



**AGENDA FOR THE
ENGLEWOOD CITY COUNCIL
STUDY SESSION
MONDAY, JULY 16, 2012**

- I. **Executive Session**
At 5:30 p.m. in the City Council Conference Room, City Council will discuss a litigation matter (Littleton/Englewood Wastewater Treatment Plant) pursuant to C.R.S. 24-6-402-4(b).
- II. **Sign Code**
At 6:00 p.m. in the Community Room, Community Development Director Alan White will discuss the proposed Sign Code.
- III. **Englewood Historical Preservation Society – 6:30 p.m.**
Members from the Englewood Historical Preservation Society will be present to provide an update of their activities relating to the Englewood Depot.
- IV. **Financial Report and Midyear 2012 Financial Update – 7:00 p.m.**
Finance and Administrative Services Director Frank Gryglewicz will discuss the June, 2012 Financial Report and the midyear 2012 Financial Update.
- V. **City Manager's Choice**
- VI. **City Attorney's Choice**
- VII. **Mayor's Choice.**
Median Replanting and Designs for South Broadway from Yale to US285 information.



M E M O R A N D U M
C O M M U N I T Y D E V E L O P M E N T

Council members voiced several concerns about proposed Sign Code amendments at the July 2, 2012 first reading. First reading was postponed until August 6, 2012 in order for Council to review these concerns at a study session.

In this memo each topic includes Community Development Department comments (where applicable) followed by alternatives identified by the City Attorney. At the study session Community Development will discuss the pros and cons for each alternative.

MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: Does the Sign Code address obscenity in signs, murals or art?

Obscenity is dealt with in both the Englewood Municipal Code 7-6D-6 E.M.C. "Obscene Materials, Devices and Performances" and the State Statutes [C.R.S. 18-7-101 et. seq.] prohibits the promotion of obscene materials. In addition, there are other sections of the State Statutes dealing with promotion of obscene materials to minors.

MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: If government flags or banners are not allowed on Public Service/Xcel poles under the Xcel franchise, may the BID or the City erect flag poles under the new sign code?

Flag poles are considered structures and require permits under the Building Code and Right-of-Ways. In general, the restrictions concern safety and height. The City may erect flag poles on public Right-of-Way or other City property, subject to City policies and safety. (The City's policy is to comply with our own Code.) Should an entity other than the City wish to install flag poles in the Public Right-of-Way, it must have an encroachment agreement as well as a permit as required in the Englewood Municipal Code.

MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: Do Nonconforming signs require a variance to do maintenance? i.e. the Army-Navy store sign with lights which have not been working but when repaired would be working as flashing or blinking lights which are prohibited.

Nonconforming signs are regulated by 16-9-5 EMC. It provides for nonconforming status for signs “lawfully erected and maintained” prior to the sign code except for those signs which are “prohibited, hazardous or abandoned”.

In the example, signs with lights that flash or blink are prohibited under the current and proposed ordinance.

See also nonconforming signs 16-9-5 EMC proposed in C.B. 39 by the Planning and Zoning Commission which is attached.

Community Development comments:

The amendments contain no provisions to grandfather any existing sign. If any existing signs are non-conforming, they are likely nonconforming due to size, setback or height. Size and height limitations are being increased and the setback requirements remain the same. It is not likely the new sign regulations will create any non-conforming signs beyond what currently exists.

The current Code requires nonconforming signs to come into compliance whenever there is a:

- Change in property ownership,
- Change in the lessee or ownership of the business,
- Request made for a permit to change the sign, or
- Request for a permit to make improvements to the facade of the building on which the nonconforming sign is located.

The proposed amendments eliminate these onerous requirements. The only remaining requirement is that if a nonconforming sign is damaged by more than 50% of its value, it must be brought into conformance, which is typical of most sign codes. However, the proposed amendments include provisions for allowing a damaged nonconforming sign to be re-established if the owner receives Landmark Sign status approval by the Planning and Zoning Commission

In the example of the Army Surplus store, to restore the sign to its original condition, the prohibition on flashing or blinking signs, which has been in place since 1982, would need to be removed from the ordinance, and would then apply to all signs.

MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: Murals – narrowing the definition of what constitutes a “commercial message” in a mural.

+Community Development comments:

The proposed amendments allow “works of art” without permit or any size limitation, provided they in no way identify or advertise a product, service or business. This language was modeled after several other cities’ regulations on murals. Approximately two-thirds of the cities specifically ban any display of a commercial message or identification of a product within a mural. If a commercial message is contained within a mural, it is considered a sign and is regulated as such. Commercial speech (message) can be defined as advertising goods or services for economic gain.

Alternative 1 - Keep as recommended by P&Z in C.B. 39 which currently reads:

16-6-13(B). Incidental Signs allowed without a Sign Permit.

