.

Barbara Krecklow, Recording Secretary

ENGLEWOOD LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY
Telephone Poll
August 3, 2011

1. Consideration of Minutes

- a) Results of the minutes of the telephone poll of July 20, 2011.

Vote results:

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

The minutes were approved.

2. Renewals

- | | |
|------------------------------------|---|
| a) Broadway's
3978 S. Broadway | Tavern Liquor License
Expires September 10, 2011 |
| b) Liquor Barn
4415 S. Broadway | Retail Liquor Store Liquor License
Expires September 9, 2011 |
| c) Smashburger
3299 S. Broadway | Hotel/Restaurant Liquor License
Expires September 22, 2011 |
| d) Twin Dragon
3021 S. Broadway | Hotel/Restaurant Liquor License
Expires September 28, 2011 |

Vote results:

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

The renewals were approved.

3. Change of Trade Name

- a) Ruan Family Inc dba Hunan City Chinese Restaurant
Changing to Ruan Family Inc dba Bistro King
3542 S. Fox St.
Hotel/Restaurant liquor license

Vote results:

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

The Change of Trade Name was approved.

4. Clerk's Choice

- a) Medical Marijuana recommendations

As it appears that Registered Primary Care-Givers will be allowed in the City of Englewood and the Authority has concerns as to the safety of the citizens and visitors to the City, they believe that regulations should be enforced to protect the health, safety and welfare of the people. After reviewing the ordinances from various Colorado municipalities several times, the consensus from the Authority is to recommend a mimicking majority combination of the current ordinances from two major cities (Centennial and Aurora) regarding the Registered Primary Care-Giver details.

- 1) Add the Authority with those who are covered from any legal matter.
The City will comply with requirements imposed upon Colorado municipalities by Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical

Marijuana Code, and the Colorado Medical Marijuana Program to the extent such state laws are binding upon home rule municipalities. However, neither this Article nor its adoption, implementation, or enforcement shall be construed as an intent of the City, its elected officials, its employees or contractors or Authority members to violate Federal Law, including but not limited to, the Controlled Substances Act of 1970, as amended, nor shall such adoption, implementation or enforcement be construed as acquiescence or conspiracy by the City, its elected officials, appointed Authority members, contractors ,or its employees to violate such Federal Law.

The Authority is concerned that they be covered equal to staff, City Council and others making decisions regarding this topic.

- 2) Primary Care-givers must be registered with the State and possess registration identification (card). Copies of the State registration application and identification card should be filed with the City.

This information would be filed with the other documents pertaining to the "business".

- 3) Expand the definition section
Colorado Medical Marijuana Code: Sections 12-43.3-101, et seq., of the Colorado Revised Statutes, as may be amended. Colorado Medical Marijuana Program: that program defined by Section 25-1.5-106 (2)(d) of the Colorado Revised Statutes, as may be amended.

Contiguous: in terms of determining the area devoted to the cultivating, producing, possessing, or processing of Medical Marijuana and Medical Marijuana plants, means an interrupted expanse of space on the same floor or level of the primary residence that can be measured by framing the area with four (4) or more continuous and connected straight lines. The space within a single room which is defined by permanent perimeter walls is contiguous; the space within adjoining rooms divided by a permanent wall or permanent structure but accessible via a common doorway or connected by a common hallway is contiguous; however, non-adjacent spaces separated by two (2) or more permanent walls or separated by floors or levels of the building are not contiguous.

Lot: the real property around the primary residence and the buildings thereon that are commonly used for domestic and residential purposes.

Medical Marijuana business: any enterprise or activity, whether or not for profit, gain, or benefit that is undertaken for the purpose of cultivating, producing, possessing, storing, processing, dispensing, distributing, or selling Medical Marijuana, and without limiting the foregoing including specifically a Medical Marijuana Center, a Medical Marijuana Infused Products Manufacturer, or a Medical Marijuana Optional Premises Cultivation Operation. A Medical Marijuana business does not include the lawfully authorized activities undertaken by a Patient or Registered Primary Care-Giver in accordance Article 43.3 of Title 12 C.R.S.

