
Council Newsletter



CITY MANAGER'S NOTES November 23, 2011

Upcoming Council Meetings

City facilities will be closed on **Thursday, November 24th** and **Friday, November 25th** for Thanksgiving Day holidays.

City Council will meet on **Monday, November 28, 2011**. The Study Session will begin at 6:00 p.m. in the Community Room. There is no Regular Meeting scheduled. The agenda is attached. Sandwiches will be available at 5:30 p.m. in the Community Room.

The next meeting will be **Monday, December 5, 2011**.

Informative Memoranda

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

1. Article from *Urbanland* entitled "Zoning at 85."
2. Letter expressing appreciation for *The Villager* newspaper.
3. Request for Proposal for the sale of Historic Englewood Depot.
4. Memorandum concerning the Household Hazardous Material Roundup Report.
5. Calendar of Events.
6. Tentative Study Session Topics.
7. Minutes from the Water and Sewer Board minutes from August 9, September 13, October 11 and November 8, 2011.
8. Minutes from the Liquor and Medical Marijuana Licensing Authority telephone poll of November 2, 2011.
9. Minutes from the Planning and Zoning Commission meeting of November 8, 2011.

URBANLAND

November 21, 2011

Zoning at 85

By Edward T. McMahon

*This year marks the 85th anniversary of the landmark United States Supreme Court case *Euclid v Ambler Realty*, which upheld the basic constitutionality of local zoning. Given the current debate between liberals and conservatives about the appropriate role of regulation in shaping our economy and our communities, it seems timely to ask the question: do we still need zoning?*



This year marks the 85th anniversary of the landmark United States Supreme Court case *Euclid v Ambler Realty*, which upheld the basic constitutionality of local zoning. Given the current debate between liberals and conservatives about the appropriate role of regulation in shaping our economy and our communities, it seems timely to ask the question: do we still need zoning?

Some anti-government activists argue that we don't need zoning and that land use planning is somehow akin to socialism. In fact, planning is the multi-faceted process that communities use to prepare for change. It is an activity as old as humankind itself. In most realms of endeavor, failing to plan, simply means planning to fail. Try to imagine a corporation without a business plan. It would have a hard time attracting investment. The same is true of communities. In America, land use planning is primarily the responsibility of local government. Zoning is considered the quintessential tool of plan implementation.

A zoning ordinance divides a local government's jurisdiction into districts or zones. For each district or zone, the zoning ordinance regulates the type of land uses allowed, intensity or density of development, height, bulk and placement of structures, amount and design of parking, and a number of other aspects of land-use and development activity.

By some estimates over 9,000 cities, towns and counties, big and small in every region of the country and representing at least 90 percent of the nation's population has some form of zoning in place. Zoning in the US has been around since 1916

when New York City enacted the nation's first comprehensive zoning ordinance to protect the health, safety and welfare of residents packed into crowded urban tenements.

Despite criticism from some academics and property rights advocates, zoning has stood the test of time.

Does this mean that every zoning decision made by a local planning commission is a good one or that zoning has produced the beautiful, high quality living and working environments that we all care about? No – zoning has not always lived up to its promise and it has sometimes been misused. For example, in some places zoning has been used to exclude low-income families or to keep out minorities. In other places, zoning has been used to give every landowner exactly what they want regardless of the cost to the community or the impact on neighboring landowners. Want to build a shopping center in a flood plain or a racetrack next to a residential area? No problem – we'll just rezone the property.

Zoning is merely a tool. It is a means to an end. It can be used constructively as a positive force for community good or it can be misused. Zoning is what you make of it. It works best when it is based on a community vision and closely tied to a comprehensive plan. At its best, zoning can provide the marketplace with predictability and certainty. It can protect critical natural resources and it can raise property values. However, by itself, conventional zoning will rarely create a memorable community.

This is because conventional zoning is a limited tool. It is good for protecting what is already there and for preventing nuisances. It is not as good for shaping the future or for improving the quality of new development. This is because most zoning codes are proscriptive in nature. They try to prevent bad things from happening without laying out a vision of how things should be.

Successful communities think beyond conventional zoning. They use education, incentives and voluntary initiatives, not just regulation. They also use design standards, form-based codes, density bonuses, transfer of development rights and other innovative techniques that foster walkable, mixed use neighborhoods.

Today's communities face complex issues, ranging from carbon emissions to community character. These issues require solutions that go beyond conventional zonings focus on the regulation of use, bulk and intensity.

So what about those folks who think that zoning is a dirty word? Why do they get so upset whenever zoning is proposed in a previously unzoned municipality or county or whenever a community wants to strengthen its zoning ordinance?

In my experience, the most common objection to zoning is a perceived loss of control. Zoning opponents say that if you own a piece of land, you should be able to do what you want with it. Related to this is a fear that regulation will reduce property values. So let's examine some of the facts and myths about land use planning and regulation.

Myth #1 – Zoning is un-American

The practice of land use planning in America can be traced back over 400 years to the English settlement at Jamestown, Virginia. The settlement that sprang up along the James River in 1607 was in many respects a planned community. The schematic that became Jamestown featured principles long associated with the 20th century planning technique known as Planned Unit Development or PUD's. According to planning historian Eldon James "the planning concerns influencing the Jamestown of 1607 included security issues, access and movement considerations, the use and preservation of natural resources, the procurement and storage of drinking water, the collection and disposal of waste, as well as the location and arrangement of residential areas in relationship to processing and manufacturing enterprises." In short Jamestown was planned, designed, constructed and managed for the well-being and general welfare of its inhabitants.

Despite its long history, zoning disputes often inspire inflated rhetoric. Perhaps this is because zoning does mean that the interests of an individual land owner must sometimes yield to the interests of the community. But this is as American as apple pie or baseball. In fact for more than 160 years our courts have consistently held that the US Constitution allows for public regulation of land.

To understand why, consider the old principle of law that says "your right to swing your fist ends where my face begins." This principle applies to real estate as well. It means that with rights come responsibilities. Even political philosopher John Locke held as a basic assumption that "free men would never exercise rights without recognizing the obligations that the exercise of those rights implied."

Myth #2 – Small towns and rural areas don't need to control uses of land.

Fact: It is true that zoning is far more common in densely populated cities than in more sparsely populated rural areas, but land use regulation is needed in small towns as well as big cities. This is because change is inevitable every place in America. Demographics, technology, immigration, the global economy, extreme weather and many other factors are changing communities whether they like it or not.

Some years ago, friends bought a beautiful historic house in an unzoned county in Western North Carolina. What attracted them to this rural location was not only the house, but the beautiful views across the surrounding farm fields to the mountains beyond. About a year after moving into their home they took a long planned trip to Europe. When they returned, much to their surprise and chagrin, they found a giant cellular communications tower under construction directly across the road. Because there was no zoning there was no notice, no public hearing, and no opportunity to object. Their unspoiled view was gone and their only recourse was to either live with the cell tower or put their home on the market and move.

Stories like this have been repeated thousands of times in unzoned rural America. Sometimes it is a cell tower, other times it is a billboard, a race track, a hog waste impoundment lot, an auto repair facility or other noxious use. There are really only two kinds of change in the world today: planned change and unplanned change. Land use regulation linked to a community plan is a way to mitigate and manage change. Rural communities that set no standards will compete to the bottom. This is because, communities that are unwilling to say "no" to anything, will get the worst of everything.

