
Council Newsletter



CITY MANAGER'S NOTES December 1, 2011

Upcoming Council Meetings

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

The next meeting will be **Monday, December 12, 2011**.

Informative Memoranda

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

1. Article from *yourhub.com* concerning Englewood Library's Food for Fines program and a Fire Department safety class on December 13th.
2. E-mail from the Library Board Chair Mark Adams concerning Ballot Issue 3C relating to term limits for board and commission members.
3. Letter from Board of Adjustment and Appeals Committee Member John Smith concerning Ballot Issue 3C relating to terms limits for board and commission members.
4. Memorandum concerning the Tree Lighting on December 3, 2011 at 5:00 p.m.
5. Memorandum concerning City Council memberships on various Boards and Commissions.
6. Memorandum concerning the Project Update.
7. Community Development Monthly Update, November 2011.
8. Calendar of Events.
9. Tentative Study Session Topics.
10. Minutes from the Water and Sewer Board meetings of June 14 and July 12, 2011.
11. Minutes from the Nonemergency Employees Retirement Board meeting of August 2, 2011.

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Your City

Food for Fines helps out library patrons and nonprofit

By Daniel Smith
YourHub Reporter

If you're the type who ignores due dates for your library materials in Englewood, as well as the fines you accrue, you have a chance at forgiveness by helping a local charity.

The Englewood Library recently expanded its 21-year Food for Fines program, allowing patrons with overdue library materials to substitute nonperishable food items for the fines.

Circulation clerk Winfield Rose said fines are pegged at 20 cents per day per item, but a

three-day grace period is granted. On the fourth day, however, patrons are assessed for four days in fines — a total of 80 cents per item, with more tacked on the longer items are overdue.

The fines really top out at \$5, unless the item is not returned, damaged or lost, in which case the replacement cost is much more.

For the simple overdue fines, however, the library allows patrons to erase the fine by donating two items of nonperishable food for each item's fine — a good deal, Rose said.

"So if you had three or four of those \$5 fines, you'd be bringing in six or eight cans

or bags of food," he said. Food items are donated to Inter-Faith Community Services food bank.

Although the fine suspensions mean a loss of revenue to the city of at least \$500, city officials said the twice-a-year event usually generates \$1,500 to \$2,000 in donated food items.

Donated items cannot be expired, opened or perishable. Food for Fines continues through Dec. 11.

Call 303-762-2560 for more information.

Daniel Smith: 303-954-2671 or dsmith@denverpost.com.

ENGLEWOOD

Fire department to host

safety class Dec. 13. The Englewood Fire Department will present a free Home Fire Safety Class from 7 to 8:30 p.m. Dec. 13 at the Englewood Safety Services Building, 3615 S. Elati St. in Englewood.

Class participants will learn about home and kitchen safety, fire extinguishers, electrical safety, smoke detectors, carbon monoxide alarms and planning an escape route.

The class is limited to 25 participants; registration is required. All participants will receive a free smoke detector. To register, call Madeline at the Englewood Fire Department at 303-762-2470.

Englewood Fire Department

From: Mark Adams
Sent: Tuesday, November 29, 2011 12:43 PM
To: Randy Penn; Jim Woodward; Council;
Subject: Ballot Issue 2C implementation

Englewood City Council, Honorable Mayor, and Mayor Pro Tem,

With the recent passage of the ballot issue 2C establishing term limits for members of boards and commissions, I encourage that the manner and timing of implementation of this change be considered. In my role as a member of the Englewood Public Library Board I have met many citizens with a desire to serve who have needed to resign their membership on this board short of their full 4 year term, and well short of any potential term-limit that their service may encounter. Additionally, the Englewood Public Library board has, in the past 9 years, sometimes been in need of members to the degree that quorum has not been 100% achieved at every meeting. To the extent that implementation of this ballot issue could create further board member shortages for any board in Englewood, I request that a "grandfather-clause" like implementation might be helpful. I'm not certain that the wording of the 2C ballot issue, as it passed, specifies details of the timing of implementation of this change and I request that it be implemented so that it serves the public good as well as the spirit of the ballot issue, recognizing that the community approved it with great margin.

Finally, I request that Council consider making a document of board membership for the last decade so that the Englewood community can understand which boards have seen vacancies, which boards have seen turn-over, which boards have seen less or no turn-over, so that the community can have a full understanding of how ballot issue 2C would have impacted our past board membership so that the future value of the ballot issue can be known.

Thanks,

Mark Adams
1331 E. Dartmouth Ave.
Englewood, Colorado 80113

John W. Smith III
3835 S. Elati St.
Englewood, CO 80110

November 29, 2011

Mayor Penn and City Council
City of Englewood
1000 Englewood Parkway
Englewood, CO 80110

Re: Ballot Issue 2C – 2011 Election

Dear Mayor and Council,

Ballot issue 2C was passed at the November 1, 2011 election. As you know it attempts to place limits on the terms of various boards and commissions to no more than 3 terms. I have served on the Board of Adjustment and Appeals for several terms¹. At the last meeting of the Board of Adjustment and Appeals, the Board was informed that the ordinance was retroactive, that is, all terms which an individual had served in the past counted, rather than it applying only to terms beginning on or after the effective date of the change to the Municipal Code.

Since the ballot proposal itself does not contain an effective date or a date at which the limits begin, the ordinance is ambiguous and council has the ability to determine the intent of the ordinance in that regard. Generally speaking, ordinances are to be prospective in their application. There is an argument that legislation can operate on existing facts without violating the prohibition on retrospective legislation contained in Article II, Section 11. However, in this case, the initiated ordinance does not contain language requiring it to be applied at any certain time.

For instance, Colorado's Constitution, in Section 11 of Article was effective in 1995 and contains specific language stating: "This limitation on the number of terms shall apply to terms of office beginning on or after January 1, 1995."

Thus, I believe that the council could determine that the limits should apply only to terms beginning on and after January 1, 2012 or terms beginning on and after the effective date of the ordinance.

However a more serious consideration is the effectiveness of the ordinance itself to several Boards and Commissions of the City of Englewood. Question 2C is an attempt to amend the Charter of the City of Englewood by an Ordinance. This is clearly not allowed.

The Englewood City Charter contains provisions regarding four specific boards and commissions: the Library Board, the City Planning and Zoning Commission, the Board of Adjustment and Appeals and the Water Board.

¹ I would like to serve another term and am including an application for your consideration depending on your decision on the points in this letter.

Each charter provision provides that the members shall be appointed by City Council and defines the qualifications for the members.

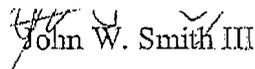
- The Library Board must consist of “citizens-at-large”.
- Members of the Planning and Zoning Commission must “be qualified electors, residents of the City at least one (1) year immediately prior to the day of their appointment, and shall hold no paid office or position in the City Administration.”
- Members of the Board of Adjustment and Appeals must likewise “be qualified electors, residents of the City at least one (1) year immediately prior to the day of their appointment, and shall hold no paid office or position in the City Administration.”
- Members of the Water Board are limited to the “Mayor of the City, two (2) councilmen selected by Council, and six (6) members appointed by the Council from qualified electors, serving six (6) overlapping terms of six (6) years.”

In *Morrissey v. State*, (951 P.2d 911, Colo. 1998) the Colorado Supreme Court held that an initiative which attempted to indirectly impose term limits on Colorado’s federal Representatives and Senators by requiring them to sign pledges to limit their terms, was unconstitutional. The Court followed earlier rulings of the U.S. Supreme Court which held that the qualifications of federal elected officials cannot be limited by anything other than an amendment to the U.S. Constitution.

Similarly in this case, the Charter of the City of Englewood has provided for the qualifications of the members of four of the Boards and Commissions and for their appointment by City Council. The Charter could have left the qualifications of members of the Boards and Commissions to the discretion of City Council, but it did not.

In short, the provisions of Question 2C cannot be applied to the Library Board, the City Planning and Zoning Commission, the Board of Adjustment and Appeals or the Water Board.

Sincerely Yours, /


John W. Smith III



Memorandum

City Manager's Office

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager
FROM: Leigh Ann Hoffhines, Communications Coordinator
DATE: December 1, 2011
SUBJECT: Reminder – Tree Lighting Event: Saturday, December 3 at 5 pm

We hope you can join us this Saturday (December 3rd at 5 pm) for the ceremonial lighting of the Christmas tree in front of the Englewood Civic Center.

The Greater Englewood Chamber of Commerce's Holiday Parade is also this Saturday. The parade starts at 10 am from the corner of South Acoma Street and Englewood Parkway and heads west on Englewood Parkway to the Englewood Civic Center.

We hope to see you Saturday!



City of Englewood

MEMORANDUM

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager
FROM: Sue Carlton-Smith, Executive Assistant
DATE: November 29, 2011
SUBJECT: City Council Memberships on various Boards & Commissions

Following your discussion at the City Council Study Session on Monday, November 28, 2011, listed below are the boards, commissions and agencies and the respective City Council Member who will be the new-appointed representative.