1421. Works of Art. Works of Art pursuant to 16-11-2(B) EMC – (Definition of Words, Terms and Phrases,) and integral decorative or architectural features of buildings that in no way identify or advertise a product, service, or business shall be allowed, provided:

- a. No language, symbols, or depictions that are known by or could reasonably be suspected by law enforcement to be associated with or representative of documented criminal street gangs, suspected or alleged criminal organizations, or suspected criminal activity is included or contained within the work of art.
- b. Murals shall be located on building walls only and shall not contain an electronic display. Mural images may extend across doorways of buildings.
- c. Any works of art, or integral, decorative or architectural features that contain or portray a commercial message suggestive of the on-site business shall be interpreted to constitute a sign; shall require a Sign Permit; and the area shall be included in the calculations for allowable sign area and number. Appeals to such interpretations shall be to the Planning and Zoning Commission.

- (1) Exception. A work of art may include a sign of no more than two (2) square feet identifying the artist.

16-11-2: Definition of Words, Terms, and Phrases.

Wall Mural: A picture painted on any exterior wall of a principal building ~~other than the front wall of the building,~~ which (1) **does not directly or indirectly advertise or call attention to any product,** or (2) restores a previously existing wall painting at least forty (40) years old (regardless of whether such wall painting advertised or called attention to a product). A wall mural may include a sign of no more than two (2) square feet identifying the artist ~~and/or the sponsor of the wall mural.~~

Work of Art: All forms of original creations of visual art, including but not limited to: (1) sculpture, in any material or combination of materials, whether in the round, bas-relief, high relief, mobile, fountain, kinetic, or electronic; or (2) painting, whether portable or permanently fixed, as in the case of murals; or (3) mosaics; or (4) photographs; or (5) crafts made from clay, fiber and textiles, wood, glass, metal, plastics, or any other material, or any combination thereof; or (6) calligraphy; or (7) mixed media composed of any combination of forms or media; or (8) unique architectural stylings or embellishments, including architectural crafts; or (9) environmental landscaping; or (10) restoration or renovation of existing works of art of historical significance.

Alternative 2 - Should Council wish to narrow what constitutes “Commercial Message” to a name and logo only, this keeps the requirements for size, etc., but changes the definition, it can be done with a Motion to amend the Planning & Zoning changes to read:

16-6-13(B): *Incidental Signs Allowed Without Sign Permit.*

~~1421.~~ Works of Art. Works of Art pursuant to 16-11-2(B) EMC – (*Definition of Words, Terms and Phrases.*) and integral decorative or architectural features of buildings that in no way identify or advertise a product, service, or business **contains the a name or logo of any business** shall be allowed, provided:

- a. No language, symbols, or depictions that are known by or could reasonably be suspected by law enforcement to be associated with or representative of documented criminal street gangs, suspected or alleged criminal organizations, or suspected criminal activity is included or contained within the work of art.
- b. Murals shall be located on building walls only and shall not contain an electronic display. Mural images may extend across doorways of buildings.
- c. Any works of art, or integral, decorative or architectural features that contain or portray a commercial message suggestive of the on-site business shall be interpreted to constitute a sign; shall require a Sign Permit; and the area shall be included in the calculations for allowable sign area and number. Appeals to such interpretations shall be to the Planning and Zoning Commission.

(1) Exception. A work of art may include a sign of no more than two (2) square feet identifying the artist.

16-11-2: Definitions of Words and Phrases.

Wall Mural: A picture painted on any exterior wall of a principal building ~~other than the front wall of the building~~, which (1) ~~does not directly or indirectly advertise or call attention to any product~~ contain the name or logo of any business. or (2) restores a previously existing wall painting at least forty (40) years old (regardless of whether such wall painting advertised or called attention to a product). A wall mural may include a sign of no more than two (2) square feet identifying the artist ~~and/or the sponsor of the wall mural.~~

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MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: Accessory Signs/Portable Signs on the Public Sidewalk/Size Restrictions.

Note: For signs or 3-D on pedestals on the public sidewalk which are not “portable” an encroachment agreement would be the appropriate method of allowing those, to be placed or remain on the public sidewalk, i.e. awnings, barber poles, concrete dragons, etc.

Community Development comments:

Under the amendments, the maximum size is 2.5 feet wide by 3 feet high (7.5 square feet). This maximum size uses the same dimensions adopted in 2009 for Denver’s sandwich board regulations. The height limitation of 3 feet is based on several considerations:

- a. A person in a wheelchair could see over such a 3 foot sign, but not a 4foot sign;
- b. A person could not easily “hide” behind a larger sign creating a safety issue for pedestrians;
- c. Taller signs would block a motorist’s view of storefronts;
- d. The 3 foot limitation corresponds to other sight triangle limitation used throughout the EMC for signs and other obstructions in the public right-of-way. The dimensions were reviewed and endorsed by the Public Works Department as providing a reasonable and safe size for objects in the public right-of-way.
- e. The size of freestanding signs allowed on the public sidewalks in other Front Range cities ranges from 6 to 8 square feet.
- f. The proposed 7.5 square feet maximum size is approaches the upper limit of that range.

Alternative 1 – Keep the language in C.B. 39 as recommended by P and Z which currently reads:

16-6-13: Signs.

D. Signs in the Public Right-of-Way.

1. Signs Not Requiring a Sign Permit. The following signs are allowed without a Sign Permit provided they meet all requirements of the Englewood Municipal Code (EMC).