Likewise, rural landowners who want to protect the status quo have no real choice except to plan for the future. In many communities, the old-timers who most abhor change are often the first to realize that without sensible land use controls, everything they love about their community will ultimately disappear. Wayne Oldroyd, the former Director of Community Development for the small town of Maryland Heights, Missouri said "linkage of vision and planning to zoning is what enables the creation of a community."

Myth #3 – Land use controls will reduce property values and increase taxes.

Fact: It is sprawl – not zoning – that increases taxes. Haphazard, inefficient land uses require taxpayers to pay more and more for roads, sewers, schools, utilities and other public infrastructure. Zoning can, of course, affect the layout of a community and this in turn can affect public expenditures, but zoning that encourages a mix of uses or other efficient land use patterns can help to reduce public expenditures, while a purely laissez-faire approach can have the opposite impact.

As for property values, it is true that zoning and other land use controls can affect property values. Every day hundreds of decisions are made by public bodies that affect someone's property values: however these decisions are just as likely to increase the value of property as to diminish it, for example a rezoning from agricultural to commercial use or an increased density allowance could greatly increase the value of land.

In practice, sensible land use controls almost always enhance rather than diminish property values. If you don't believe this visit almost any local historic district and compare property values in the historic district to similar neighborhoods outside the district. In almost every case the more heavily regulated property will have the higher value. On the other hand try selling a home next to a junk yard, an asphalt plant or other noxious use. To understand how zoning can positively affect value, let's look at a nationally famous example: In 1988, the Denver City Council created an historic district in what was then the city's skid row. It was called the Lower Downtown Historic District.

A majority of the area's property owners opposed the designation fearing a loss of property values. Before designation, the once thriving commercial area had a vacancy rate of 40 percent and 30 percent of the properties had been foreclosed. Blighted conditions triggered precipitous declines in property values, despite the fact that there were few regulations standing in the way of re-development. After the imposition of historic district zoning the area came back to life. In a few short years, the area was transformed. By 1995, Lower Downtown was home to 55 restaurants and clubs, 30 art galleries and 650 new residential units (Today it has thousands of residents). Property values had doubled and private investment, not including Coors Field - home of the Colorado Rockies baseball team - had exceeded \$100 million.

So how did historic district zoning contribute to Lower Downtown's success? The answer is simple: scarcity and certainty create value in real estate. Before the designation you could do anything you wanted, but there was no investment because there was no certainty. After historic designation, small businesses and investors were lured to the area by its charm and historic character – and by the knowledge that it would remain that way. In other words, historic district zoning gave investors the assurance that if they spent millions rehabilitating a turn-of-the-century building, this investment would not be undermined by their next door neighbor demolishing their building and putting up billboards, parking lots or other insensitive development.

Nationally known real estate appraiser Don Rypkema says "sensible land use controls are central to economic competitiveness in the 21st century."

Myth #4 – Land use planning is a bad idea.

Fact: The truth is virtually every successful individual, organization, corporation and community plans for the future. As we said before, failing to plan means planning to fail. Try imagining a company that didn't have a business plan. They would have a very hard time attracting investors and they would be at a huge disadvantage in a competitive marketplace. The same is true of communities.

Community planning is about choices. Communities can grow by choice or by chance. People can accept the kind of community they are given or they can create the kind of community they want. In a democracy, citizens have a right to choose the future and to have some idea what it will look like. A comprehensive plan is like a blueprint. It allows a community to set out its goals and objectives. Even the Bible recognizes the importance of planning. The book of Proverbs says: "Without vision the people will perish."

Land use planning provides the essential bedrock on which zoning should be founded. Just as a business plan won't work if every salesman or business unit could take it or leave it, at their discretion, land use planning won't work without implementing regulations. In fact communities that engage in zoning in isolation from planning are setting themselves up for failure, as their regulations will appear arbitrary and capricious, without any consistent purpose.

Myth #5 – Houston, Texas proves that zoning is unnecessary

Fact: It is true that Houston is a different kind of city: brash, booming. Like most cities, it has sprawl and air pollution, but it also has vibrancy and a can do spirit. What really makes Houston unique; however is that it is the only large American city without a zoning code. Some people view the absence of zoning as quirky, if not downright dangerous. Others say, Houston's economic success proves that cities don't need zoning.

The truth is somewhere in the middle. Houston does have a strong economy and low priced housing, but housing is even cheaper in San Antonio and Fort Worth, both cities with zoning and despite Houston's boomtown reputation, Austin –another Texas city with strong zoning- has grown faster and has a lower unemployment rate: 6.6% versus 8.2%. Houston's economic success, undoubtedly, has more to do with the presence of the oil industry than it does with lack of zoning. What's more Houston does have an active planning department and developers have compensated for the lack of government regulations by widely employing private covenants and deed restrictions which serve a comparable role to zoning. While libertarians would have you believe that zoning results in fewer freedoms, in fact many residential neighborhoods, particularly in suburban Houston are strictly controlled by homeowners associations.

In contrast to outlying areas, central Houston does have its share of land use anomalies (some might say intrusions). Here it is possible to see strip clubs, warehouses, bars, churches and houses all along the same street. What's more, if someone wants to run a marble grinding business out of their house (a real case) there is little the next door neighbor can do. This is of course one of the reasons that no other American city has chosen to follow Houston's lead.

Conclusion

Zoning's original supporters included both liberals and conservatives who shared a belief in the power of land use planning to improve people's lives and to protect property values. It was former President Herbert Hoover, who as US Secretary of Commerce chaired the commission which drafted the first model zoning enabling act. As Hoover said in a forward to the act "the discovery that it is practical by city zoning to carry out reasonably neighborly agreements as to the use of land has an almost instant appeal to the American people."

Zoning in urban neighborhoods is not merely a tool for protecting the market value of individual properties, but it is also device for protecting resident's interest in the "neighborhood commons". In other words, zoning protects a neighborhood from encroachments by land uses that are inconsistent with its character, regardless of the positive or negative effects of a proposed development on the market value of individual properties.

Neighborhoods and communities are not just made up of individual parcels, but include collective resources that comprise a community's commons. The commons is often made up of intangible qualities such as neighborhood ambiance, aesthetics, the physical environment and the relative degree of privacy or neighborliness. These features together make up the

character of a neighborhood. They are what give a neighborhood a distinctive flavor and feel. A buyer of a residential property in a neighborhood buys not only a particular parcel of real estate, but also a share in the commons.

Not all uses belong in all neighborhoods. For example, a hot new restaurant and bar might be a welcome addition in a trendy urban neighborhood, but it might be considered a nuisance in a quiet suburban neighborhood. The point is negative externalities (like noise, traffic, crowds) are contextual. A land use that would have severe negative externalities in one neighborhood may be considered an amenity in another.

Zoning is aimed at preventing, or at least limiting, precisely those changes in the use of property that are disruptive of neighborhood character because they are inconsistent with current uses of the neighborhood commons. These changes can include density as well as shifts from residential to commercial or industrial uses.

Not all neighborhoods are alike, nor should they be. The whole point of zoning is to allow people to live in the kind of neighborhood they want. In a community without zoning, a developer is free to ignore the neighborhood commons. On the other hand, in a community with zoning the developer must "buy" the support of the neighborhood through concessions. Zoning allows developments to proceed as long as they are consistent with the current uses of the neighborhood commons or in a way that the neighborhood has agreed in advance (through the political process) to allow.

Perhaps the most important reason that zoning has persisted despite its imperfections is because it gives citizens a voice in local government. Without zoning, citizens would have no voice when an out-of-town corporation or insensitive landowner decides to run roughshod over local values and traditions. Zoning also makes land use decisions more public. This is important because the more a community understands how decisions are made, the better future decisions will be.