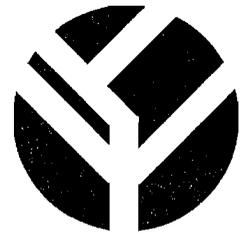
If you have any questions or changes, please let me know.

Board/Commission	Meeting Times	Current Member	New Member
Alliance for Commerce in Englewood	TBD – 2 nd Thursday Monthly	Joe Jefferson	Joe Jefferson
Code Enforcement Advisory Committee	6:30 p.m. - 3 rd Wednesday Odd Number Months	Bob McCaslin	Bob McCaslin
Code Enforcement Advisory Committee	6:30 p.m. - 3 rd Wednesday Odd Number Months	Rick Gillit	Rick Gillit
Cultural Arts Commission	5:45 p.m. - 1 st Wednesday Monthly	Jill Wilson	Jill Wilson
Englewood Housing Authority	4 p.m. – 1 st Wednesday Monthly	Jim Woodward	Jim Woodward
Firefighters Pension Board	4:00 p.m. – 2 nd Thursday Quarterly	Mayor required by Charter – Jim Woodward	Mayor required by Charter – Randy Penn

Board/Commission	Meeting Times	Current Member	New Member
Keep Englewood Beautiful	6:30 p.m. – 2 nd Tuesday Monthly	Jill Wilson	Bob McCaslin
Library Board	7:00 p.m. 2 nd Tuesday Monthly	Randy Penn	Jill Wilson
Malley Center Trust Fund	Three times a year or as needed	Jim Woodward	Jim Woodward
Non-Emergency Retirement Board	4:00 p.m. 2 nd Tuesday Quarterly	Jim Woodward	Jim Woodward
Parks and Recreation Commission	5:30 p.m. 2 nd Thursday Monthly	Bob McCaslin	Bob McCaslin
Police Pension Board	2:30 p.m. 2 nd Thursday Quarterly	Mayor required by Charter – Jim Woodward	Mayor required by Charter – Randy Penn
South Broadway Englewood Business Improvement District	As Needed	Linda Olson	Linda Olson
Transportation Advisory Committee	6:30 p.m. 2 nd Thursday Bi-Monthly	Randy Penn	Randy Penn
Urban Renewal Authority	6:30 p.m. 2 nd Wednesday Monthly	Jim Woodward	Jim Woodward
Water and Sewer Board	5:00 p.m. 2 nd Tuesday Monthly	Mayor required by Charter - Jim Woodward	Mayor required by Charter – Randy Penn
Water and Sewer Board	5:00 p.m. 2 nd Tuesday Monthly	Linda Olson	Linda Olson
Water and Sewer Board	5:00 p.m. 2 nd Tuesday Monthly	Bob McCaslin	Bob McCaslin
CML Policy Committee – Delegate	Day Meeting 3 meetings a year	Joe Jefferson	Joe Jefferson
CML Policy Committee – Alternate	Day Meeting 3 meetings a year	Randy Penn	Linda Olson

Board/Commission	Meeting Times	Current Member	New Member
DRCOG - Delegate	6:30 p.m. 3 rd Wednesday Monthly	Randy Penn	Randy Penn
DRCOG - Alternate	6:30 p.m. 3 rd Wednesday Monthly	Joe Jefferson	Joe Jefferson
Englewood Chamber Board	7:30 a.m. 2 nd Tuesday Monthly	Randy Penn	Rick Gillit
School/City Committee	Ad Hoc	Bob McCaslin	Bob McCaslin
School/City Committee	Ad Hoc	Randy Penn	Rick Gillit
Swedish/City Committee	Ad Hoc	Linda Olson	Linda Olson
Swedish/City Committee	Ad Hoc	Rick Gillit	Rick Gillit
Tri-Cities Planning Committee	Ad Hoc	Linda Olson	Linda Olson
Tri-Cities Planning Committee	Ad Hoc	Bob McCaslin	Bob McCaslin

MEMORANDUM



TO: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: David Henderson, Engineering/Capital Projects Administrator

DATE: December 1, 2011

SUBJECT: PROJECT UPDATES – Holiday Parade, Quincy/Broadway Traffic Signal, Platte River Dr. Bridge Repair, Duncan Park Planning and Design, Servicenter Salt/Sand Storage, Kent Place, Security Camera Project, Xcel Energy Projects, Denver S. Broadway Improvements, Concrete Utility Program 2011, City Radio System, Street Maintenance Projects 2011, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects

HOLIDAY PARADE

The Chamber of Commerce is organizing the Holiday Parade. The parade is scheduled for Saturday, December 3, 2011 @ 10:00am and will feature all area elementary schools, EHS marching band and choir, EHS cheerleaders, 5 local service clubs, 13 floats, 20 vendors and approximately 3,000 spectators. The parade will begin at S. Acoma and Englewood Parkway and continue westward ending at the circle in City Center. Englewood's Holiday Tree Lighting is also scheduled for December 3rd at 5:00pm. **Due to the weather forecast, most of the events scheduled after the parade will be moved inside Civic Center.**

QUINCY/BROADWAY TRAFFIC SIGNAL

The signal is operational and the project is substantially complete. Minor landscape restoration and concrete repairs will be completed in the spring of 2012.

S. PLATTE RIVER DR. BRIDGE REPAIR

The Bridge over Little Dry Creek on S. Platte River Dr. will be repaired beginning Monday, November 21st. The project includes repairing guard rail anchors, installation of a new joint seal, and cleaning the existing south abutment. Traffic control devices will be in place; however, two-way traffic will be maintained at all times. **The project is complete.**

DUNCAN PARK PLANNING AND DESIGN

Council approved awarding a Professional Services Agreement for the planning and design of new park facilities at Duncan Park. **An Open House meeting was held on November 17th at the All Souls School Library.**

SERVICENTER SALT/SAND STORAGE

This 42' 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. The contractor began erecting the fabric structure last week; however, the project has been temporarily suspended until the contractor addresses a few construction issues. **Weather permitting; the contractor expects to resume work next week.**

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)

The contractor expects to complete the Hampden Ave. entrance paving next week.

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. **The contractor completed pouring median curbs and the final pieces of the University curb and gutter. The final lift of asphalt on University is complete. Traffic signal poles and mast arms are in place and they expect to activate the signal in mid-December. Activation of the signal is contingent upon approvals from Englewood and Arapahoe County.**

On-site work

The contractor has mobilized and set up a construction trailer. **The contractor continued construction of the retaining walls and began construction of the underground detention facilities. Installation of underground utilities is substantially complete. Private Rd. curb & gutter and the first lift of asphalt is substantially complete.**

Attached is the latest schedule supplied by the contractor.

SECURITY CAMERA PROJECT

The consultant, Cator, Ruma, & Associates, is preparing final plans and specifications. The next step is the preparation of the RFP.

XCEL ENERGY PROJECTS

Santa Fe Light Poles

Xcel Energy continued installing new poles and fixtures on the Santa Fe corridor. Xcel Energy expects to complete the Englewood section before the end of the year.

Bellevue Gas Line Replacement

Q3 Contracting has been contracted by Xcel Energy to replace the cast iron gas main that runs from Broadway to Franklin on Bellevue Ave. **The process of replacing the Cast Iron gas main continued and is expected to be complete around the end of December. Traffic control lanes will be affected on Bellevue for the duration of the project.**

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

The project is complete. Questions regarding this work should be directed to the Concrete Utility, 303-762-2360 or concreteutility@englewoodgov.org.

CITY RADIO SYSTEM-REPLACEMENT WITH PUSH TO TALK

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

STREET MAINTENANCE PROJECTS 2011

The 2011 in-house overlay program is complete. **Streets Division staff will be pouring cracks and cutting/patching asphalt as weather allows.**

CITYCENTER SITE DEVELOPMENT

Alexan East and West Parcels

438 residential units. Alexan's occupancy level for September, 2011 is 94.8%. Commercial uses: Let It Bead, State Farm, Lifetime Family Practice, Cuttin' It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, Creative Perspectives, CityCenter Community, Solid Grounds, and Weingarten Realty.

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. Weingarten Realty announced a new tenant for the vacant space between Mega Wraps and Tokyo Joes, Doctors Express Urgent Care Facility which is expected to open in February or March.

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.

Holiday lighting and tree installation is complete. EEFI is coordinating with the Chamber of Commerce for the Holiday Parade on December 3rd. The Holiday Tree lighting will be at 5:00 PM on December 3rd. EEFI is providing hot chocolate and cookies for the Tree lighting.

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

The Mike Ward Infiniti dealership opened on Monday, August 29th. A Grand Opening was held on November 10th.

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)

The Benjamin Franklin Charter School has received their Certificate of Occupancy.

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 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 was delivered 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. We have received word that the grant has been approved.

MARK YOUNG CONSTRUCTION, INC.