- a. Signs required or specifically authorized for a public purpose, including traffic control signs and street signs.
- b. Signs for sidewalk sales pursuant to a public sidewalk sale as defined in this Title.
- c. Signs for garage sales pursuant to Section 15-16-13 EMC – (Signs).
- d. Human Signs pursuant to 16-6-13(G)(2) EMC – (Human Signs).

2. Signs Requiring a City License or Agreement.

- a. District Identification Banners. City owned banners or banners authorized by City License affixed to streetlights in the Right-of-Way for the purpose of identifying a district, and/or its various events. This shall apply only to City authorized districts.
- b. Street Banners. Banners across public thoroughfares as allowed by City agreement.
- c. Business Improvement Districts Advertising Devices. Advertising devices of City-approved business improvement districts authorized by City License.
- d. Bus Bench and Bus Shelter Signs. Signs as authorized by City License.
- e. Signs extending into or over the public Right-of-Way authorized by an Encroachment Permit and Indemnity Agreement approved by the City.

f. Portable Signs on the Public Sidewalk.

- (1) Purpose. The purpose of allowing certain portable signs on a public sidewalk in M-1, M-2, M-O-1, M-O-2, MU-B-1, MU-B-2, I-1 and I-2 zones, includes:
 - (a) Recognizing and accommodating the physical constraints related to signage that exist for businesses occupying buildings that are build immediately abutting or within two and one-half feet (2.5') of the public sidewalk; and
 - (b) Promoting a pedestrian-friendly environment on public sidewalks.
- (2) Allowed Portable Signs. The following types of portable signs may be allowed on the public sidewalks provided they meet all requirements of this Subsection:
 - (a) A-frame or “sandwich board”,

(b) Pedestal or “stanchion”, and

(c) Three-dimensional (3-D) objects.

(3) Materials and Maintenance. Portable signs on a public sidewalk shall be constructed and maintained in accordance with 16-6-13(A)(5) EMC – (Sign Maintenance). Such signs shall be maintained as to avoid faded or discolored backgrounds or copy; broken, loose, or ill-fitting pieces; and jagged edges or other conditions that may pose a hazard to pedestrians.

(4) Display. Portable signs on a public sidewalk shall meet the following display standards:

(a) The sign shall only be displayed during hours when the establishment to which the specific sign pertains is open for business.

(b) The sign shall only be located on the public sidewalk.

(c) The sign shall not move or include moving parts, attached balloons, pinwheels, flags, banners, streamers, pennants, or similar devices.

(d) The sign may contain a commercial or noncommercial message.

(e) Illumination. Only self-contained illumination approved by the City Manager or designee shall be permitted.

(5) Portable Signs on the Public Sidewalk Requirements. The City Manager or designee may grant permission for the placement of a portable sign on a public sidewalk to an establishment occupying a building that is located immediately abutting or within two and one-half feet (2.5’) of the public sidewalk, provided the following standards are met:

(a) Maximum Number. A portable sign on a public sidewalk shall count toward a use’s maximum allowed number of accessory signs.

i. Single tenant on site: Limited to one (1) such sign.

ii. Multi-tenant building: Limited to one (1) such sign for each use located on the first floor of the building.

(b) Placement. Portable signs on a public sidewalk shall be placed so that:

i. The sign is between a building front and the curb line in front of the establishment to which the sign pertains.

- ii. The sign is on the sidewalk surface and not on any structure, vehicle, or area containing landscaping.
- iii. The sign is at least two feet (2') behind the curb line.
- iv. The sign is anchored or secured in a manner approved by the City Manager or designee.
- v. A minimum of five feet (5') of unobstructed walkway for pedestrian passage is maintained at all times and any applicable provisions of the Americans with Disabilities Act are met. City Manager or designee shall take into account other obstacles including but not limited to street lamps, fire hydrants, street furniture, planters, or similar appurtenances in determining the unobstructed walkway.
- vi. The sign does not obstruct traffic visibility or any official traffic control device, or block any public entrance to or required emergency exit from a building, and
- vii. The sign is not made to look like, and does not contain any representation of a traffic control device or traffic sign.

(c) Maximum Height. The sign shall not be more than three feet (3') above grade at its tallest point.

(d) Maximum Width. The sign shall not be wider than two and one-half feet (2.5') at its widest point.

- (6) Sign Permit Required. The City Manager or designee may issue a Sign Permit for placement of a portable sign on a public sidewalk provided:
- (a) An application for such sign is submitted on forms provided by the City accompanied by a site plan showing the exact location of the sign.
 - (b) Evidence of general liability insurance in a form satisfactory to the City is provided. Such policy shall thereafter be maintained in full force and effect during any period in which the sign is located on the public sidewalk. In addition, anyone placing a portable sign on the public sidewalk shall be deemed to have agreed to indemnify, hold harmless, and defend the City from and against all claims arising from the placement and continued presence of the sign on the public sidewalk.
 - (c) No portable sign shall be approved if the property is not in compliance with Section 16-6-13 EMC – (Signs). If after receiving a Sign Permit,

the property fails to remain in compliance with this Section, the Permit shall be revoked and shall not be reissued for one (1) year.

i. The City Manager or designee shall issue portable Sign Permits for one (1) year; however, the Sign Permit may be revoked earlier at the City's discretion.