Zoning is really about balance. At its best, zoning can help strike the elusive balance between quality of life and economic vitality.



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CITY OF ENGLEWOOD
CITY COUNCIL

November 21, 2011

The Sweeney Family
The Villager Newspaper
8933 E. Union Avenue, Suite 230
Greenwood Village, CO 80111-1357

Dear Sweeney Family:

On behalf of the City of Englewood, I offer our heartiest congratulations to you and *The Arapahoe County Villager* on the historic occasion of the newspaper's 30th Anniversary. *The Villager* serves Englewood and the other communities of the south metro area well.

As a family-owned and operated newspaper, you clearly care about the communities you cover and your coverage is timely and comprehensive. You help keep readers informed about everything from local government issues to social and charitable causes – and you do so with a friendly and genuine voice.

Again, congratulations on this notable achievement. We wish *The Villager* continued success for years to come.

Sincerely,

Randy P. Penn
Mayor

Mayor Randy Penn, District 3 • Mayor Pro Tem Jim Woodward, At Large
Rick Gillit, District 4 • Joe Jefferson, District 1 • Bob McCaslin, At Large • Linda Olson, District 2 • Jill Wilson, At Large

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Memorandum

City Manager's Office

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager ✓
FROM: Michael Flaherty, Deputy City Manager
DATE: November 23, 2011
SUBJECT: Request for Proposal: Historic Englewood Depot

During the City Council Study Session of November 7, City Council directed staff to issue a Request for Proposal (RFP) for sale of the Englewood Depot. The RFP was issued today, with copies sent to the Colorado Historical Society and Colorado Preservation, Inc. A copy is also posted on our website.

A copy of the RFP is attached for Council's information. Please note that we did not include a copy of Appendix 1 (the Structure Assessment and Preservation Plan) due to its size. If you would like to review the document, you can read it online on our website or let us know and we will be happy to make you a copy.

Attachment

Request for Proposal (RFP #11-029): Historic Englewood Depot

3098 South Galapago Street
Englewood, Colorado



City of Englewood
City Manager's Office
1000 Englewood Parkway
Englewood, CO 80110





C I T Y O F E N G L E W O O D
C i t y M a n a g e r ' s O f f i c e

Request No. RFP-11- 029

Date: November 23, 2011

REQUEST FOR PROPOSAL

**Sale of Historic Real Property
Englewood Depot
(Atchison, Topeka and Santa Fe Depot)
3098 South Galapago Street
(West Dartmouth Avenue and South Galapago Street)**

The City of Englewood is offering the historic Englewood Depot, located at 3098 South Galapago Street in Englewood, Colorado, for sale through a Request for Proposal process. The City of Englewood is actively seeking creative redevelopment and adaptive re-use of the Englewood Depot. The Request for Proposal package defines the City's sale process, describes the historic structure, and outlines the City's desire for the highest and best use of this property through the rehabilitation of the structure.

The City of Englewood will accept proposals for purchase of the Englewood Depot from qualified individuals, organizations or firms until 3:00 p.m. MST, Wednesday, January 11, 2012. Proposals can be submitted online to mflaherty@englewoodgov.org; can be mailed to the City Manager's Office, City of Englewood, 1000 Englewood Parkway, Englewood, CO 80110-2373; or can be hand-delivered to the City of Englewood, Cashier's Desk on the third floor of the Englewood Civic Center, 1000 Englewood Parkway.

Interested parties are asked to submit proposals marked as "**Sale of Historic Property- Englewood Depot Proposal**" with the **Request #RFP-11-029**. Proposals received later than the date and hour specified will not be accepted under any circumstance, and any so received shall be returned to the firm unopened. Parties submitting proposals will be expected to allow adequate time for delivery of their proposals by air freight, postal service, or other means.

Any questions or clarifications concerning this Request for Proposal (RFP) shall be submitted in writing by e-mail to Michael Flaherty, Deputy City Manager to: mflaherty@englewoodgov.org. The title and request number should be referenced on all correspondence. All questions must be received by December 15, 2011 at 3:00 p.m. MST. Any and all responses to questions/clarifications will be provided by email to all proposers. The City will not be bound or responsible for any explanations or interpretations other than those given in writing as set forth in this RFP. No oral interpretations shall be binding on the City.

All material submitted in connection with this document becomes the property of the City of Englewood. Any and all information received by the City shall become public record and shall be open to public inspection should an award of contract result from this solicitation, except to the extent the proposing entity designates trade secrets or other proprietary data to be confidential.

The City of Englewood will accept RFPs from qualified individuals, organizations, or firms interested in purchasing the Englewood Depot from the City of Englewood. No reimbursement will be made by the City of Englewood for any costs incurred prior to a "Formal Contract Agreement."

Scanned or re-typed responses: If in its response, proposer either electronically scans, re-types, or in some way reproduces the City's published proposal package, then in the event of any conflict between the terms and provisions of the City's published proposal package, or any portion thereof, and the terms and provisions of the response made by the proposer, the City's proposal package as published shall control. Furthermore, if an alteration of any kind to the City's published proposal package is discovered after the contract is executed and is or is not being performed; the contract is subject to immediate cancellation.

In selecting a proposal, the City is not bound to make the award on the basis of the highest monetary offer. It is the goal to preserve the Englewood Depot for future generations through an adaptive re-use of the structure. The City of Englewood shall have the right to reject any or all proposals, and to waive any informalities or irregularities therein and request new proposals when required. In addition, the City reserves the right to accept the proposal deemed most advantageous to the best interest of the City. Any award made in response to this RFP will be made to that responsible individual, organization or firm whose offer will technically be most advantageous to the City.

I. Introduction/Schedule

The City of Englewood is the owner of real property which is used for various municipal purposes. As public service needs change, the necessity for retention of certain properties may be revisited, and at times certain properties may be found to be in excess of the City's current and future needs.

The Englewood Depot was acquired through a quit claim deed from the Englewood Historical Society in 2001 as payment for an obligation of the Historical Society to the City. Since 1955, the structure has not been utilized and the City has no plans for its future utilization. As such, this property is considered to be a surplus property. After receiving two unsolicited offers to purchase, City Council has requested that staff facilitate the sale of the property through the Request for Proposal process. While the City seeks to optimize the sale price from City-owned real estate based on relevant factors, including the appraised value of the property, in this case the sale price offered will be balanced with the community benefits of preserving the historic Englewood Depot through an adaptive re-use of the structure.