**SHORT INTERVAL
CONSTRUCTION
SCHEDULE**

PROJ: KENT PLACE JOB NO. 11757 DATE 11-Nov-11 THREE WEEK SCHEDULE
 PREPARED BY _____

Activity #	m. WORK ITEM	NOVEMBER														NOVEMBER/DECEMBER					O N		COMMENTS		
		Month	NOVEMBER							NOVEMBER							NOVEMBER/DECEMBER					SCH.		Y	N
		Day	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F		S	Y
Date	11/27	11/28	11/29	11/30	12/1	12/2	12/3	12/4	12/5	12/6	12/7	12/8	12/9	12/10	###	12/12	12/13	12/14	12/15	12/16	12/17				
	OFFSITE																								
	HAMPDEN WIDENING																								
	PREP FOR GAYLORD ENTRANCE					X	X																		
	PAVE GAYLORD ENTRANCE									X	X	X													
	PERMANENT STRIPING												X												
	INSTALL PERMANENT SIGNAGE			X	X																				
	HAMPDEN THERMO CROSSWALK (NIGHT WORK)					X																			
	UNIVERSITY WIDENING																								
	PERMANENT STRIPING																								
	INSTALL PERMANENT SIGNAGE				X	X																			
	PREP FOR STAMPED ISLAND CONCRETE		X	X																					
	POUR STAMPED ISLAND CONCRETE				X	X	X																		
	COMPLETE PAVING AT MEDIAN									X	X	X													
	RUN POWER TO SIGNAL (PENDING RESOLUTION)									X	X	X													
	SET TRANSFORMER AND CONNECT WIRES													X	X										
	PROGRAM CONTROL CABINET		X	X	X	X	X			X	X	X	X												
	ACTIVATE SIGNAL, FLASH YELLOW																X	X	X	X	X				
	ONSITE																								
	PERMANENT RETAINING WALL FACE		X	X	X	X	X			X	X	X	X	X			X	X	X	X	X				
	LOADING DOCK WALL PERMANENT FACE		X	X	X																				
	SET SOIL NAIL MARKERS		X	X																					
	POUR C&G BUILDING B		X	X																					
	PREP C&G UNIVERSITY RET WALL				X	X	X																		
	POUR C&G UNIVERSITY WALL									X	X														
	STAKE C&G BUILDING A						X					X	X	X											
	PREP C&G BUILDING A									X	X	X													
	POUR C&G BUILDING A												X	X											
	STAKE C&G KINGS											X													
	PREP C&G KINGS												X	X					X	X					
	POUR C&G KINGS													X	X							X	X	X	
	INSTALL UNDERGROUND DETENTION		X	X	X	X	X			X	X	X	X	X			X	X	X	X	X				
	INSTALL STORM LINE D AND MANHOLES D2 AND D3		X	X	X	X	X																		

SUBJECT TO CHANGE

COMMUNITY DEVELOPMENT MONTHLY UPDATE

November 2011

DEVELOPMENT REVIEW PROJECTS

- *Key Bank*
 - PUD amendment application received for the Shops at Logan for a drive-up ATM Kiosk, which is not a permitted use in the current PUD.
 - Planning and Zoning Commission held a hearing on the amendment on June 21, 2011 and recommended approval.
 - First reading of Ordinance approving the amendment held on July 18, 2011. Public hearing set for August 1, 2011.
 - Approved on second reading on August 15, 2011.
 - Permit was issued on September 14, 2011

- *All Souls Church and School*
 - Expanding to include more classrooms. A house owned by the Diocese will be demolished as part of the project.

- *King Soopers (Federal and Belleview)*
 - Preliminary DRT submittal received for a new 77,000 square-foot King Soopers and fueling station at the corner of Federal and Belleview. Existing store would be demolished with other retail tenants remaining.
 - Another DRT submittal and meeting was held June 7, 2011.
 - Staff met with representatives from King Soopers on July 7, 2011 to discuss the proposed redevelopment project and City financial participation in the project.
 - On August 2, staff held a discussion with King Soopers real estate staff regarding their request for possible financial assistance to overcome the budgetary constraints impacting the redevelopment of the site.
 - On September 14 staff received confirmation from the Broker and the property owner's representative that they are interested in discussing their redevelopment plan with City Council. This is tentatively scheduled for the October 3 study session.
 - On October 11, King Soopers' elevations and site plans were reviewed by Englewood's Development Review Team.
 - **On November 1 and 9, staff met with representatives of King Soopers to discuss City financial participation in the proposed project. King Soopers held this discussion with Council on November 21.**
 - **On November 9, the application and Building Permit plans were submitted for the new King Soopers. The plans are currently being reviewed by staff.**

- *Platte River Trail*
 - A Floodplain Development Permit was issued in early May for a new trail section on the east of the Platte River between Belleview and the Big Dry

Creek confluence. Final documents have been submitted and a permit for construction has been issued.

- **The new trail construction has been completed and a Floodplain Compliance Certificate has been issued.**
- *Burt Chevrolet*
 - The auto dealership at 5200 S. Broadway and associated commercial truck sales at 180 W. Lehow are under new ownership and will be operated as John Elway Chevrolet. A DRT meeting for various site improvements and interior upgrades was recently completed.
- *Englewood Estates PUD*
 - The Englewood Estates PUD Amendment #1 was not approved by a Council vote of 2-5 at the March 21, 2011 meeting.
- *Old Bally's Site (707 East Jefferson)*
 - Staff met with potential purchaser of the property on June 15, 2011 to discuss zoning on the property (Medical-2) and other site development requirements.
 - Call received from the purchaser of the property indicating that a possible demolition of the Bally's building will take place within the next 30 days.
 - **On November 15 staff met with an architect to discuss plans to construct a medical office. This is an alternative plan should the Lone Star property not be feasible. The potential purchaser would like to develop both the Old Bally's site and the Lone Star Property.**
- Lone Star Property (3590 South Clarkson)
 - On October 6 staff met with the potential purchaser of this property to discuss development standards and business assistance resources.
 - The potential purchaser plans to construct a medical office for an optometrist and have additional medical office space available for lease.
- *Martin Plastics*
 - On June 16, staff met with representatives of the Urban Land Conservancy and the property owner to tour the site and discuss potential development, perhaps partnering with RTD to develop housing and shared parking.
 - A follow-up meeting was held with RTD's TOD planner on June 28, 2011.
 - On July 6, 2011, staff met with a developer who has expressed interest in executing a Letter of Interest on the property. The conversation included current zoning, the rezoning/PUD process, any plans for the area beyond the Comprehensive Plan, and timelines.
 - Staff met with the developer on August 10, 2011 and was informed that the property is under contract and a mixed-use development is contemplated. No other details are available.

- Preliminary DRT submittal was received on September 13, 2011 for a mixed-use development with 144 dwelling units in two 5-story buildings and 7,200 square-feet of office/commercial space.
 - The DRT meeting was held on September 27, 2011.
 - **A second DRT meeting was held on November 8, 2011 to review possible changes to building location and parking. The revised plan includes 162 dwelling units in a single L or U-shaped 5-story building located on the southern half of the 3.5 acre site, and 8,640 square-feet of office/commercial space in the existing bowstring truss building on the northern portion of the site. The parking layout is primarily surface with some podium style parking also proposed. A possible community oriented space was discussed for the southwest corner of Oxford Avenue and Navajo Street.**
- *Flood Middle School Redevelopment*
 - On July 13, 2011, staff met with the developer who has the option to purchase the property. The developer is in the process of analyzing the site and market potentials. No development plans have been formulated.
 - On July 17, 2011 staff again met with the developer to discuss zoning requirements, the rezoning/PUD process, the subdivision process and requirements, and timelines.
 - On October 3, staff met with the developers for the property to discuss the market for development and provide an update for the redevelopment of the property. The developers indicated that the highest potential for redevelopment involves a multi-family centered development. The development team received a copy of Englewood's recently completed retail analysis.
- *Masonic Property*
 - On June 28, 2011 the Development Review Team reviewed preliminary plans for the development of a 50-unit workforce housing project on the property. The project would also include 6,600 square feet of office space on the first floor.
 - The developer has applied to the Colorado Housing and Finance Authority (CHFA) for low-income housing tax credits as partial financing for the project. The request to CHFA has been withdrawn.
 - On September 27, staff met with the housing developer who had this property under contract. The loss of the tax credits for an affordable housing project caused the developer to withdraw the contract for purchase; however, the developer is seeking other opportunities in Englewood.
- *University Homes PUD*
 - On August 12, 2011 staff met with the property owner and others to discuss development options and the process for a PUD amendment for property located on University between Cornell and Dartmouth. They will consider

options, may seek neighborhood input, and review the Development Review Team comments before determining next steps.

- Preliminary DRT submittal was received on October 5, 2011 for a residential condominium development with up to 20 dwelling units in a 6-story building. The DRT meeting was held on October 25, 2011. Following DRT comments, the property owner will determine whether to schedule the required PUD pre-application neighborhood meeting.
- *General Iron Works (GIW)*
 - On August 23, 2011 staff met with the owner of the GIW property to discuss removal of concrete and other remnants of the GIW operation, establishing a recycling operation for this material, and operating a temporary concrete batch plant. The latter two activities require a Conditional Use Permit approved by the Planning and Zoning Commission at a public hearing. Some environmental remediation would occur simultaneously with the other site clean-up efforts. A Conditional Use Permit application was received on August 31, 2011. A public hearing with the Planning and Zoning Commission was held on September 20. The Commission approved the Conditional Use Permit with 13 conditions. The temporary operations are approved on the site until October 1, 2012.