Medical Marijuana Plants or "useable form of marijuana": marijuana plants, seedlings, or any part thereof in a living condition that are lawfully cultivated, produced, possessed, or processed pursuant to the provisions of Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical Marijuana Code, the Colorado Medical Marijuana Program and other applicable laws or regulations governing the cultivation, production, possession or processing of Medical Marijuana.

Medical Use: that use described and defined in Article XVIII, Section 14 of the Colorado Constitution, the Colorado Medical Marijuana Code, and the Colorado Medical Marijuana Program.

Patient: a person who meets the definition of patient under Article XVIII, Section 14 (1)(d) of the Colorado Constitution and applicable law or regulation.

Physician: a doctor of medicine as defined in Article XVIII, Section 14 (1)(e) of the Colorado Constitution and meeting all requirements of Section 25-1.5-106, C.R.S.

Registered Primary Care-Giver: a person, other than the patient and the patient's physician, who is eighteen years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition. It is also as defined in Article XVIII, Section 14 (1)(f) of the Colorado Constitution or as may be more fully defined in any applicable Federal or State law or regulation.

Registry Identification Card: that document issued by the state health agency which identifies a patient authorized to engage in the medical use of marijuana and such patient's Registered Primary Care-Giver, if any has been designated.

State Health Agency: the public health related entity of state government designated by the governor who meets the definition under Article XVIII, Section 14 (1)(h) of the Colorado Constitution and applicable law or regulation.

Written documentation: a statement that meets the definition under Article XVIII, Section 14 (1)(j) of the Colorado Constitution and applicable law or regulation.

Any word or term used that is defined in Article XVIII, Section 14 (1)(f) of the Colorado Constitution or in the Colorado Medical Marijuana Code, shall have the same meaning that is ascribed to such word or term in the Colorado Constitution or in the Colorado Medical Marijuana Code.

The Authority would recommend that the definition section be expanded so that all have the same understanding.

4) Restrict structure limitations and have distance requirements

Such marijuana plants shall not be grown or processed in the common areas of a multi-family or attached residential development or a single-family attached residential property; AND

Medical Marijuana shall not be cultivated, produced or processed within a garage, whether attached or detached, or other structure designed or intended for the keeping or storage of vehicles, equipment or goods; AND

Such marijuana plants are used exclusively by a licensed patient for the patient's personal use and solely to address a debilitating medical condition; AND

Such cultivation, production, or possession of marijuana plants shall be limited to the following space limitations within a primary residence:

(a) *Within a single-family dwelling unit: A secure, defined, contiguous one hundred fifty (150) square foot area within the primary residence of the licensed patient or Registered Primary Care-Giver.*

(b) *Within a multi-family dwelling unit: A secure, defined, contiguous one hundred (100) square foot area within the primary residence of the licensed patient or Registered Primary Care-Giver.*

(c) *Medical Marijuana shall not be cultivated, produced, or processed in the yard, lot or other areas or structure located outside of the primary residence, including but not limited to outdoor gardens, ancillary or accessory buildings, greenhouses, sheds, or storage units; AND*

(d) *The area of a primary residence devoted to the cultivation, production, or processing of Medical Marijuana plants, including the keeping, storage, and maintenance of all materials, supplies, tools, equipment, and paraphernalia associated with the cultivation, production, and processing of Medical Marijuana plants, does not exceed the following:*

(1) *Within a single-family detached dwelling unit, a maximum contiguous one hundred fifty (150) square foot area; OR*

(2) *Within any residential structure other than a single-family detached dwelling unit, a maximum contiguous one hundred (100) square foot area.*

Such cultivation, production, or possession of marijuana plants shall meet the requirements of all adopted City of Englewood building and safety codes. Each primary residence shall be inspected by the Building and Safety Department and provide documentation of such inspection upon request by a designated official.