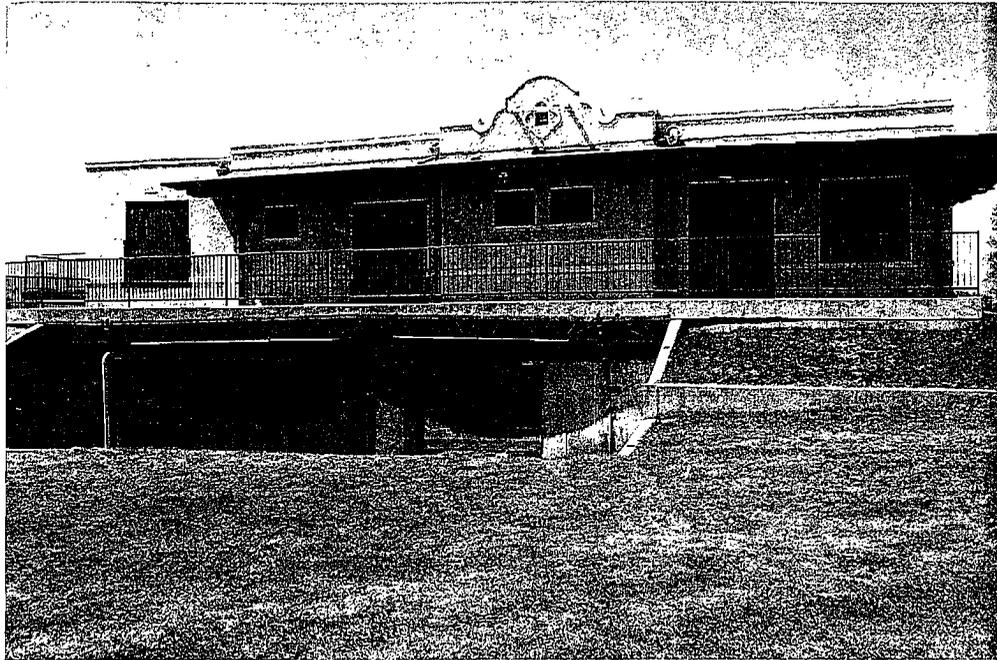
A schedule of key dates for the RFP process has been established as follows:

November 23, 2011	12:00 p.m.	Issuance of RFP
December 7, 2011	10:00 a.m.	Pre-proposal meeting/site inspection
December 15, 2011	3:00 p.m.	Question submission deadline
January 11, 2012	3:00 p.m.	Proposal submission deadline
January 17, 2012*		Short-list selection notification
January 24, 2012*		Interviews
February 21, 2012*		Consideration by City Council
March 30, 2012*		Real Estate Closing
* Tentative Dates		

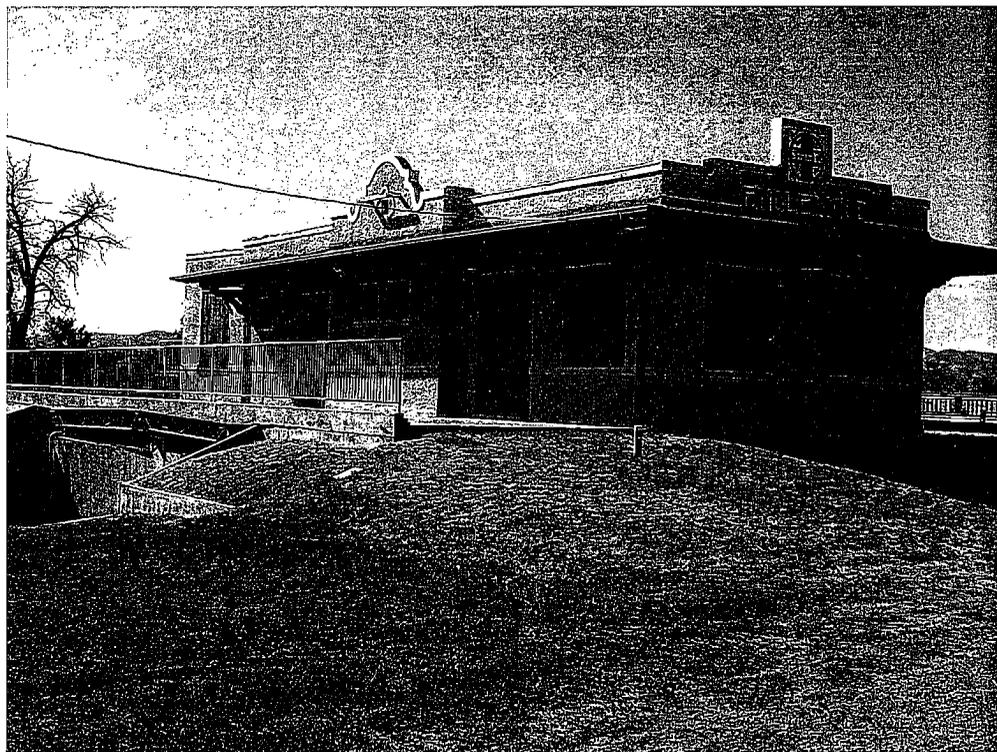
II. Building photographs



West side of building – looking southeast



East side of building – looking southwest



North side of building – looking southwest

III. History

The Englewood Depot was constructed in 1915 by the Atchison, Topeka and Santa Fe Railroad as a flag-stop near the end of the line of the railroad's Denver District. It was used as a train station until 1955. The building sat vacant for almost 40 years until it was threatened by demolition in 1994. At that time, it was purchased by the Englewood Historical Society and moved from its original location, just south of Hampden Avenue, to its present site, which was owned by the Englewood Housing Authority. The building was placed on the State Register of Historic Places and underwent a partial restoration project in 1994, funded in part by the Colorado Historical Fund. The City of Englewood purchased the land and building in 1998 and deeded the building to the Englewood Historical Society. However, in 2002, after unsuccessful efforts to find a suitable use for the building, the building was deeded to the City. The building is currently unoccupied and is in need of significant improvement.

IV. Building Description and General Condition

The depot is a stucco-on-frame building and the only remaining depot known to have been built in a similar manner for the Santa Fe Railroad is the Glorieta, New Mexico Depot. There may have been similar depots constructed in Colorado, but the Englewood Depot is the last standing example. According to the records of the Colorado Railroad Museum, the depot was not constructed using a standard plan of the AT & SF Railroad.

The exterior of the building was partially restored in 1994, following the move to the current site.

The total area of the depot is approximately 1700 square feet, with a full lower "walk-out" level below. The lower level was constructed in 1994 to serve as the foundation for the relocated depot structure. It is a single room with concrete walls open to the east. The building has significant deficiencies, which are stated in the construction details listed below:

Foundation:	Poured concrete foundation with "walk out" feature to east. Interior structural support provided by metal "web" trusses with steel columns and steel beams running east/west.
Exterior:	Stucco on frame "mission" style with wood overhangs on the east, north, and south sides. Brick and concrete patio on east side; wooden platform on south side, both with wrought iron guardrails
Flooring:	The original flooring was likely dimensional wood over a crawl space. The building was placed on a reinforced concrete slab in a metal deck supported by steel web trusses welded to steel beams and supported by steel columns.

Interior Finish:	Drywall and panel partition walls with drop acoustic ceiling panels (south) and overhead 2-tube open fluorescent light fixtures (north). Solid core entry doors with mail drops. The south office contains approximately 420 SF of finish with mezzanine storage above. The north office is situated in the mezzanine area within an approximate 280 SF finished area. Ceiling height in this area is less than 8 feet.
Windows Doors and Trim:	Wood frame single-glazed double-hung windows typically 2'5" X 5'4". The upper sashes are fixed in position by exterior brackets. Most pulls, handles and locks are missing. Interior trim is 1" X 5" and 1" X 8" varnished wood. There are currently three exterior passage doors and three loading dock doors. The doors are all wood and vary from fair to average condition. A doorway on the west side has been enclosed.
Heating/Cooling:	All heating elements have been removed.
Electrical/Lighting:	The original electrical system remains in part. Some electrical wiring in conduit and a 20-amp breaker have been added more recently. The main electrical panel is empty.
Plumbing:	Two restroom areas were part of the original structure. There are no remaining plumbing or fixtures.
Roof:	Pitched roof with asphalt shingle covering and hipped ends. Drain scuppers with painted metal downspouts. Roof decking is 1" X 6" tongue and groove sheathing.
Exterior/Other:	Open parking/yard area to south of building, Dock high and drive-in service doors to south unit; drive-in door to north unit.