HOUSING

Neighborhood Stabilization Program (NSP)

- Under Contract to Acquire:
- Acquired:
 - 4101 South Cherokee Street
 - 4585 South Julian Street
 - 4825 South Delaware Street
 - 2320 West Harvard Avenue
 - **905 West Stanford Avenue**
- Under Construction:
 - 3395 West Grand Avenue
 - 2295 West Baltic Place
 - **2293 West Baltic Place**
- Listed for Sale:
 - 2159 West Vassar Avenue
- Under Contract to Sell:
- Sold:
 - 4819 South Delaware Street
 - 2215 West Wesley Avenue
 - 2198 West Adriatic Avenue

- 2335 West Baltic Avenue
- 4744 South Galapago Street
- 2010 West Baltic Avenue
- 3115 South Acoma Street
- 3102 West Radcliff Drive
- **4681 South Decatur #226**

Englewood Energy Efficiency (E³) Grant

- Awaiting contracts from Arapahoe County for 2011/2012 funding cycle
- 100 homeowners on waiting list for grants
- Contracts were received from Arapahoe County and approved at the October 3 Council meeting.
- **12 homeowners have qualified for grants and two additional homeowners are scheduled for interviews. There is funding for 14 grants.**
- **Qualified homeowners have scheduled Energy Audits.**

BOARDS AND COMMISSIONS

- *Keep Englewood Beautiful*
 - June 18 garden tour canceled; lack of entries
 - \$25 Waste Management transfer station coupons distributed to citizens June through August
 - HHW was held on September 10th and 17th a total of 317 cars came through.
 - Leaf and Tire Drop is scheduled for October 30, November 6, and November 13
 - **Judging for the Holiday Lighting Event will be Tuesday, December 13, and the awards will be presented at the December 19 Council meeting.**

SPECIAL PROJECTS

- *Englewood Master Bicycle Plan Route Study and Implementation Program*
 - March: Council approved consultant contract
 - April: Consultant began data collection; staff workshop to identify hot spots
 - May: First Public Open House at Civic Center
 - June: Staff workshop to review consultant findings and recommendations
 - Second Public Open House at June 30th Sounds of Summer Concert
 - July-August: Consultant meetings with Englewood elementary, middle, and high school principals, as well as Saint Louis and All Souls
 - August-September: Consultant attendance at Back to School Nights to share information about City bike plan, safe walking and biking information, and upcoming Safe Routes to Schools program
 - August: Finalize bike plan and develop bid package for implementation
 - September: Project Discussions with Transportation Advisory Committee
 - October: Council Study Session held on October 24. Completed final bid package.

- **November: Bicycle Signage Bid Package released. Deadline to receive final bids scheduled for November 30.**
- *Englewood Downtown and Medical District Complete Streets Study*
 - March: Council approved consultant contract
 - April/May: Consultant began data collection; met several times with City staff; initiated contact with Malley Center Board, South Broadway BID, Swedish and Craig Hospitals
 - May 30: Consultant, Public Works and Community Development Staff travelled to Longmont to consult with Longmont Public Works staff and view innovative pedestrian crossing treatments
 - June: Public Outreach to pedestrians and businesses along Old Hampden
Public Outreach at June 23rd Sounds of Summer Concert
Public Outreach at June 25th Eats and Beats Festival
Malley Senior Center Board Workshop on June 30th
 - July: Consultant presentation at July 27th Broadway BID meeting
Email reminder sent to direct businesses and citizens to provide feedback via Project Website
 - August: Consultant preparation of Complete Streets Toolbox Document
 - September: Project Discussions with Alliance for Commerce (ACE)
Project Study Session with Planning and Zoning Commission
Additional Broadway Traffic and Pedestrian Data Collection
 - October: Additional data collection – Gothic Theatre pedestrian counts, and Broadway auto trip originations and destinations
 - **November: Study sessions on Complete Streets Toolbox Document held with the Englewood Transportation Advisory Committee and the Englewood Planning and Zoning Commission.**
- *2011 PAB allocation:*
 - Tentatively scheduled for Council study session on August 15.
 - Attended an August 3 workshop on 2011 PAB's through the Colorado Department of Labor and Employment
 - Council Resolution assigning the City's allocation to the State to be considered by at September 6 Council meeting
 - On September 13 submitted Council's resolution to the State of Colorado authorizing Englewood's 2011 PAB allocation to revert back to the Department of Labor and Employment.
- *Englewood's Retail Study*
 - Council presentation of initial assessment and selection of areas for further study occurred on April 11, 2011.
 - Presentation of recommendations and strategies tentatively scheduled for July.
 - Consultant is preparing a final draft of the retail study, with recommendations and strategies to be presented at a Council study session

in August. The study session with Council is tentatively scheduled for September 19.

- Staff is preparing a list of follow-up actions recommended in the study. The actions will be presented to Council at a future study session to determine priorities and policy direction.
 - Providing copies of the retail strategy to the development community and stakeholders for their reference and use.
 - On October 6, staff met with the leasing agent for Weingarten Realty regarding commercial leasing at CityCenter Englewood. Staff provided a copy of the new retail study and discussed ideas for new tenanting options for the vacant space.
 - **Follow-up memorandum on the recommended next steps from the Retail Assessment provided in Council November 28 packet.**
- Floodplain
 - Staff completed the National Flood Insurance Program annual recertification this summer. The U.S. Department of Homeland Security notified the Department that Englewood's Community Rating System (CRS) score has increased to a Class 7 based on floodplain management activities implemented and maintained by the City. The new rating qualifies owners of property within FEMA identified special flood hazard areas to a 15% discount in premium costs for flood insurance. The previous rating allowed a 10% discount.

ZONING

- *Medical District Phase II*
 - Sub-Areas 2, 3, and 5 discussions held with Planning Commission and City Council; February through May
 - Sub-Area 2 moratorium adopted June 20, 2011
 - Sub-Area 2 rezoning options to be discussed June 27, 2011
 - Planning and Zoning Commission and City Council met on July 18, 2011 and decided to move forward with zoning implementation in Sub-Areas 3 and 5, and to postpone action in Sub-area 2 indefinitely.
 - A community meeting is scheduled for 9 AM on Saturday, July 27, 2011 at the Malley Center to gather citizen input on rezoning of a portion of Sub-Area 2.
 - Staff presented a proposed process and timeline for Sub-area 2 planning and rezoning efforts at the August 15th Council study session.
 - **Staff held a study session with Planning and Zoning on November 22 to go over staff researched Neighborhood Preservation Overlay zoning alternative.**
- *Medical Marijuana:* Council adopted new regulations concerning licensing and zoning of medical marijuana uses on May 16, 2011.

- *Public Notification:*
 - At the May 23 Study Session, Council directed staff to prepared Code amendments concerning public notice requirements.
 - A public hearing was held on August 2, 2011 before the Planning and Zoning Commission to consider UDC amendments for mailed public notices for all rezonings, major subdivisions, and telecommunication conditional uses. The Commission accepted all amendments as purposed except increasing the notification radius to one thousand feet (1,000') from the subject property. The Commission recommendation was to maintain the current requirement of five hundred feet (500').
 - First Reading is scheduled for September 6, 2011.
 - Public hearing was held on September 19 and second reading on October 3. New requirements become effective November 4, 2011.

- *Hard Surface, Vehicle Weight Limits, and Rear and Side Yard Access for Off-Road Vehicles*
 - These topics were discussed at study session on July 25, 2011, along with other issues related to Titles 11 and 15's requirements for vehicle parking.
 - Planning and Zoning Commission held a public hearing on August 16 by to consider amendments to Title 16: UDC. The Commission recommended approval of UDC amendments as presented, for Vehicle Weight Limit and Rear and Side Yard Access for ORV Storage. Regarding the Hard Surface amendments the Commission recommended that gravel not be permitted as a hard surface material.
 - First Reading is scheduled for September 6, 2011.
 - The Public Hearing was held on September 19, 2011. Council decided to conduct a public forum at some future date and a second public hearing.
 - The Public Forum was held October 12, 2011, with approximately 60 residents in attendance.

BUSINESS NEWS

- *South Broadway Business Improvement District*
 - Englewood Eats and Beats is scheduled for June 25
 - An "after the event meeting" with BID members, their event coordinator and staff is scheduled for July 25. The purpose is to discuss what worked, what didn't and what can be done to make it smoother in the future.
 - The BID will place gateway signage at the north and south end of the District. Permit approved.
 - The BID indicated that they intend to paint the ironwork structure on the East-side Paseo to match the green ironwork on the newly remodeled West-side Paseo.
 - BID placed 3 gateway signs on Broadway. The gateway signage on the SEC of Broadway and Yale is delayed until the sidewalk is repaired.