(d) In addition to a Sign Permit, a "Temporary Occupancy of the Public Right-of-Way Permit and Indemnity Agreement", or other document approved by the City, shall be required.

(7) Business Improvement Districts. Business Improvement Districts (BIDs) may notify the City Manager or designee that the BID does not want to have such signs permitted anywhere in their District. Such notice shall be an official notice from the BID, in writing, showing the decision and date it was adopted. If such notification is made, the City shall not permit portable signs on the public sidewalk within that BID.

NOTE: In this case a larger sign would need a variance.

Alternative 2 – Motion to amend 16-6-13(D)(2)(f)(5)(c) to change the maximum height to _____ feet (___').

Alternative 3 - Motion to amend 16-6-13(D)(2)(f)(5)(c) – to change the heights to _____. And to amend 16-6-13(D)(f)(5)(d) to change the width to _____.

Related Issues:

- 1. Regarding the issue of grandfathering in those installed during the moratorium all Portable Signs on Public Sidewalks put in place at the owner's risk during the recent moratorium may be permitted subject to the conditions listed in 16-6-13(D)(2)(f).**

MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: Pennants, Streamers, fringe, balloons and similar objects.

Community Development comments:

Objectives of staff and P&Z in re-writing the Code were to make it easy to use and administer, provide businesses more opportunities for creative signage, and project a clean and vital business community image. These types of signs tend to be neglected, deteriorate and essentially become litter over time. They add to the visual clutter along any street. Most Front Range communities surveyed during the drafting of the proposed amendments prohibit them; although a few allow them under a special permit or for a specific time period. Requiring permits for these types of signs requires action by a business and monitoring by staff. Limiting use of these devices to a prescribed time period requires monitoring by staff. The Planning and Zoning Commission discussed this issue and reasoned that protecting citizens from visual clutter was important and other amendments proposed afford businesses considerable flexibility in meeting their advertising needs. Those other amendments include the increase in principle sign size and height, the exclusion of window signs not exceeding 25% of window area from permitted sign area, the allowance for two accessory signs without permit and without any time limit, and the use of human signs.

Allowing these types of advertising devices could be addressed with one of the following options:

- a. Allow as an incidental sign (café table umbrellas, holiday decorations): No permit, no time limitations, and no limitations on number.
- b. Allow as an accessory sign (banners, inflatables, A-frames): No permit. This approach creates an administrative conundrum of needing to be determined how much string or many fringes or streamers constitute an accessory sign since this sign category allows only two accessory signs per business.

Alternative 1 – Current prohibition recommended by P&Z.

16-6-13(G): Accessory Signs.

1. On-Site Accessory Signs and Advertising Devices.

- a. Purpose. The purpose of allowing certain on-site accessory signs and advertising devices includes:

- (1) Recognizing and accommodating the business community's desire for economical short-term signage that can be easily installed, changed, or moved to meet limit advertising needs; and
 - (2) Maintaining an aesthetically pleasing environment by minimizing sign clutter.
- b. Prohibited. On-Site Accessory Signs and Advertising Devices. Strings of pennants, streamers, fringe and similar devices, balloons and balloon bouquets shall be prohibited.
- c. Maintenance. On-Site accessory signs and advertising devices shall be constructed and maintained in accordance with 16-6-13(A)(5) EMC – (*Sign Maintenance*). Any on-site accessory sign or advertising device that is in disrepair or unsafe shall be repaired, removed, or replaced upon written notice of the City Manager or designee.
- d. Materials and Anchoring. All accessory signs or advertising devices shall be durable and weather-resistant and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.
- e. Standards. No on-site accessory signs or advertising devices shall:
- (1) Be located on or over the public Right-of-Way,
 - (2) Be located on the roof of any building or structure,
 - (3) Be located on a principal sign or sign structure, fence, utility pole or other structure not intended as a sign support,
 - (4) Be located so that it can come in contact with power lines,
 - (5) Encroach or extend over any property line,
 - (6) Be illuminated, contain flashing or blinking lights, or electronic changeable copy,
 - (7) Obstruct traffic visibility or any official traffic control device,
 - (8) Be made to look like, or contain any representation of a traffic control device or traffic sign, or
 - (9) Block any public entrance to or required emergency exit from a building.
- f. Permit. No Sign Permit shall be required for the placement of an allowed on-site accessory sign or advertising device. However, any on-site accessory sign or advertising device found to be in violation of this Title shall be declared a nuisance by the City and shall be subject to enforcement pursuant to Chapter 16-10 EMC – (*Enforcement and Penalties*).