The "Englewood Depot Historic Structure Assessment and Preservation Plan," conducted on behalf of the City of Englewood in 2002 by SlaterPaul Architects, is found in Appendix 1 of this RFP. Please note that this assessment, and some cost estimates included in the assessment, assumed the relocation of the depot to a site of a proposed development that intended to incorporate the depot in its plan. However, that development did not occur.

V. Zoning

The property is zoned MU-R-3A, Mixed Use Low Density Residential/Limited Office District. Any intended use not allowed in this zone district would require a rezoning. The Depot property will also require subdivision to separate it from the adjoining City of Englewood Community Garden. It is possible for the subdivision to be done in a manner that the Depot property is of sufficient square footage to qualify for a Planned Unit Development. A layout of the current undivided City-owned property is attached in Appendix 2.

VI. Conditions of Sale

- A. The property will be sold "**AS IS, WHERE IS.**" All warranties, expressed or implied, including fitness for purpose of use, are hereby waived by buyer. Proposers are encouraged to examine the property offered for sale to ascertain for themselves the condition of the property, and the existence, if any, of encumbrances, encroachments, etc.
- B. **The City will impose a deed restriction on the property that will require the purchaser to maintain the historical structure for a minimum period of 30 years.**
- C. **The City may require an access easement from Galapago Street to the east-west alley that accesses Fox Street.**
- D. The City will not furnish title insurance.
- E. The City shall arrange for the quit claim deed to be executed by the City Manager and recorded upon confirming that the City has received the full purchase price and other payments required of the Purchaser.
- F. Closing shall occur at the City offices, or another location as may be determined by the City.
- G. Purchaser must execute any other documents necessary to consummate the sale as provided herein.

VII. Proposal Form

- A. **Name of Proposed Buyer(s):** List the names, addresses, telephone numbers, and email addresses of the party or parties that will hold title to the property after purchase:
- B. **Buyer's Representative(s):** List the names, addresses, telephone numbers, and email addresses of all parties authorized to represent the proposed buyer, such as Real Estate Broker and Agent, Attorney, Mortgage Loan Officer and Lending Company, Title Company, etc.
- C. **Business Type:** Describe your business, type of business (For-Profit or Non-Profit), number of employees, and/or number of persons who will be served by your project.
- D. **Intent and Use:** Describe in detail your reasons for wanting to purchase this property and your intended use of the property, including any innovative plans that will enhance the use of this property, if you obtain it. Include your future maintenance and restoration plans for both the interior and exterior, and how they

relate to recognized historic preservation practices such as the Secretary of Interior Standards for Historic Rehabilitation (attach additional pages as needed).

- E. **Proposed Purchase Price:** Indicate the purchase price that you are willing to pay for this property.
- F. **Financial Qualifications:** Document financial ability to complete the purchase and your ability to cover expenses for the care and maintenance of this property. If you have qualified with a lender for financing, please include documentation. Also please provide copies of past two years corporate or individual income tax returns. If an individual, please supply information regarding current employment, name and address of employer, and number of years at this employer. If less than three years, please provide prior employers for the last 10 years. By submitting this proposal you understand and agree that the City of Englewood may verify all financial information and use this information in order to evaluate your proposal. Failure to agree shall result in this proposal being denied.
- G. **Earnest Money Deposit:** If an offer to purchase is accepted, the buyer will be required to tender an earnest money deposit of 5% of the purchase price within 5 business days of acceptance.
- H. **Commitment to Historic Preservation:** The historic structure may be eligible for the historic preservation loan and grant program and the state and federal tax credits. By submitting the proposal you are indicating that you acknowledge that the property is listed on the State Register of Historic places and will abide by the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. The City of Englewood may participate with the buyer in seeking such assistance; however, the City will not contribute financially.
- I. **Proposal Requirements:**
 - a. The proposal must be typed or legibly printed in ink. The use of erasable ink is not permitted. All corrections made by the proposer must be initialed in ink by the authorized agent of the proposer.
 - b. Proposals must contain a manual signature of an authorized agent of the proposer. If the proposer's authorized agent fails to sign the proposal, its proposal shall be considered non-responsive and ineligible for award.
 - c. The accuracy of the proposal is the sole responsibility of the proposer. No changes in the proposal shall be allowed after the submission deadline, except when the proposer can show clear and convincing evidence that an unintentional factual mistake was made, including the nature of the mistake and the actual intention.

VIII. Oral Presentations

During the evaluation process, the selection committee may, in its sole discretion, request that one or more of the proposers make oral presentations. Such presentations will provide parties submitting proposals with an opportunity to answer any questions the selection committee may have on a proposal. Not all proposers may be asked to make oral presentations. The selection committee may not ask any of the proposers to make such a presentation.

IX. Final Selection

It is anticipated that a firm will be selected in January, 2012. Following notification to the selected proposer, it is expected that a contract will be executed between both parties in February, 2012.

CONTACT WITH PERSONNEL OF THE CITY OF ENGLEWOOD OTHER THAN THE DESIGNATED CONTACT PERSON, MICHAEL FLAHERTY, REGARDING THIS REQUEST FOR PROPOSALS MAY BE GROUNDS FOR ELIMINATION FROM THE SELECTION PROCESS.

Michael Flaherty
Deputy City Manager
City of Englewood, Colorado
Phone: (303) 762-2314
Email: mflaherty@englewoodgov.org

Appendix 1

Englewood Depot Historic Structure Assessment and Preservation Plan

Appendix 2

Englewood Depot Property Parcel Map



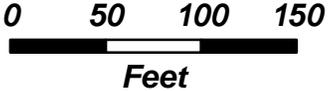
City of Englewood, Colorado

Depot Property Parcel Map

.88 Acres

 Parcel Lot Lines

June 2008





M E M O R A N D U M

To: Mayor Woodward and City Council
Thru: Gary Sears, City Manager
Alan White, Director, Community Development ✓
Tricia Langon, Sr. Planner, Community Development
From: Audra L. Kirk, Planner I ✓
Keep Englewood Beautiful
Date: November 21, 2011
Subject: Household Hazardous Material Roundup Report

Keep Englewood Beautiful, along with the Cities of Englewood, Littleton and Sheridan held the 20th Annual Household Hazardous Waste Material Roundup and 7th Annual Electronic Recycling event on September 10th and 17th, 2011. While this is the twentieth year for Englewood to hold this event for its citizens, this is the thirteenth year for Littleton and the first for Sheridan to participate. The HHW provided 317 households the opportunity to safely dispose of hazardous waste. Englewood had 146 participants; Littleton had 153, Sheridan 7, and "other" 11. The 11 "other" are from jurisdictions that are not participating in the event. For example, people with an Englewood or Littleton mailing address, but that are not within the Cities of Englewood or Littleton.

Historically the Cities of Englewood and Littleton have split the cost of the HHW evenly, because it is impossible to determine the amount of hazardous waste that each participant brings in. KEB commissioners determine where the participant is from and what type of waste will be collected, they do not determine quantities. The hazardous waste from both Cities is collected by employees of Clean Harbors Environmental Services, and combined to save money. For example, the Cities of Englewood and Littleton are charged a flat fee to dispose a 55 gallon drum of waste regardless of how full the container is. Combining the waste of both communities ensures that the 55 gallon drums are as full as possible.