- East paseo ornamental ironwork painted electric green to match the ironworks structure on the west paseo and the entryport art at Yale and Broadway.
- 2012 BID Operating Plan and Budget presented to City Council on October 17.
- **BID selected a local artist to install holiday lighting and decorations downtown.**
- **BID Annual Meeting was held on November 30 at the Twin Dragon.**

- *New Businesses*
 - Cassidy's Used Furniture: 3461 South Broadway
 - John Elway Chevrolet: 5200 South Broadway
 - Deal Show: 3550 South Inca
 - Stone Expressions: 2020 West Yale Avenue
 - Expert Medical Massage & Yoga: 1008 East Hampden Avenue
 - Bistro King: 3542 South Fox Street
 - Thunder and Lightning Cycles: 3986 South Broadway
 - Off the Vine: 500 East Hampden; coffee and wine bar
 - The Jade Lilly: 11 West Hampden, Suite 304
 - Paul A. Schmitt Music Company: 155 West Hampden
 - Sears Outlet: 200 West Belleview (Grand Opening 10/08/11)
 - Masterteks Auto Repair and Reconditioning: 4815 South Broadway **Now Open**
 - Stone Expressions, Inc.: 2020 West Yale Ave.
 - Doctor's Express: 901 West Hampden Ave #103, urgent care facility opening Fall 2011

- *Arapahoe County Enterprise Zone*
 - The Enterprise Zone Marketing Grant was approved by Council on June 20, 2011.
 - Contract was executed by the State of Colorado's Office of Economic Development and International Trade on June 24, 2011.
 - Community marketing advertisement placed in the Fall Metro Denver Economic Profile. Ad was funded with proceeds from the Enterprise Zone Marketing Grant.
 - Completed updates for the 2011 Community Profile (marketing material). This is supported by the Enterprise Zone Marketing Grant.
 - Submitting recertification for contribution project Family Tree House of Hope (Complete)
 - **Participated in Enterprise Zone Administrator's conference call on November 2.**
 - **Provided Enterprise Zone tax credit information to King Soopers to support the proposed redevelopment efforts at Federal and Belleview.**

- *Commercial Catalyst Program*
 - Shopping Center, 3501 South Logan: Construction is underway for façade enhancements. Signage plan approved; façade construction complete.
 - Stepping Stones Academy, 451 Englewood Parkway, Suite A: Completed signage and façade
 - Jefferson Legal, 3051 South Broadway: Completed sign and façade construction
 - ToyAuto Masters, 4550 South Broadway: Completed façade construction and sign
 - Trompeau Bakery, 2950 South Broadway: Sign completed
 - Felt, Inc., 101 West Floyd: Signage complete
 - The Mac Outlet, 111 West Floyd: Signage complete
 - Goodwill, 4160 South Broadway: Approved grant request for signage, paint, landscaping and lot enhancements. Signage being installed.
 - USA Auto Center, 3935 South Broadway. Received grant application for ornamental ironwork. Business owner is attempting to find a contractor and obtain an estimate.
 - **(NEW BUSINESS) Received a grant application from Billy's Gourmet Hot Dogs for a signage grant for 2950 South Broadway.**

- *Other Business News*
 - Wagners is for sale.
 - Catholic Store property is on the market.
 - Larry Miller Nissan property is on the market.
 - Received a call from the broker/owner of the Funtastic Fun property about marketing the availability of the property through EnglewoodSites.com
 - Landmark Lincoln Mercury is considering a facelift and store remodel
 - Received inquiry from Omni Development, owner of 750 West Hampden indicating they are working with a medical tenant seeking 7,000 s.f.
 - 4940 South Broadway is available.
 - Received confirmation that Payless Shoes at CityCenter Englewood is on the list of future store closures.
 - Wal-Mart's grand opening ceremony for the newly remodeled store was held on Wednesday, October 26 at 7:30 AM.
 - **LePeep at 990 W. Hampden closed. Staff has contacted the property owner to inquire about sale or reuse opportunities. Received inquiry from expanding business seeking information about this property. Also, a local bakery expressed an interest in expanding to this location.**
 - **The owners of Break Time Management are in expansion mode and met with staff about financing and the tax benefits offered through the Arapahoe County Enterprise Zone.**
 - **The property 2820 South Elati Street has gone into foreclosure. Zonda Auto Service, Inc. is located at 2820 S Elati Street.**

- **Englewood Small Business Development Corporation met on November 29.**
- **Received inquiry from Inner Faith Community Services seeking office / warehouse space.**
- **The shoe store at 3139 South Broadway is on the market for sale. The 5,800 square foot building represents an outstanding retail opportunity.**

Other Business Activities

- Costar Webinar – State of Commercial Real Estate Industry
- Buxton Webinar – Insights into industrial expansion and economic impacts.
- Attended ICSC Rocky Mountain Idea Exchange/Retail Runway
- GIS Planning Webinar – For the Love of Cities
- Buxton Webinar – Retail Matching at your Fingertips
- **Recently completed updates to EnglewoodSites.com for available commercial properties. The site currently hosts 140 property listings.**

**CITY OF ENGLEWOOD
2011/2012 CALENDAR OF EVENTS**



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	5:45 p.m.	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
Wed. Jan. 18	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
	7:00 p.m.	Planning and Zoning Commission, Community Development Conference Room

TENTATIVE
STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL



December 12	Study Session Board/Commission Reappointment Discussion Financial Report Nonemergency Retirement Pension Changes Park Dedication or Fee in Lieu Board and Commission Reports Kent Place Art Selection Committee
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 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	Study Session Council Goal Setting/Economic Development Follow-up Board and Commission Reports
February 6	Study Session & Regular Meeting Legislators Redistricting
February 13	Study Session Financial Report Paving Program – LTAR funding Acoma Parking Lot Landscape

February 21	Study Session & Regular Meeting - Tuesday Medical Marijuana Caregiver
February 27	Study Session Social Media Board and Commission Reports
March 5	Study Session & Regular Meeting
March 12	Study Session
March 19	Study Session & Regular Meeting Financial Report
March 26	Study Session Board and Commission Reports
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 Board and Commission Reports
April 30	No Meeting Scheduled – 5 th Monday
May 7	Study Session & Regular Meeting
May 14	Study Session Citizen of the Year Celebration
May 21	Study Session & Regular Meeting Financial Report Board and Commission Reports
May 28	Memorial Day – Civic Center closed

FUTURE STUDY SESSION TOPICS

Historic Preservation
Sign Code (April)
ACE role in business initiatives
Eats & Beats
RTD Parking Alternatives
Photo Radar to ETAC

WATER AND SEWER BOARD
MINUTES

June 14, 2011

The meeting was called to order at 5:06 p.m.

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

Members absent: Higday

Also present: Stewart Fonda, Director of Utilities
John Bock, Admin. Manager of Utilities.
Tom Brennan, Utilities Engineer
Bill McCormick, Operations Supt – Util.
Jim Veryser, Public Utilities Tech

1. MINUTES OF THE MAY 10, 2011 MEETING.

The Englewood Water and Sewer Board received the minutes of the May 10, 2011 meeting. Mr. Wiggins noted a correction.

Mr. Habenicht moved;

Mr. Clark seconded: To approve the minutes of the May 10, 2011 meeting, as amended.

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

Nays: None

Absent: Higday

Motion carried.

2. GUEST: HOLLY HYNDRYX – 3537 S. MARION ST. REPLACING A SEWER LINE UNDER A GARAGE.

Ms. Hyndryx appeared before the Board requesting a variance to allow her to keep the Schedule 35 pipe, versus the Schedule 40, for converting a carport to a garage. Ms. Hendryx noted that she would be willing to sign a waiver taking full financial responsibility if anything would be affected in the sewer line under the constructed garage. The sewer service line was TV'd and found to be in good condition. Kim McLeod, a structural engineer with Scottish Builders, appeared on behalf of Ms. Hyndryx to express his opinion that the Schedule 35 pipe would not collapse under the weight of the new garage, and if a problem were to occur, the sewer line could be re-routed around the garage without disturbing the neighbor. Mr. McLeod submitted a letter to the garage contractor, Jerry Krizek of Republic Garages, expressing this opinion.

The Board was agreeable to a variance on the condition that the variance and engineers report be recorded against the title.

Mr. Cassidy moved;

Ms. Olson seconded: To allow a variance to allow the existing Schedule 35 pipe to remain under the garage to be constructed at 3537 S. Marion St. The variance and engineer's report will be recorded against the title to the property.

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

Nays: None

Absent: Higday

Motion carried.

3. WATER RIGHTS UPDATE FROM DAVID HILL DATED 5-9-11.

The Board received an update from Mr. David Hill dated May 9, 2011 on developments in water litigation cases in which Englewood is involved.