5) *Add exterior perception limitations*

The cultivation, production, or possession of such marijuana plants must not be perceptible from the exterior of the primary residence, including but not limited to:

(a) *Common visual observation, which would prohibit any form of signage; OR*

(b) *Odors, smells, fragrances, or other olfactory stimulus generated by the cultivation, production, possession or processing of Medical Marijuana plants; OR*

(c) *Light pollution, glare, or brightness of artificial illumination associated with the cultivation, production, possession or processing of Medical Marijuana plants and that disturbs the repose of another; OR*

(d) *Undue vehicular or foot traffic, including excess parking within the residential zone; AND*

(e) *Noise from fans in excess of Englewood Municipal Code 2000, 6-2-5(F).*

6) *Identify Primary residence and secure areas*

"Primary Residence" means the place that a person, by custom and practice, makes his or her principle domicile and address and to which the person intends to return, following any temporary absence, such as vacation. Residence is evidenced by actual daily physical presence, use, and occupancy of the primary residence and the use of the residential address for domestic purposes, such as but not limited to, slumber, preparation of and partaking of meals, regular mail delivery, vehicle and

voter registration, or credit, water, and utility billing. It is a permanent location and cannot be operated from a moveable, mobile or transitory location. A person shall have only one primary residence. A primary residence shall not include accessory buildings.

A "secure" area means an area within the primary residence accessible only to the patient or Registered Primary Care-Giver. Secure premises shall be locked or partitioned off to prevent access by children, visitors, casual passersby, vandals, or anyone not licensed and authorized to possess Medical Marijuana.

7) Compliance with City zoning regulations

8) Compliance with all applicable home occupation and home based business regulations

The cultivation, production, or processing of Medical Marijuana and Medical Marijuana plants by Registered Primary Care-Givers for patients is a home occupation or a home-based business pursuant to Title 16 of the Englewood Municipal Code 2000 and the sale or distribution of Medical Marijuana to patients is a taxable transaction in accordance with State and local law. Registered Primary Care-Givers shall therefore comply with all other applicable provisions of the Englewood Municipal Code 2000 and, specifically, the business licensing and sales tax licensing and reporting requirements set forth in the applicable provisions of the Englewood Municipal Code 2000.

The cultivation, production, and processing is in compliance with all applicable home occupation and home-based business regulations contained in the City's Chapter and Code, including but not limited to, restrictions on physical features, building character, and business operations. In the event of a conflict between the provision of this Article and restrictions on home occupations or home-based businesses, the more restrictive provision(s) shall govern.

9) Restrictions on number of patients and plants

It shall be unlawful for patients or Registered Primary Care-Givers to cultivate, produce, possess or process or permit to be cultivated, produced, possessed, or processed more than the following maximum number of Medical Marijuana plants within the patient's or Registered Primary Care-Giver's primary residence:

(a) A patient may cultivate, produce, possess, or process, or permit to be cultivated, produced, possessed, or processed within the patient's primary residence, the lesser of either:

(1) Six(6) Medical Marijuana plants with three (3) or fewer being mature, flowering plants that are producing a useable form of marijuana for each patient residing in the primary residence; OR

(2) The maximum number of Medical Marijuana plants necessary to alleviate the patient's (or patients') chronic debilitating disease(s) or medical condition(s) as evidenced by the patient's (or patients') physician's written professional opinion or recommendation;

But in no event shall the maximum number of Medical Marijuana plants within a patient's primary residence exceed thirty (30) Medical Marijuana plants regardless of size or stage of growth or the number of patients residing at the primary residence.

(b) A Registered Primary Care-Giver may cultivate, produce, possess, or process or permit to be cultivated, produced, possessed, or processed within the Care-Giver's primary residence, the lesser of either:

(1) Six (6) Medical Marijuana plants with three (3) or fewer being mature, flowering plants that are producing a useable form of marijuana for each patient of the Registered Primary Care-Giver; or

(2) The aggregate maximum number of Medical Marijuana plants necessary to alleviate the Registered Primary Care-Giver's patients' chronic or debilitating disease(s) or medical condition(s) as evidenced by the patients' physicians' written medical professional opinion(s);

But in no event shall the maximum number of Medical Marijuana plants within a Registered Primary Care-Giver's primary exceed thirty (30) Medical Marijuana plants regardless of size or stage or growth.