This was the first roundup the City of Sheridan participated in. Our original agreement with Sheridan was to split the cost of the event evenly among Englewood, Littleton and Sheridan. However, due to the fact that Sheridan had only 7 residents participate in the event, it was decided that the cost of the event would be divided up per net cost per vehicle. For example, the net cost of the event was \$10,724.11; total number of vehicles was 317. Total net cost per vehicle is \$33.83. Complete breakdown as follows:

Total	
Cost	\$17,629.11
Total Co-Pays	\$6,905.00
Net Cost	\$10,724.11
Total Vehicles	317
Net Cost/vehicle	\$33.83

Community	Vehicle Count	Net Cost/ Community	Shared "Other" cost	Total Cost
Englewood	146	\$4,939.18	\$124.05	\$5,063.23
Littleton	153	\$5,175.99	\$124.05	\$5,300.04
Sheridan	7	\$236.81	\$124.03	\$360.84
Other	11	\$372.13		
Total	317	\$10,724.11	\$372.13	\$10,724.11

The two day event brought in 13,685 pounds of electronics and 1,635 gallons of hazardous materials. Items that were brought in included motor oil, pesticides and fuels.

The Commission and Community Development staff would like to thank the Englewood and Littleton Fire Departments as well as Littleton Department of Community Development for invaluable planning and technical support. Keep Englewood Beautiful would also like to commend Fire Lieutenant Miles Kubley for his continued expertise and hard work on this event.

**CITY OF ENGLEWOOD
2011 CALENDAR OF EVENTS**



Thurs., Nov. 24		City Hall Closed — Thanksgiving Day
Fri., Nov. 25		City Hall Closed — Thanksgiving Holiday
Mon., Nov. 28	6:00 p.m.	City Council Study Session, Community Room
Sat. Dec. 3	10:00 a.m.	Englewood Chamber Parade, Englewood Parkway
	5:00 p.m.	Holiday Tree Lighting, CityCenter Piazza
Mon., Dec. 5	6:00 p.m.	City Council Study Session, Community Room
	7:30 p.m.	City Council Meeting, City Council Chambers
Tues, Dec 6	7:00 p.m.	Planning & Zoning Commission, City Council Conference Room
Wed., Dec. 7	4:00 p.m.	Englewood Housing Authority, 3460 S. Sherman #203, Board Room
	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	Cancelled	Local Liquor and Medical Marijuana Licensing Authority, telephone poll
Thurs. Dec 8	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
	5:30 p.m.	Parks & Recreation Commission, Englewood Service Center, 2800 South Platte River Drive
Mon., Dec. 12	6:00 p.m.	City Council Study Session, Community Room
Tues., Dec. 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., Dec 14	Cancelled	Urban Renewal Authority, Community Development Conference Room
	Cancelled	Board of Adjustment and Appeals, City Council Chambers
Mon., Dec. 19	7:30 p.m.	City Council Meeting, City Council Chambers

Tues, Dec 20	Cancelled	Planning & Zoning Commission, City Council Chambers/City Council Conference Room
Wed., Dec. 21	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Fri., Dec. 23		City Hall Closed — Christmas Eve
Sat., Dec. 25		Library Closed — Christmas Day
Mon., Dec. 26		City Hall Closed — Christmas Day (Observed) Library Open
Fri., Dec. 30		City Hall Closed — New Year's Eve (Observed)
Sat., Dec. 31		Library Closed — New Year's Eve
Sun., Jan. 1		Library Closed — New Year's Day
Mon., Jan. 2		City Hall Closed — New Year's Day (Observed)
Tues., Jan. 3	Postponed to January 9	Study Session, Community Room
	Postponed to January 9	Council Meeting, Council Chambers
Wed., Jan.4	5:45pm	Cultural Arts Commission, Community Development Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Wed. Jan 4	7:00 p.m.	Planning & Zoning Commission, City Council Conf. Rm.
Mon., Jan. 9	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Wed. Jan 11	6:30 p.m.	Urban Renewal Authority, Community Development Conference Room
Thurs. Jan. 12	11:30 a.m.	Alliance for Commerce in Englewood Committee, City Council Conference Room
	6:30 p.m.	Transportation Advisory Committee, City Council Conference Room
Mon., Jan. 16		City Hall closed — Martin Luther King Day (Observed)
Tues., Jan. 17	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers

TENTATIVE
STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL



December 5	Study Session & Regular Meeting Oracle Upgrade Update Complete Streets Aid to Other Agencies Discussion
December 12	Study Session Board/Commission Reappointment Discussion Financial Report Nonemergency Retirement Pension Changes Park Dedication or Fee in Lieu
December 19	Study Session & Regular Meeting Holiday Dinner – No Study Session Scheduled
December 26	No Meeting Scheduled Due to Holidays
January 3	Meetings postponed to January 9
January 9	Study Session & Regular Meeting Council electronic packets - Ipads Service Line Warranties Contract Renewal
January 17	Study Session & Regular Meeting - Tuesday Financial Report Citizen of the Year Selection
January 19	Littleton/Englewood Council Meeting @ WWTP Wastewater Penalty UV Wastewater Plant Nitrate Regulation
January 23	Study Session Board & Commission Interviews
January 30	No Meeting Scheduled – 5 th Monday
February 6	Study Session & Regular Meeting Legislators Redistricting
February 13	Study Session

February 21	Study Session & Regular Meeting - Tuesday Financial Report
February 27	Study Session
March 5	Study Session & Regular Meeting
March 12	Study Session
March 19	Study Session & Regular Meeting Financial Report
March 26	Study Session
April 2	Study Session & Regular Meeting
April 9	Study Session
April 16	Study Session & Regular Meeting Financial Report
April 23	Study Session Board/Commission Reappointment Discussion - tentative
April 30	No Meeting Scheduled – 5 th Monday

FUTURE STUDY SESSION TOPICS

Historic Preservation
 Sign Code
 ACE role in business initiatives
 Eats & Beats
 Paving Program – LTAR funding (February)
 Acoma Parking Lot Landscape (February)
 Medical Marijuana Caregiver (early February)
 RTD Parking Alternatives
 City Council Goals
 Photo Radar
 Social Media (February)
 Security Camera Project

WATER AND SEWER BOARD
MINUTES

August 9, 2011

The meeting was called to order at 5:09 p.m.

Members present: Burns, Clark, Olson, Higday, Wiggins,
Woodward, McCaslin, Habenicht

Members absent: None

Mr. Cassidy resigned from the Water and Sewer Board effective July 11, 2011.

Also present: Stewart Fonda, Director of Utilities
John Bock, Admin. Manager of Utilities.

1. MINUTES OF THE JULY 12, 2011 MEETING.

The Englewood Water and Sewer Board received the minutes of the July 14, 2011 meeting. Mr. Woodward noted a correction.

Mr. Woodward moved;

Mr. McCaslin seconded: To approve the minutes of the July 12, 2011 meeting, as amended.

Ayes: Burns, Clark, Olson, Wiggins, Woodward,
McCaslin, Habenicht

Nays: None

Abstain: Higday

Absent: none

Motion carried.

2. APPOINTMENT OF VICE-CHAIRMAN FOR THE WATER BOARD.

Due to the resignation of Mr. Robert Cassidy from the Englewood Water and Sewer Board, another vice-chairman must be appointed.

Mr. Higday volunteered to be the next Water and Sewer Board Vice-Chairman.

Mr. Burns moved;

Mr. Habenicht seconded: To appoint Jim Higday as the Englewood Water Board Vice-Chairman, starting with the September 13, 2011 meeting.

Ayes: Burns, Clark, Olson, Wiggins, Woodward, McCaslin, Higday, Habenicht

Nays: None

Absent: None

Motion carried.