4. GUEST: RYAN LAIRD, 3032 S. CORONA ST.
RE: SEWER RATE COMPUTATIONS & WATER CONSERVATION
REPORT.

Mr. Ryan Laird of 3032 S. Corona St. appeared to discuss concerns regarding inaccuracies on the minimum and flat rate sewer computations. Mr. Laird discussed how he believes that when foreclosures on a flat rate sell and change ownership, they are not being detected by the Utilities Department, and subsequently made to convert to meter. Mr. Laird also stated that the metering assistance program is not being aggressively promoted. John Bock noted that it has been put in *The Pipeline* and the *Citizen*. It is also on the Utilities website.

Mr. Laird discussed that future Water Board members and City Council should be informed that Englewood is not in compliance with the Water Conservation Act. The Water Board's general consensus was that it did not want to force metering before a property changed hands and believes the existing conversion plan is sufficient. It was noted that metering conversion was established by the Utilities Department before it had to be. Mr. Burns noted that he had signed the resolution for the Water Conservation Plan and has questions that if it can be fully implemented.

Mr. Laird asked what parts of the 1997 Water Conservation Plan were completed by the Utilities Department. Infiltration due to leaks in water and sewer mains was discussed. Mr. McCormick noted the main repair and replacement programs that are in effect.

Mr. Wiggins recommended that Mr. Laird address issues with staff and arrange a meeting to discuss. Chairman Clark noted that he does not want to discuss issues that were addressed at the last meeting. Linda Olson recommended that Mr. Laird submit questions to staff.

Mr. Laird was asked to briefly summarize the points he wants to convey to the Board. He noted how water and sewer rate structures have not been evaluated since the 1970's and 1980's and that rates have increased. He believes the rates need have a more equitable rate structure. Mr. Burns recommended that staff make every effort to distribute information and look into finding foreclosures.

Mr. Laird requested a tiered rate structure and updated Water Conservation Plan.

The Board also received a communication from Elizabeth Haskel with the Colorado Legislative Council staff, regarding Englewood's noncompliance with the Water Conservation Plan. Ms. Haskel relayed that she had briefly listened to the Council meeting Mr. Laird attended and she encourages Mr. Laird to continue to work at the local level.

5. LETTER OF RECOGNITION.

The Board received a service report regarding Rob Worek commending his help during a leak at a shut off valve at 2107 E. Dartmouth Circle.

6. DAVID PRADO – 780 W. OXFORD AVE. – CITY DITCH.

Mr. David Prado of 780 W. Oxford Ave. appeared to discuss his concerns since the City Ditch was piped at Oxford and Huron St. Mr. Prado noted that he now has problems with people cutting through his yard, sometimes on bicycles. He has put up no trespassing signs without success. Mr. McCormick noted that to fence this area would take about 300' of fence and that the City has never fenced private property along the City Ditch.

Ms. Olson noted that this section of ditch was piped to prevent Mr. Prado's property from flooding. Mayor Woodward discussed using a flash camera on a pole that is currently being used to catch graffiti offenders. He noted that it could possibly be borrowed from the police department. Mr. McCormick will also investigate purchasing a flash camera.

Mr. McCormick distributed pictures of the recently piped section of the City Ditch at Huron and Oxford. Mr. McCormick reviewed the process that adjacent citizens must complete before a license agreement would be issued. Most important is that all adjacent homeowners must agree and that a detailed comprehensive plan be submitted.

7. WATER RELATED NEWSPAPER ARTICLES.

The Board received the following articles discussing water related issues:

“Chatfield project to nearly double water storage stirs environmental issues,” from the May 23, 2011 *Denver Post*.

“Million” water pipeline plan sets the wrong precedent,” from the May 22, 2011 *Denver Post*.

“The big losers: Colorado rivers,” from the May 22, 2011 *Denver Post*.

“Colorado Supreme court affirms water court ruling,” from 9News.com.

“Englewood-endorsed warranty for water-line breaks no scam,” from the June 1, 2011 *Denver Post*.

“Joplin plant weathers storm, crews swarm to restore service,” from the May 31, 2011 *AWWA Streamlines*.

8. MARTIN & WOOD – WORKING FOR THE RIVERSIDE IRRIGATION DISTRICT PROJECT.

The Board received a letter from Joe Tom Wood of Martin and Wood Water Consultants, seeking permission from Englewood to become the water rights engineer for the Riverside Irrigation District and the Riverside Irrigation Company.

The Riverside entities divert direct flow and storage rights from the South Platte River east of Greeley for irrigation. The entities have junior water rights from the river which are diverted to recharge structures to augment wells. They would inform Englewood if potential conflicts arise.

Mr. Habenicht moved;

Mr. Cassidy seconded:

To give Martin and Wood Water Consultants permission from Englewood to become the water rights engineer for the Riverside Irrigation District and the Riverside Irrigation Company.

Ayes:

Clark, Wiggins, Woodward, McCaslin, Habenicht, Olson, Cassidy, Burns

Nays:

None

Absent:

Higday

Motion carried.

9. COUNCIL REQUEST #11-114 FROM RICK GILLIT.

The Board received a request from Councilman Gillit inquiring why Water and Sewer Board meetings are not recorded. Woodward noted the confidential nature of water law issues that are discussed at the meetings.

10. WATER LINE INSURANCE PROGRAM.

Mayor Woodward discussed the calls received from citizens regarding the information sent from Service Line Warranties. Mr. Woodward talked to Service Line Warranties and was told that as of last week 1180 residences have signed up. This is the highest response they have ever received from a mailing. Stu noted that the industry has had its' share of scams and Service Line Warranties wants to maintain their endorsement.

The fall mailing to be sent out by Service Line Warranties was discussed. Mr. Woodward noted that the Englewood logo will be smaller and the mailing envelope will be changed. It will also be more defined that the program is voluntary.

The meeting adjourned at 7:50 p.m.

The next Englewood Water Board meeting will be July 12, 2011 in the Community Development Conference Room.

Respectfully submitted,

/s/ Cathy Burrage
Recording Secretary

WATER AND SEWER BOARD
MINUTES

July 12, 2011

The meeting was called to order at 5:06 p.m.

Members present: Burns, Clark, Olson, Wiggins, Woodward

Members absent: Higday, McCaslin, Habenicht

Mr. Fonda noted that Mr. Cassidy has resigned from the Water and Sewer Board as of July 11, 2011.

Also present: Stewart Fonda, Director of Utilities
John Bock, Admin. Manager of Utilities.
Tom Brennan, Utilities Engineer
Steve Yates, Mathew Crabtree, Lorraine
Barentine, Joseph Barentine, unknown
person who did not wish to be identified,
Ryan Laird, Randy Penn

1. MINUTES OF THE JUNE 14, 2011 MEETING.

The Englewood Water and Sewer Board received the minutes of the June 14, 2011 meeting. Mr. Burns noted some corrections.

Mr. Wiggins moved;

Mr. Clark seconded: To approve the minutes of the June 14, 2011 meeting, as amended.

Ayes: Burns, Clark, Olson, Wiggins, Woodward

Nays: None

Absent: Higday, McCaslin, Habenicht

Motion carried.

Mr. Burns moved;

Mr. Woodward seconded: To declare an executive session to discuss legal matters.

Ayes: Burns, Clark, Olson, Wiggins, Woodward

Nays: None

Absent: Higday, McCaslin, Habenicht

Motion carried.

EXECUTIVE SESSION WAS DECLARED AND ALL NON-ESSENTIAL PERSONNEL WERE ASKED TO LEAVE.

2. GUEST – DAVID HILL, WATER ATTORNEY.

Mr. David Hill of Berg, Hill and Greenleaf, appeared before the Board in executive session to discuss legal water litigation matters.

Mr. McCaslin entered at 5:30 p.m.

Ms. Olson moved;

Mr. Wiggins seconded: To direct David Hill, Englewood's water attorney, to file comments on a legal matter discussed in executive session.

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

Nays: None

Absent: Higday, Habenicht

Motion carried.

Mr. Woodward moved;

Ms. Olson seconded: To close the executive session.

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

Nays: None

Absent: Higday, Habenicht

Motion carried.

EXECUTIVE SESSION WAS CONCLUDED AT 5:45. THE PUBLIC WAS INVITED BACK TO THE REGULAR WATER AND SEWER BOARD MEETING.

3. RECORDING WATER BOARD MEETINGS.

The Board discussed recording the Water and Sewer Board meetings. Mayor Woodward recommended that the first portion of the meetings be reserved for executive sessions, if necessary. The Board concurred.

Mr. Burns moved;

Ms. Olson seconded: To record future Water and Sewer Board meetings.

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

Nays: None

Absent: Higday, Habenicht

Motion carried.

4. PROCEDURES FOR ADDRESSING CONCERNS AND QUESTIONS FROM THE PUBLIC.

The Board discussed the desire to have a chance to investigate and obtain background information on issues citizens wish to bring before the Board. A time limit of 5 minutes for scheduled visitors and 3 minutes for unscheduled visitors was discussed. Linda Olson

noted the need for adequate time for an issue. A citizen submitting their issues and information could also submit an estimate of time needed, if more time is required. The Board reserves the right to modify the amount of time if it is perceived to be excessive or repetitive. The Board could decide at the beginning of the meeting if time restrictions are necessary. Mr. Woodward recommended that the protocol be posted on the City's website. Mr. Wiggins recommended it be noted in the next *Pipeline*.