- g. Variances. Due to the intended short-term nature of on-site accessory signs and advertising devices, such signs and devices shall not be subject to variances.
- h. On-Site Accessory Signs and Advertising Devices Measurement and Calculations. The maximum size of an on-site accessory sign or advertising device shall be based on its area, linear length, or profile depending on the type of sign or device. Calculations shall be based on Table 16-613.10 below:

<u>Table 16-6-13.10: Accessory Sign Measurement</u>		
<u>Sign Type</u>	<u>Calculation Method</u>	<u>Measurement Method</u>
<u>Banners, Wind-Driven, Portable</u>	<u>Area</u>	<u>4 - line enclosure</u>
<u>Inflatables, 3-D objects</u>	<u>Profile</u>	<u>L x W measured at the object's largest extended profile</u>

- i. Signs associated with special events or temporary uses allowed by this Title shall be considered accessory signs and subject to the provisions of this Subsection. Such signs shall be allowed for the duration of the special event or allowed temporary use.
- j. Sign Specific Standards for Allowed On-Site Accessory Signs or Advertising Devices. On-site accessory signs or advertising devices shall be allowed pursuant to Table 16-6-13.11 EMC – (Table of Allowed On-Site Accessory Signs and Advertising Devices) below:

Alternative 2 – 16-6-13(G) “Motion to delete 16-6-13(G)(1)(b) with the remaining sections renumbered and amending the Chart to

correspond.” This will allow strings of pennants, streamers, fringe and similar devices, balloons and balloon bouquets to be counted as on-site accessory signs. The only restrictions would be regarding Right-of-Way and would require an amendment to the Chart under Subsection h, to include strings of pennants, streamers, fringe and similar devices, balloons and balloon bouquets under the “Banners, Wind-Driven, Portable” for sign type.

16-6-13(G): Accessory Signs.

1. On-Site Accessory Signs and Advertising Devices.

a. Purpose. The purpose of allowing certain on-site accessory signs and advertising devices includes:

- (1) Recognizing and accommodating the business community’s desire for economical short-term signage that can be easily installed, changed, or moved to meet limit advertising needs; and
- (2) Maintaining an aesthetically pleasing environment by minimizing sign clutter.

~~b. Prohibited. On Site Accessory Signs and Advertising Devices. Strings of pennants, streamers, fringe and similar devices, balloons and balloon bouquets shall be prohibited.~~

c. Maintenance. On-Site accessory signs and advertising devices shall be constructed and maintained in accordance with 16-6-13(A)(5) EMC – (Sign Maintenance). Any on-site accessory sign or advertising device that is in disrepair or unsafe shall be repaired, removed, or replaced upon written notice of the City Manager or designee.

d. Materials and Anchoring. All accessory signs or advertising devices shall be durable and weather-resistant and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.

e. Standards. No on-site accessory signs or advertising devices shall:

- (1) Be located on or over the public Right-of-Way,
- (2) Be located on the roof of any building or structure,
- (3) Be located on a principal sign or sign structure, fence, utility pole or other structure not intended as a sign support,
- (4) Be located so that it can come in contact with power lines,
- (5) Encroach or extend over any property line,

- (6) Be illuminated, contain flashing or blinking lights, or electronic changeable copy.
 - (7) Obstruct traffic visibility or any official traffic control device.
 - (8) Be made to look like, or contain any representation of a traffic control device or traffic sign, or
 - (9) Block any public entrance to or required emergency exit from a building.
- f. Permit. No Sign Permit shall be required for the placement of an allowed on-site accessory sign or advertising device. However, any on-site accessory sign or advertising device found to be in violation of this Title shall be declared a nuisance by the City and shall be subject to enforcement pursuant to Chapter 16-10 EMC – (Enforcement and Penalties).
- g. Variances. Due to the intended short-term nature of on-site accessory signs and advertising devices, such signs and devices shall not be subject to variances.
- h. On-Site Accessory Signs and Advertising Devices Measurement and Calculations. The maximum size of an on-site accessory sign or advertising device shall be based on its area, linear length, or profile depending on the type of sign or device. Calculations shall be based on Table 16-613.10 below:

Table 16-6-13.10: Accessory Sign Measurement		
<u>Sign Type</u>	<u>Calculation Method</u>	<u>Measurement Method</u>
<u>Banners, Wind-Driven, Portable</u>	<u>Area</u>	<u>4 - line enclosure</u>
<u>Inflatables, 3-D objects</u>	<u>Profile</u>	<u>L x W measured at the object's largest extended profile</u>

- i. Signs associated with special events or temporary uses allowed by this Title shall be considered accessory signs and subject to the provisions of this Subsection. Such signs shall be allowed for the duration of the special event or allowed temporary use.
- j. Sign Specific Standards for Allowed On-Site Accessory Signs or Advertising Devices. On-site accessory signs or advertising devices shall be allowed pursuant to Table 16-6-13.11 EMC – (Table of Allowed On-Site Accessory Signs and Advertising Devices) below:

Alternative 3 – “Motion to make a modification to include strings of pennants; streamers; fringe and similar devices; balloons and balloon bouquets as signs associated with special events or temporary uses under 16-6-13(G)(i).” Such items could only be used types of. A permit is required for the special event and it would allow the objects to remain for 30 days per calendar year. [See 16-5-5(A), (B), (C), (D- 1 through 17) - Temporary Use Permits]. See attached copy of that section.

16-6-13(G): Accessory Signs.