Mr. Woodward noted that City Council will be appointing another Water Board member to fill the vacant position rather than waiting until the interviews usually held in January. A non-voting alternate is also being considered.

It was also noted that if a Water Board member must leave before the end of the meeting, and as a result a quorum is not present, the meeting must be recessed and any further business conducted at the next meeting.

3. UNSCHEDULED VISITORS.

Mr. Ryan Laird appeared with a handout of previous correspondence he feels has not been addressed. Mr. Clark directed that staff review Mr. Laird's items, which will be discussed at the next Board meeting.

4. CENTENNIAL AGREEMENT FOR TEMPORARY LEASE OF RETURN FLOWS.

Centennial owns reusable wastewater return flows to the S. Platte River. Englewood has means to re-divert these flows at Union Avenue and either use them or redeliver to Centennial. The proposed agreement would divert the return flows and pay Centennial \$85.00 an acre-foot for the flows that Englewood uses. Centennial would acquire all return flows delivered to McLellan Reservoir that are not acquired by Englewood and pay Englewood \$30 an acre-foot, plus pumping costs.

Mr. Habenicht moved:

Mr. Wiggins seconded: To recommend Council approval of the Centennial Agreement for Temporary Lease of Return Flows.

Ayes: Burns, Clark, Olson, Wiggins, Woodward, McCaslin, Higday, Habenicht

Nays: None

Absent: None

Motion carried.

5. LITTLETON/DENVER AGREEMENT TO USE CITY DITCH TO FILL GENEVA PARK LAKE.

There is an intergovernmental agreement between the Cities of Littleton and Denver to allow an in-ditch structure to control the release of water from City Ditch for delivery to Geneva Park, via Slaughterhouse Gulch. This will allow Littleton to use a non-potable irrigation system at Geneva Park. This is an informational item only since Englewood is not a party to this agreement.

6. CAMERA PLACEMENT AT HURON & OXFORD.

The Board received a memo from Bill McCormick noting that Englewood Police Department cannot put a camera in the City Ditch right of way for Mr. Prado's residence at 780 W. Oxford Ave. Officer Matt Mander will be wording with Mr. Prado on responding to trespasser occurrences.

7. RESPONSE TO COUNCIL REQUEST #11-151.

The Board received a copy of the response to Councilperson Joe Jefferson's Council Request regarding billing and rate study questions from Ryan Laird.

8. UTILITIES BUDGET.

Mayor Woodward discussed the upcoming Utilities budget review and discussion ensued on how budget cuts will affect the City.

9. INFORMATIONAL ITEMS.

The Board received an article from the Denver Post, "Lawyer had dual role in deal that cost Weld, Adams farmer's water rights."

10. WATER BOARD MINUTES FORMAT.

Since future Water and Sewer Board minutes will be recorded, having the written minutes in an action style was discussed. Woodward noted that Council uses this format because the meetings are recorded. The Board requested that the future format for Water Board minutes be discussed at the next meeting.

The meeting adjourned at 6:01 p.m.

The next Englewood Water Board meeting will be September 13, 2011 in the Community Development Conference Room.

Respectfully submitted,

/s/ Cathy Burrage
Recording Secretary

WATER AND SEWER BOARD
MINUTES

September 13, 2011

The meeting was called to order at 5:03 p.m.

Members present: Clark, Wiggins, Olson, Woodward

Members absent: Higday, Burns, Habenicht, McCaslin

Mr. Cassidy had resigned from the Water and Sewer Board on July 11, 2011.

Also present: Stewart Fonda, Director of Utilities
John Bock, Admin. Manager of Utilities
Police Officer Mander
Deputy City Clerk Bush

Chairman Clark made a statement that a quorum was not present so no formal business will be conducted.

It was noted that that City Council will be appointing another Water Board member to fill the vacant position rather than waiting until the interviews usually held in January. A non-voting alternate is also being considered.

It was also noted that if a Water Board member must leave before the end of the meeting, and as a result a quorum is not present, the meeting must be recessed and any further business conducted at the next meeting.

1. MINUTES OF THE AUGUST 9, 2011 MEETING.

The Englewood Water and Sewer Board received the minutes of the July 14, 2011 meeting.

No motion was made.

2. GUEST: DEBORAH BURRELL – COLORADO WATER CONSERVATION BOARD.

Ms. Burrell cancelled her appearance before the Board. She is rescheduled to appear at the November 8, 2011 Water and Sewer Board meeting.

3. RESPONSE TO RYAN LAIRD'S CONCERNS.

The Board received responses to Ryan Laird's concerns as an informational only item.

4. CORRESPONDENCE FROM DAVID HILL – WATER ATTORNEY.

Mr. Fonda reviewed information sent to the Board in the September 13, 2011 Agenda.

The meeting adjourned at 5:37 p.m.

The next Englewood Water Board meeting will be October 11, 2011 in the Community Development Conference Room.

Respectfully submitted,

/s/ Cathy Burrage
Recording Secretary

**WATER & SEWER BOARD
MINUTES
Tuesday, October 11, 2011
5:00 P.M.
COMMUNITY DEVELOPMENT CONFERENCE ROOM
ENGLEWOOD CITY HALL**



Meeting called to order at 5:01 p.m.

Roll Call.

Present: Clyde Wiggins, Wayne Oakley, Kells Waggoner, Jim Woodward, Bob McCaslin, Stewart Fonda, Cathy Burrage

Absent: Jim Higday, Tom Burns, Chuck Habenicht, Linda Olson, Jo Lay.

Also present: Manager of Administration Bock, Engineer IV Brennan, Field Services Coordinator Pierce, Billing Analyst Church, Deputy City Clerk Bush

Mayor Woodward welcomed Kells Waggoner and Wayne Oakley as new members to the Board, along with Jo Lay (who was absent). Mr. Waggoner and Mr. Oakley signed the oaths of office.



1. ELECTION OF WATER BOARD CHAIRMAN.

A Water Board Chairman was elected to replace the position vacated by Mr. Gray Clark's resignation.

Motion: To elect Mr. Wiggins as the new Water and Sewer Board Chairman.

Moved; Jim Woodward

Seconded: Kells Waggoner.

Vote: Motion carried (**summary:** Yes = 5, No = 0).



2. WATER BOARD MINUTES FORMAT.

Motion: That the Water Board minutes, starting with tonight's meeting, be written using the action format. Audio tapings will be available on the City of Englewood's website.

Moved; Jim Woodward

Seconded: Clyde Wiggins.

Vote: Motion carried (**summary:** Yes = 5, No = 0).

Tom Burns entered the meeting at 5:07 pm



3. MINUTES OF THE AUGUST 9, 2011 MEETING

Motion: Recommend approval of the August 9, 2011 Water and Sewer Board Minutes.

Moved; Jim Woodward

Seconded: Bob McCaslin.

Vote: Motion carried (**summary:** Yes = 6, No = 0).



4. MINUTES OF THE SEPTEMBER 13, 2011 MEETING.

The minutes of the September 13, 2011 meeting could not be approved due to a lack of a quorum at that meeting.



5. GUEST: NICOLE HASKINS OF TELEWORKS.

Nicole Haskins of Teleworks appeared to discuss billing options available to Englewood customers.

Linda Olson entered meeting at 5:11pm



6. PURCHASE OF A TV VAN.

Tom Brennan, Utilities Engineer, discussed the purchase of a TV van and power control unit.

Motion: To recommend Council approval of the purchase of a TV van and power control unit from Boyle Equipment Company in the amount of \$123,275.00.