Linda Olson requested that staff investigate the legal standing if unscheduled visitors are allowed to speak.

The Board recommended that time is set aside at the end of the regular meeting for unscheduled visitors or after scheduled guests, with the Board having the prerogative of limiting excessive time or repetitive issues.

Mr. Burns moved;

Mr. Clark seconded:

That a policy be established for citizens who wish to address the Board on water and sewer related issues. Citizens are requested to submit their issues and questions, along with a discussion time estimate, one week before the meeting. This would allow staff an opportunity to research, respond and resolve, if possible. If not, the issue will be forwarded to the Board. Unscheduled visitors will be allowed to address the Board after scheduled visitors at the beginning of the meeting. The Board will have the prerogative of deciding whether or not to address issues that have been discussed at previous meetings to the Board's satisfaction. The Board will consider the amount of time requested for discussion and adjust it as they see fit. However, the Board expressed a desire to try to keep within the guidelines of allowing 5 minutes for scheduled visitors and 3 minutes for unscheduled visitors.

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

Nays: None

Absent: Higday, Habenicht

Motion carried.

5. AT&T LEASE – SHERMAN WATER TANK - PROPOSED AMENDMENT.

The Board received a memorandum from the Englewood’s Assistant City Attorney discussing changes proposed by AT&T for the lease allowing cellular antennas on the Sherman Tank. The Board also received a memorandum from Bill McCormick, Operations Superintendent of Utilities, discussing his reservations regarding the proposed lease. Mr. McCormick noted that allowing twelve antennas on the Sherman Tank could seriously impede operations and tank access. In his memo, Mr. McCormick recommended not approving the amended lease.

Mr. Wiggins moved;

Ms. Olsen seconded: To reject the proposed AT&T lease amendment.

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

Nays: None

Absent: Higday, Habenicht

Motion carried.

6. MARTIN & WOOD – PROVIDING WATER RESOURCES FOR SWEDISH MEDICAL CENTER.

The Board received a letter dated June 20, 2011 from Joe Tom Wood of Martin & Wood Water Consultants noting that they will be providing water resources consulting to Swedish Medical Center. Martin & Wood will be evaluating existing tributary and non-tributary wells on its facility. They may also be asked to prepare a substitute water supply plan and augmentation plan for Swedish.

Martin & Wood will inform Englewood of any potential conflict of interest in performing consulting services for Swedish Medical Center.

Mr. Wiggins moved;

Mr. McCaslin seconded: To allow Martin & Wood to provide water resources consulting services to Swedish Medical Center. Englewood will be notified of any pending conflicts.

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

Nays: None

Absent: Higday, Habenicht

Motion carried.

7. BUDGETING FOR WATER & SEWER RATE STUDY AND WATER CONSERVATION PLAN.

Mr. Fonda discussed budgeting for a water and sewer rate study and a Water Conservation Plan. Linda Olson had discussed a water conservation plan with the State Water Conservation Board and it was noted that, even if not in compliance, funds were available to municipalities. Mr. Fonda will contact the Water Conservation Board to discuss.

Mr. Wiggins moved;

Mr. McCaslin seconded: To recommend the Utilities Department budget for a water and sewer rate study and Water Conservation Plan.

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

Nays: None

Absent: Higday, Habenicht

Motion carried.

8. BILLING TEMPLATE.

John Bock, the Utilities Manager of Administration discussed the process of redesigning the existing billing format. The artwork and available data will be upgraded. John discussed working with Teleworks to upgrade information that would be available on line and give the customer direct access to their billing information. The Teleworks upgrade is estimated to cost \$89,000.

John also noted the Utilities Department is developing, through GIS, a Mapbook that will illustrate various rate structures. John will investigate having Teleworks appear before the Board at a future meeting to explain what is available.

Woodward requested that the administrative fee for sewer be itemized. Mr. Clark requested that the existing stock of billing forms be exhausted first, with supplemental information inserted at the bottom.

9. INFORMATIONAL ARTICLES:

The Board received the following informational articles:

An article from the July 8, 2011 Denver Post, "Higher sewer rates in Denver area the price of improved service."

An article from the Englewood Herald: Opinion, "Englewood taking advantage of seniors on water bills," from Ryan Laird.

Clyde Wiggins left at 6:45 p.m.

10. UNSCHEDULED VISITORS:

Laurette Barentine appeared to discuss protocol for executive sessions and open comment time for citizens.

Mr. Ryan Laird appeared to discuss issues he has brought up in previous meetings. Mr. Clark recommended that because of Mr. Laird's previous detrimental comments to the staff and Board, that his questions should be compiled and directed to the Board in writing. Ms. Olson concurred with this procedure.

The meeting adjourned at 7:40 p.m.

The next Englewood Water Board meeting will be August 9, 2011 in the Community Development Conference Room.

Respectfully submitted,

/s/ Cathy Burrage
Recording Secretary

NONEMERGENCY EMPLOYEES RETIREMENT BOARD MEETING
August 2, 2011

Chairperson Bowman called the regular meeting of the Englewood NonEmergency Employees Retirement Plan Board to order at 3:00 p.m. in the Public Works Conference Room of the Civic Center, 1000 Englewood Parkway, Englewood, Colorado.

Members Present: Gary Bowman, Chairperson, Council Appointee
Frank Gryglewicz, Director of Finance and Administrative Services
Bradley Hagan, Secretary, Employee Representative
John Moore, Council Appointee
James Jordan, Council Appointee
Mahendra Patel, Employee Representative (arrived at 3:05)
Jim Woodward, Council Member

Members Absent: None

Others Present: Wendy Dominguez, Innovest Portfolio Solutions
Gordon Tewell, Innovest Portfolio Solutions
Jerry Huggins, Innovest Portfolio Solutions
Joe Herm, Gabriel Roeder Smith and Company
Diane Hunt, Gabriel Roeder Smith and Company
Daniel Brotzman, City Attorney,
City of Englewood (arrived at 3:20 and left at 4:30 p.m.)
Mary Brauer, Reinhart Boener Van Deuren Norris & Reiselbach, PC (arrived at 3:10
and left at 4:30 p.m.)
Sue Eaton, Human Resources Director (left at 4:30 p.m.)

A quorum was present.

* * * * *

Seating of Council Board appointment, James Jordan

The Board welcomed James Jordan, newly appointed to the Board by City Council. Mr. Jordan's term will expire February 1, 2015.

Approval of the Minutes of the May 10, 2011 Regular Meeting and June 7, 2011 Telephone Poll

MR. GRYGLEWICZ MOVED TO APPROVE THE MINUTES OF THE MAY 10, 2011 REGULAR MEETING AND JUNE 7, 2011 TELEPHONE POLL. MR. HAGAN SECONDED.

Correct Brad Hagan's title by deleting "Council Appointee".

Ayes: Bowman, Gryglewicz, Hagan, Jordan, Moore, Woodward
Nays: None
Absent: Patel

The motion carried.

Mr. Patel arrived at 3:05 p.m.

Innovest Portfolio Solutions, LLC

Ms. Dominguez outlined topics for discussion with the Board and introduced Mr. Huggins, who is new with Innovest, and reviewed his professional experience. She presented the product analysis search information for the Board's consideration of two new funds. The Board had not requested the product search.

Ms Dominguez explained that the recommended funds are a better fit going forward with continued market volatility. Eaton Vance Floating Rate Corporate Rate Fund performance has not been a concern; however, changing the funds may potentially lower risk. Innovest recommends transferring one hundred percent of the Eaton Vance Floating Rate Corporate Loans to Eaton Vance Floating Rate Advantage. This change will not impact asset classes.

Ms. Brauer arrived at 3:10 p.m.

MR. GRYGLEWICZ MOVED TO APPROVE TRANSFERRING 100% OF THE EATON VANCE FLOATING RATE CORPORATE LOANS TO THE EATON VANCE FLOATING RATE ADVANTAGE. MR. MOORE SECONDED.

Ayes:	Bowman, Gryglewicz, Hagan, Jordan, Patel, Moore, Woodward
Nays:	None
Absent:	None

The motion carried.

Ms. Dominguez recommended an additional change transferring fifty percent of the Pimco Commodities Fund to JP Morgan Highbridge Dynamic Commodities Strategy. She reviewed the current Pimco Commodities Fund strategy. She compared the two funds strengths.

Discussion ensued regarding the fees, percentage of assets allocated to commodities and dollars involved in the fund.

MR. GRYGLEWICZ MOVED TO APPROVE TRANSFERRING 50% OF THE PIMCO COMMODITIES FUND TO JP MORGAN HIGHBRIDGE DYNAMIC COMMODITIES STRATEGY. MR. PATEL SECONDED.

Ayes:	Bowman, Gryglewicz, Hagan, Jordan, Patel, Moore, Woodward
Nays:	None
Absent:	None

The motion carried.