1. On-Site Accessory Signs and Advertising Devices.

a. Purpose. The purpose of allowing certain on-site accessory signs and advertising devices includes:

(1) Recognizing and accommodating the business community’s desire for economical short-term signage that can be easily installed, changed, or moved to meet limit advertising needs; and

(2) Maintaining an aesthetically pleasing environment by minimizing sign clutter.

b. Prohibited. On-Site Accessory Signs and Advertising Devices. Strings of pennants, streamers, fringe and similar devices, balloons and balloon bouquets shall be prohibited except in conjunction with a special events permit under 16-5-5 EMC.

c. Maintenance. On-Site accessory signs and advertising devices shall be constructed and maintained in accordance with 16-6-13(A)(5) EMC – (Sign Maintenance). Any on-site accessory sign or advertising device that is in disrepair or unsafe shall be repaired, removed, or replaced upon written notice of the City Manager or designee.

d. Materials and Anchoring. All accessory signs or advertising devices shall be durable and weather-resistant and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.

e. Standards. No on-site accessory signs or advertising devices shall:

(1) Be located on or over the public Right-of-Way,

(2) Be located on the roof of any building or structure,

(3) Be located on a principal sign or sign structure, fence, utility pole or other structure not intended as a sign support,

(4) Be located so that it can come in contact with power lines,

(5) Encroach or extend over any property line,

- (6) Be illuminated, contain flashing or blinking lights, or electronic changeable copy.
 - (7) Obstruct traffic visibility or any official traffic control device.
 - (8) Be made to look like, or contain any representation of a traffic control device or traffic sign, or
 - (9) Block any public entrance to or required emergency exit from a building.
- f. Permit. No Sign Permit shall be required for the placement of an allowed on-site accessory sign or advertising device. However, any on-site accessory sign or advertising device found to be in violation of this Title shall be declared a nuisance by the City and shall be subject to enforcement pursuant to Chapter 16-10 EMC – (Enforcement and Penalties).
- g. Variances. Due to the intended short-term nature of on-site accessory signs and advertising devices, such signs and devices shall not be subject to variances.
- h. On-Site Accessory Signs and Advertising Devices Measurement and Calculations. The maximum size of an on-site accessory sign or advertising device shall be based on its area, linear length, or profile depending on the type of sign or device. Calculations shall be based on Table 16-613.10 below:

Table 16-6-13.10: Accessory Sign Measurement		
<u>Sign Type</u>	<u>Calculation Method</u>	<u>Measurement Method</u>
<u>Banners, Wind-Driven, Portable</u>	<u>Area</u>	<u>4 - line enclosure</u>
<u>Inflatables, 3-D objects</u>	<u>Profile</u>	<u>L x W measured at the object's largest extended profile</u>

- i. Signs associated with special events or temporary uses allowed by this Title shall be considered accessory signs and subject to the provisions of this Subsection. Such signs shall be allowed for the duration of the special event or allowed temporary use.
- j. Sign Specific Standards for Allowed On-Site Accessory Signs or Advertising Devices. On-site accessory signs or advertising devices shall be allowed pursuant to Table 16-6-13.11 EMC – (Table of Allowed On-Site Accessory Signs and Advertising Devices) below:

This Page is not part of the Sign Code it is included for clarification of Alternative # for Pennants.

16-5-5: - Temporary Uses and Structures.

- A. Purpose. This Section allows for the establishment of certain temporary uses of limited duration, provided that such uses are discontinued upon the expiration of a set time period.
- B. Temporary Use Permits. All uses and structures identified as temporary uses in Table 16-5-1.1, "Table of Allowed Uses" shall be required to obtain a Temporary Use Permit pursuant to the procedures set forth in Section 16-2-14 EMC. Temporary Use Permits shall not apply to residential garage/yard sales
- C. Summary Table of Allowed Temporary Uses or Structures. Table 16-5-5.1 summarizes the temporary uses and structures that are allowed within the City and any general use or specific regulations that apply. Temporary uses or structures not listed in Table 16-5-5.1 are not allowed under this Title.

TABLE 16-5-5.1: SUMMARY OF ALLOWED TEMPORARY USES AND STRUCTURES				
Temporary Use or Structure	Temporary Use Permit Required (See Section 16-2-14)	General Regulations Apply (See Section 16-5-5.D)	Maximum Allowable Time Frame	Specific Regulations
Car wash (e.g., fundraiser)	Yes	Yes	3 days	
Expansion or replacement of existing facilities	Yes	Yes	12 months	Section 16-5-5.E.1
Farmers market	Yes	Yes	Per Section 16-5-5.E.2	Section 16-5-5.E.2
Food vendor carts	Yes	Yes, as applicable	90 days	Section 16-5-5.E.8
Mobile storage/containers	Yes	Yes	Per Section 16-5-5.E.3	Section 16-5-5.E.3
Real estate sales or leasing office or model home	Yes	Yes	12 months	Section 16-5-5.E.4
Outdoor sales (e.g., tent or parking lot sales, Christmas tree lot, plant/garden, hail/windshield repair, sales from retail vendor carts, or similar uses)	Yes	Yes	30 days	Section 16-5-5.E.5
Special event (e.g., carnival/circus, fair, bazaar)	Yes	Yes	30 days per calendar year	Section 16-5-5.E.6
Temporary wireless facilities	Yes	Yes	6 months	Section 16-5-5.E.7
Tent, canopy	Yes	Yes	30 days	
Temporary use not falling into above categories and occurring wholly within an enclosed building	Yes	Yes	Based on City Manager or designee review	Based on City Manager or designee review — See Section 16-5-1.B for procedures