(c) For a primary residence at which one (1) or more Registered Primary Care-Givers and/or one (1) or more patients reside, each Registered Primary Care-Giver and each patient may cultivate, produce, possess, or process, or permit to be cultivated, produced, possessed, or processed the maximum number of Medical Marijuana plants provided in 5-3D-5 (A)(14)(a)(1) OR (2) or 5-3D-5 (A)(14)(b)(1) OR (2), as applicable, provided that in no event shall the maximum number of Medical Marijuana plants within the primary residence exceed thirty (30) Medical Marijuana plants regardless of the size or stage of growth and regardless of the total number of Registered Primary Care-Givers and patients residing within the primary residence.

10) Records to be kept for compliance verification

The licensing requirements set forth in this EMC 2000, the Charter and in the Colorado Medical Marijuana Code shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other Federal, State or local law or regulations. For example, a licensed Medical Marijuana facility must also obtain State and City retail sales tax licenses and must comply with all building code and permit requirements.

A Registered Primary Care-Giver shall provide the registry identification card number of each of his/her patients to employees and contractors of the City, State or Federal and to law enforcement agencies, upon inquiry in the course of their official duties while investigating compliance with the requirements of this Article.

To the extent required by law, documentation that evidences the name, address, or other information of a patient or Registered Primary Care-Giver including but not limited to, applications, permits and correspondence, shall be maintained by the City as confidential. No person shall be permitted to gain access to such confidential documentation except for authorized employees and contractors of the City in the course of their official duties and authorized employees of the Federal, State or local law enforcement agencies.

Records should include, but are not limited to:

(a) The quantity of Medical Marijuana dispensed in each transaction;

- (b) *The type and source of Medical Marijuana dispensed;*
- (c) *The total amount paid by the patient for the transaction for all goods and services provided;*
- (d) *The patient's Medical Marijuana Identification Card Number, and any other identification information permitted by law;*
- (e) *Confirmation that the licensee confirmed the identity of the patient receiving the Medical Marijuana with a valid photo identification;*
- (f) *The date and time dispensed.*

These records may be requested at any time, by those enforcing the law or making decisions concerning in an official capacity.

11) List the licensee's duties noting that these are recommendations and not limitations and that these duties may be modified
It is the duty and obligation of each licensee to do the following:

- (a) *Comply with all of the terms and conditions of the permit/license, and any special conditions on the permit/license imposed by the Authority;*
- (b) *Comply with all of the requirements of this ordinance;*
- (c) *Comply with all other applicable City ordinances;*
- (d) *Comply with all State laws and administrative regulations pertaining to the medical use of marijuana, including but not limited to: Amendment 20, Section 18-18-406.3 C.R.S.; and the administrative regulations issued by the Colorado Department of Public Health and Environment (5 CCR 1006-2 and as amended)*
- (e) *Comply with all applicable Federal laws, rules or regulations, other than a Federal law, rule or regulation concerning possession, sale or distribution of medical marijuana that conflicts with Amendment 20; and*
- (f) *Permit inspection of its records and operation by the City Clerk or her designee, Law Enforcement, and Building and Safety inspectors for the purpose of determining the licensee's compliance with the terms and conditions of the permit.*

The Authority believes that both the Registered Primary Care-Giver and the patient have certain responsibilities, as well as those involved with operations, cultivation or production.

The City further tries to protect and balance the reasonable and lawful rights of Patients and Registered Primary Care-Givers with the protection of the health, peace, and morals of the people of the City through prevention and mitigation of deleterious and negative secondary effects that may occur or are likely to occur from the presence of Medical Marijuana in the City of Englewood, Colorado.

These recommendations will be provided to City Council.

* * * * *

/s/ Kerry Bush, MMC
 Deputy City Clerk