Mr. Brotzman arrived 3:20 p.m.

Ms. Dominguez reviewed the performance of the funds during the quarter and how the performance relates to market fluctuations.

Mr. Tewell reviewed the individual fund activities, including any funds that are of concern or will be scrutinized more closely. The customized benchmark for the quarter and the overall fund return for the year to date were reviewed as well.

Gabriel Roeder Smith and Company (GRS)

Ms. Hunt stated the Board packet contained the final copy of the 2011 actuarial report that was approved by the June 7, 2011 phone poll. The Board received a copy of the Mr. Moore's concerns that were addressed by GRS before finalizing the report.

Discussion of Necessary Plan amendments and the Three Percent Employee Contribution Beginning in 2013

Chairperson Bowman introduced Ms. Brauer and Mr. Brotzman to the Board.

Ms. Brauer reviewed the amendment that is required prior to year end 2011 and the additional amendments requested by the Board regarding the change of mortality assumptions and related affected verbiage, clarification of naming a non-spousal beneficiary and eliminating any ambiguous language. Ms. Brauer reviewed the beneficiary designation form and made recommendations to demonstrate that it is not in the member's best interest to name a non-spousal beneficiary

although the Plan allows, prior to retirement, the member's spouse to waive his or her right to the benefit and name a non-spousal beneficiary. An unmarried member may name a non-spousal beneficiary.

The Board discussed the proposed amendments and agreed to review detailed sample scenarios to illustrate the impact the change will have on benefits as a result of changing mortality assumptions before proceeding. The Board will review the scenarios at the next meeting. Additional discussion ensued regarding the term ACCRUED PENSION impact on the change of assumptions might be corrected to be ACCRUED BENEFIT in as much as ACCRUED PENSION is not a defined term and appears to be an error. A point was brought forward by Ms. Hunt that changes were made previously from the 1977 mortality table to the 1983 mortality table and therefore set a precedence that would allow the proposed change to the current mortality assumptions. This precedent allows the use of an updated mortality table without grandfathering the previous table and moving forward with continued consideration of the amendments.

The Board discussed the clarification of the benefits for non-spousal beneficiaries and Ms. Brauer indicated that the information she had did not provide a clear direction. A copy of the original Council Communication stated the intent to provide members the option to name non-spousal beneficiaries will be provided for the next discussion of the amendments.

Ms. Brauer presented a new beneficiary form that provides more detail regarding the difference between spousal and non-spousal benefits.

The Board continued discussion related to the additional amendments.

MR. GRYGLEWICZ MOVED TO APPROVE THE PLAN AMENDMENTS TO CORRECT THE PLAN NAME IN SECTION 3-4-11-1 AND ADD THE VERBIAGE TO SECTION 3-4-17-3b.2 PERMITTING DIRECT ROLLOVER OF A LUMP SUM TO A ROTH IRA. MR. MOORE SECONDED.

Ayes:	Bowman, Gryglewicz, Hagan, Jordan, Patel, Moore, Woodward
Nays:	None
Absent:	None

The motion carried.

Mr. Gryglewicz explained that the NonEmergency Employees Retirement Plan is the only City plan does not require employee contributions. It has been determined that the employees will contribute three percent beginning in 2013 to help offset the cost of funding the benefit. The Board is charged with providing proposed language changes to the Plan to implement the employee contribution and any subsequent refunds or Plan design changes. The Board discussed the proposed change, the impact on the Plan, whether the intent is to fund additional benefits or if the employee contribution will be in addition to the City's contribution or as part of the overall required contribution. Mr. Gryglewicz stated the Plan had required employee after-tax contributions for a few years prior to 1976 and his understanding was that the employee union at the time negotiated the Plan contribution be discontinued in lieu of a wage increase. The new contribution will be on a pre-tax basis.

Ms. Brauer will provide a list of potential issues and potential language changes to be discussed at the next Board meeting.

Mr. Brotzman, Ms. Eaton and Ms. Brauer left at 4:30 p.m.

Prior to reviewing the next agenda items, Ms. Wescoat presented three variations of a possible data sheet that might be used to provide details of retirements, deaths or other benefit items that the Board either needs notification of or to approve a benefit. This will provide a "consent agenda" type of format. The data sheet will reduce paper use.

Ms. Wescoat reviewed the details for the retirements and deaths on the current agenda. She clarified that Mr. Brotzman requested all names be listed on the agenda if the Board uses the consent format.

The Board agreed the consent form will not be binding if there is a conflict because of a typo or other errors on the consent form. The participant's election form or other source documents will be the official document and will overrule any types of errors on the consent summary. The Board agreed to a use the spreadsheet format.

Discussion followed regarding the checks and balances that the staff is using to maintain a secure process.

The following items were addressed:

1. Approval of DROP Retirement Benefit for Ellis Slater
2. Approval of Retirement Benefit for Larry Medina with possible correction of Date of Birth
3. Approval of Retirement Benefit for Duane Davidson
4. Notification of Death of Connie Janney-Travis and Benefit for the Beneficiary
5. Notification of Death of Clara Culp
6. Approval of Retirement Benefit for Carol McGuigan
7. Approval of Benefit for the Beneficiary of Vernon Elder
8. Approval of DROP Retirement Benefit for Gilbert Anderson
9. Notification of Death of Carolyn Mattrass
10. Approval of Early Retirement Benefit for Aurora Mammen

MR. GRYGLEWICZ MOVED TO APPROVE THE ITEMS LISTED ON THE CONSENT SPREADSHEET. MR. PATEL SECONDED.

Ayes:	Bowman, Gryglewicz, Hagan, Jordan, Patel, Moore, Woodward
Nays:	None
Absent:	None

The motion carried

Consideration of Date Change from November 8 to November 15 to accommodate scheduling

The Board agreed to change the date of the November meeting November 15, 2011 to accommodate scheduling issues.

Member Choice

Ms. Dominguez explained that there have been changes in the way revenue sharing is allowed to be allocated. Revenue sharing is a portion of the expense ratio that a mutual fund company is willing to share with a record keeper or a trust company because they recognize that the company is doing some of the recordkeeping work for the mutual fund. An example is that instead of having to account for each of the Plan participants, they only have one account for the Plan. The current custodian, Wells Fargo is only sharing 12b1 fees. Charles Schwab (Schwab) is willing to share additional revenues with the Plan sponsor.

Innovest periodically evaluates how products and services have changed in the market and try to find if there is additional value or advantages that the Plan sponsor can gain from the changes occurring in the market. One of the changes is the revenue recapture as well as fees on the custodial services. Mr. Huggins outlined the advantages of using Schwab for custodial duties and the dollar value of the revenue sharing. He reviewed the current fee arrangements and the potential value by changing to Schwab as custodian. Moving to Schwab would require changing from the Wells Fargo Index Fund to Schwab's equivalent fund. The other funds will transfer to Schwab without requiring a redemption and purchase of a fund. The Plan can use the revenue in excess of the custodial fees from Schwab in a couple of ways. The excess can be used to pay other Plan expenses or reduce the expense ratios in the current investments to reduce the total costs to the Plan. The estimated revenue to be generated by making this change is approximately \$22,000 per year. As the portfolio balance increases, revenue should increase.

Mr. Gryglewicz inquired if Innovest looked at others beside Schwab. Mr. Huggins said they reviewed other custodial firms such as Fidelity. Some will provide custodial services at no cost, but are not providing any revenue recapture or revenue sharing. Ms Dominguez said the big brokerage supermarkets like Schwab have the clout to negotiate with the mutual funds for better revenue sharing.

Ms. Dominguez stated that there would be a minor change in the operation of the monthly transfers. Currently, Wells Fargo provides a letter each month stating what fund should be sold to keep the asset balances at the levels determined by the investment policy. In the future Innovest will step into that role by providing a rebalancing report depending on how much is needed to be raised to cover outflows from the Plan. Instructions to Schwab about the monthly sales would come from Englewood unless authorization is given to Innovest.

Innovest agreed to continue monitoring changes in the market that may provide future opportunities if at some point there is a better revenue sharing provider for the Plan to consider.

Mayor Woodward asked about FDIC insurance with Schwab since Wells Fargo is a bank and if there is any effect. Mr. Tewell explained that the Plan is working with trust banks with both Wells Fargo and Schwab and the assets are held in trust so there is no FDIC coverage.

MR. GRYGLEWICZ MOVED TO CHANGE CUSTODIAL SERVICES TO CHARLES SCHWAB AS SOON AS ADMINISTRATIVELY POSSIBLE. MR. MOORE SECONDED.

Ayes: Bowman, Gryglewicz, Hagan, Patel, Moore, Woodward

Nays: None

Absent: None

The motion carried.

MR. GRYGLEWICZ MOVED TO ADJOURN. MR. MOORE SECONDED.

Ayes: Bowman, Gryglewicz, Hagan, Patel, Moore, Woodward

Nays: None

Absent: None

The motion carried.

The Board adjourned at 5:03 p.m.

/s/ Carol Wescoat

Carol Wescoat
Recording Secretary