- D. General Requirements for All Temporary Uses and Structures. All temporary uses and structures shall meet the following general requirements:
1. A Zoning Site Plan containing sufficient information to show compliance with standards and requirements of this Section shall be submitted to and approved by the City prior to installation of the temporary use or structure.
 2. No more than two (2) Temporary Use Permits shall be issued for the same site or address within a twelve-month period.
 3. The temporary use shall not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.
 4. The temporary use shall not have substantial adverse or noise impacts on nearby residential neighborhoods.
 5. Permanent alterations to the site are prohibited.
 6. All signs associated with the temporary use shall comply with sign regulations of this Title and shall be removed when the Temporary Use Permit expires.
 - ~~7. No banners, balloons, or inflatable devices shall be permitted.~~
 8. The temporary use shall not violate any applicable conditions of approval that apply to the principal use on the site.
 9. If the property is undeveloped, it contains sufficient land area to allow the temporary use to occur, as well as any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers.
 10. If the property is developed, it contains an area that is not actively used that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, or parking space availability.
 11. Tents, canopies, and other temporary structures will be located so as to not interfere with the normal operations of any permanent use located on the property.
 12. The use shall not negatively affect the availability of parking and shall demonstrate adequate parking to accommodate the proposed temporary use for the duration of the permit.
 13. All permits required by applicable building, electrical, fire, plumbing, and mechanical codes shall be obtained from the City prior to operation of the temporary use.
 14. All applicable licenses required for the operation of the temporary use shall be obtained from the City prior to operation of the temporary use.
 15. Temporary uses or structures shall not be located within existing vegetated buffers, designated setbacks, required parking areas, public rights-of-way, designated easements, or any areas that interfere with sight triangle, unless allowed by Section 16-5-5.E EMC, for the particular temporary use or structure.

16. In approving or extending a Temporary Use Permit, the City Manager or designee may impose other requirements as deemed necessary to avoid adverse impacts that the temporary use may have on adjacent properties or the community as a whole.
17. The duration period for a temporary use shall include set-up, clean-up, dismantling, and removal of the temporary use.

Alternative 4- Make balloons etc. Accessory signs with a time limit

Alternative 5 -Make them incidental signs which are allowed without a permit . Motion to add Pennants, Streamers, fringe, balloons and similar objects to 16-6-13 (B). This would have no time or size limit. They could also be added as an accessory sign with no time limit but they could be limited by size. i.e. Motion to add Pennants, Streamers, fringe, balloons and similar objects to 16-6-13 (B). > However, strings of pennants and fringe etc. shall be limited to twice the length of the primary street frontage and Balloons shall be limited to a diameter of three feet (3').

Table 16-6-13(D) - Table of Allowed On-Site Accessory Signs and Advertising Devices

On-Site Accessory Signs and Advertising Devices	Types	Zone Districts in which Allowed	Allowed Uses	Maximum Number	Maximum Total Area (in sq ft)	Maximum Height (in feet)	Additional Regulations
Banners (with or without message)	Wall	R-1-A, R-1-B, R-1-C, R-2-A, R-2-B	Non-residential uses only	1	15	15	<ul style="list-style-type: none"> Accessory wall banners prohibited for single and multi-unit residential uses up to 5 units Wall banner shall be affixed to building facade only and shall not extend beyond facade Multi-tenant properties: See Notes to Table ⁴
		All other zones	All single uses	2	30	30	
Wind-Driven (with or without message)	Pole (ground mounted including non-exempt flags, pennants, sail, tear drop or feather banners, wigglers, and similar devices)	R-1-A, R-1-B, R-1-C, R-2-A, R-2-B	Non-residential uses only	1	15	15	<ul style="list-style-type: none"> Does not apply to flags of nations or an organization of nations, states, or cities. See 16-6-13(B) EMC- (Incidental Signs Allowed Without Sign Permit) Residential zone minimum setback: 10' Multi-tenant properties: See Notes to Table ⁴
		All other zones	All single uses	2	30	25	
	Staff (mounted on building)	R-1-A, R-1-B, R-1-C, R-2-A, R-2-B	Non-residential uses only	1	15	15	
		All other zones	All single uses	2	30	=	
Portable	A-frame, sandwich board, pedestal	R-1-A, R-1-B, R-1-C, R-2-A, R-2-B	Non-residential uses only	1	15	6	<ul style="list-style-type: none"> Residential zone minimum setback: 10' Multi-tenant properties: See Notes to Table ⁴ Regulation of signs in the public Right-of-Way: See Notes to Table ⁵
		All other zones	All single uses	2 ³	30	25	
					2	30	
Inflatables	Cold air or gas-filled objects, Tubes, tube dancers, tornado tubes, or similar devices	R-1-A, R-1-B, R-1-C, R-2-A, R-2-B	Non-residential uses only	1	15	15	<ul style="list-style-type: none"> Residential zone minimum setback: 10' Multi-tenant properties: See Notes to Table ⁴
		All other zones	All single uses	2	30	25	
3-D Objects	All objects not classed as inflatables	R-1-A, R-1-B, R-1-C, R-2-A, R-2-B	Non-residential uses only	1	15	6	<ul style="list-style-type: none"> Residential zone minimum setback: 10' Multi-tenant properties: See Notes to Table ⁴
		All other zones	All single uses	2 ³	30	25	
Human	Hand-held, mounted, costume	R-1-A, R-1-B, R-1-C, R-2-A, R-2-B	All uses	=	=	=	<ul style="list-style-type: none"> See Section 16-6-13(G)(3) EMC - (Human Signs) Multi-tenant properties: See Notes to Table ⁴
		All other zones	All uses	1	10	=	

Notes to Table:

¹ Classification of on-site accessory signs or advertising devices not listed in this Table shall be determined by the City Manager or designee. Interpretations shall be made to the Planning and Zoning Commission.