Moved; Kells Waggoner

Seconded: Tom Burns.

Vote: Motion carried (**summary:** Yes = 7, No = 0).



7. INFORMATIONAL ITEMS.

The Board received the following informational articles:

“DENVER WATER BOARD TO VOTE ON 5.5 PERCENT RATE HIKE,”
FROM THE *DENVER POST*. (ATT. 4)

“EAST-WEST PEACE PACT,” FROM THE *COLORADO FOUNDATION
FOR WATER EDUCATION*. (ATT. 5)



5. UNSCHEDULED VISITORS:

Mr. Ryan Laird appeared as an unscheduled visitor.



Meeting adjourned at 6:08 p.m.

The next Englewood Water Board meeting will be November 8, 2011 at 5:00 p.m. in the Community Development Conference Room.

Respectfully submitted,

/s/ Cathy Burrage
Recording Secretary

**WATER & SEWER BOARD
MINUTES
Tuesday, November 8, 2011
5:00 P.M.**

**COMMUNITY DEVELOPMENT CONFERENCE ROOM
ENGLEWOOD CITY HALL**

Meeting called to order at 5:05 p.m.



Roll Call:

Present: Higday, Burns, Wiggins, Oakley, Waggoner,
McCaslin, Olson, Lay

Absent: Woodward, Habenicht

Also present: Stewart Fonda, Director of Utilities
Tom Brennan, Utilities Engineer
John Bock, Manager of Administration
Deputy City Clerk Bush
Jason Clark, Water Production Supv.



1. MINUTES OF THE OCTOBER 11, 2011 WATER BOARD MEETING

Motion: Recommend approval of the October 11, 2011 Water and
Sewer Board minutes.

Moved: Burns

Seconded: Olson

Vote: Motion carried. (Summary: Yes - 8, No – 0, Absent - 1)



2. GUEST: VEVA DEHEZA – COLORADO WATER CONSERVATION BOARD.

Veva Deheza of the Colorado Water Conservation Board, appeared to discuss Englewood's Water Conservation Plan. Ms. Deheza distributed copies of the Colorado Water Efficiency Grant Program Annual Report.

Chuck Habenicht entered at 5:37 p.m.



3. JASON CLARK & TOM BRENNAN – ALLEN PLANT EFFICIENCY.

Jason Clark, Allen Filter Plant Supervisor, appeared to discuss improved water quality due to upgrades at the Allen Filter Plant. Tom Brennan, Utilities Engineer, appeared to discuss proposed developments.



4. GUEST: JOHN GALLAGHER – RED OAK CONSULTING.

John Gallagher of Red Oak Consulting appeared to discuss a proposed rate study. Mr. Gallagher also discussed a fee adjustment.



5. TELEWORKS.

John Bock discussed progress being made with Teleworks.



6. DECEMBER WATER BOARD MEETING.

There will not be a December, 2011 Water and Sewer Board meeting.



5. UNSCHEDULED VISITORS.

Mr. Ryan Laird appeared to discuss his concerns.

Meeting adjourned at 6:38 p.m.

The next Englewood Water Board meeting will be January 10, 2011 in the Community Development Conference Room.

Respectfully submitted,

Cathy Burrage
Recording Secretary



City of Englewood

**ENGLEWOOD LIQUOR AND MEDICAL MARIJUANA LICENSING AUTHORITY
Telephone Poll
November 2, 2011**

1. Consideration of Minutes

- a) Results of the minutes of the telephone poll of October 19, 2011.

Vote results:

Ayes: Members Buchanan, Lay, Ostmeier, VanDerLeest, Wilmoth

Nays: None

The minutes were approved.

2. Renewals

- | | |
|--|--|
| a) Arap's Old Gun Shop
3866 S. Broadway | Hotel/Restaurant Liquor License
Expires December 4, 2011 |
| b) Blondie's Firehouse Pub
3435 S. Inca St. | Hotel/Restaurant Liquor License
Expires December 9, 2011 |
| c) 7-Eleven #13196
1277 E. Hampden Ave. | 3.2% Off Premises Liquor License
Expires November 6, 2011 |

Vote results:

Ayes: Members Buchanan, Lay, Ostmeier, VanDerLeest, Wilmoth

Nays: None

The renewals were approved.

* * * * *

/s/ Kerry Bush, MMC
Deputy City Clerk

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
November 8, 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 7:02 p.m. in the City Council Conference Room of the Englewood Civic Center, Chair Knoth presiding.

Present: Bleile, Roth, Welker, Knoth, Fish, Calonder, Brick, Kinton
Harbaugh (alternate)

Absent: King

Staff: Alan White, Community Development Director
Tricia Langon, Senior Planner

II. APPROVAL OF MINUTES

October 4, 2011



Fish moved:

Welker seconded: TO APPROVE THE OCTOBER 4, 2011 MINUTES

Chair Knoth asked if there were any modifications or corrections.

There were none.

AYES: Roth, Welker, Knoth, Fish, Calonder, Brick, Kinton

NAYS: None

ABSTAIN: Bleile

ABSENT: King

Motion carried.

III. STUDY SESSION



PARKS AND OPEN SPACE FEES

Director White stated he contacted numerous jurisdictions regarding park dedication standards and fees in lieu of dedication. He referenced the chart in the meeting packet. He noted there is no consistency at all throughout the cities.

Discussion points included:

1. Current Code only addresses residential.
2. Costs should be spread out across other categories (commercial as well as residential).
3. Englewood has no land to develop for parks.
4. The fund also applies to Open Space land as well as parks.
5. Is this fee worth implementing? What amount of dollars yearly would make this worthwhile?
6. Don't want the fee to hinder development.
7. Fees are based on new development only.
8. Who determines fees are waived?
9. Make fees low and non-negotiable.
10. Does not apply to scrape and rebuilds.
11. Commission suggested \$.25 per square foot; does this include unfinished areas?
12. Staff suggested using a sliding scale determined by the number of units.
13. Fees are supposed to tie to the impact on the community.
14. Need a fee either per unit or per square foot.
15. Commissioners asked Staff for the number of units and/or square feet built in the past few years.

After discussion it was determined to recommend to City Council the fee be set at \$.25 per square foot for both residential and commercial. Specific details will need to be worked out.

IV. PUBLIC FORUM



Mr. Drew Willsey stated he is a student at UC Denver and was attending the meeting for a class assignment.

Mr. Trevor Clausen is a licensed architect who owns property in Englewood. He stated he was attending only to observe.

V. DIRECTOR'S CHOICE



Director White had nothing further to report.

VI. STAFF'S CHOICE



Ms. Langon provided an update on future meetings:

November 22:	Medical District Update
December 6:	2011 Wrap up and 2012 goals Holiday dinner
December 20 th :	Cancelled

The first meeting in January will be held on January 4th, which is a Wednesday night. Staff plans on revisiting the sign code after the first of the year.

She provided an update on the changes to the Englewood Municipal Code regarding term limits on boards and commissions and the new recreational vehicle parking Ordinance.

VII. ATTORNEY'S CHOICE



There was no attorney present.

VIII. COMMISSIONER'S CHOICE



Mr. Calonder stated he will not be reapplying when his term is up in 2012.

Mr. Kinton stated he felt the Commission came up with a reasonable decision tonight.

Mr. Bleile welcomed Ms. Langon back.

Mr. Brick thanked Director White for all his work on tonight's topic.

The meeting adjourned at 8:00 p.m.

Barbara Krecklow, Recording Secretary