² Combined total area of all allowed on-site accessory signs and advertising devices.

³ Only 1 on-site sign/device is permitted if an on public sidewalk accessory sign is utilized.

⁴ Multi-Tenant Properties. Each allowed use on the ground floor of a multi-tenant property shall be allowed 1 on-site accessory sign or advertising device.

⁵ For regulation of Signs in the public Right-of-Way 16-6-13 D (2) (f) (5) (c).

MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: Keeping a time limit for Election signs while exempting ideological signs.

Community Development comments:

Political and ideological signs support or express an ideal or a belief and are considered noncommercial speech. The U.S. Supreme Court has ruled that noncommercial speech cannot be more stringently regulated than commercial speech. Several sources consulted during the preparation of the amendments recommended against including any time limits on the display of political signs as unconstitutional because they limit free speech. Courts have repeatedly struck down regulations on political signs when those signs are treated differently from other temporary or incidental signs. No other incidental signs identified in the Sign Code have time limit restrictions. Placing such restrictions on political signs would treat them differently and likely lead to possible legal consequences, including overturning the Sign Code.

Ideological signs are defined in the amendments as:

Sign, Ideological: A sign which has as its dominant theme or purpose the expression of a religious, political, social, philosophical or other ideological message, ideal or belief.

Alternative 1 – Keep C.B. 39 as recommended by P&Z which currently reads:

16-6-13(B): Incidental Signs Allowed Without Sign Permit

- ~~26.~~ Election/Ideological Signs. Provided such signs: ~~Election signs shall not be posted more than forty five (45) calendar days prior to the election to which the sign relates, and shall be removed within fifteen (15) calendar days following the election to which the sign relates. Such signs are limited to wall, window, and ground signs; and shall not be a banner of paper or cloth. Each election sign shall not exceed twelve (12) square feet of total sign area.~~
5. Ideological Signs. Ideological signs not more than twelve (12) square feet in total sign area. Such signs are limited to not more than two (2) per lot.
 - a. Are limited to wall, window, and ground signs, and

b. Shall not exceed twelve (12) square feet in area.

Alternative 2 – A Motion to amend the Planning & Zoning recommended changes to read: to return this section to its current requirements for restrictions on election signs while exempting ideological signs from any time limits.

16-6-13(B): Incidental Signs Allowed Without Sign Permit

6. Election Signs: Election Signs shall not be posted more than forty-five (45) calendar days prior to the election to which the sign relates, and shall be removed within fifteen (15) calendar days following the election to which the sign relates. Such signs are limited to wall, window, and ground signs; and shall not be a banner of paper or cloth. Each election sign shall not exceed twelve (12) square feet of total sign area- and are limited to wall, window, and ground signs.
7. Ideological Signs. Ideological signs not more than twelve (12) square feet in total sign area. Such signs are limited to not more than two (2) per lot- and are limited to wall, window and ground signs.

(While renumbering Subsections 7-22 to accommodate this change.

NOTE: No change would be required to the definitions.”
Change would be required in the list of Incidental Signs.

ALTERNATIVE 3 - Should Council wish to return this section to its current language it can be done with a Motion to amend the Planning & Zoning recommended changes to keep the current language in the Sign Code regarding Election and Ideological signs.

MEMORANDUM

TO: Mayor Penn
City Council Members

FROM: Alan White, Director of Community Development
Nancy Reid, Assistant City Attorney

REGARDING: Sign Code Issues

ISSUE: Should there be a time limit on Holiday decorations.

Community Development comments: discussion:

Under the proposed amendments holiday decorations are included as incidental signs. For consistency all signs in this category are treated the same with regard to permit requirement and time limitations.

Alternative 1 – Keep C.B. 39 as recommended by P&Z to allow Holiday decorations, as defined, to be “Incidental Signs allowed without Sign Permit” 16-6-13 EMC which contains no time limit:

16-6-13: Signs

B. Incidental Signs Allowed Without Sign Permit. The following signs are allowed in all zone districts and are exempt from the Sign Permit Requirements of Subsection 16-6-13(A)(3) EMC (Sign Permits). Such signs shall be in addition to all other signs permitted in any zone district in which they are located, provided such signs meet the conditions of this Subsection. Any sign not meeting the conditions of this Subsection shall require a Sign Permit and shall be included in the calculations for total allowable sign area and maximum sign number.

Incidental signs allowed without a Sign Permit shall not conflict with traffic regulatory devices; be located within a sight distance triangle; or extend or project over any property line, or into the public Right-of-Way. In addition such signs, except holiday decorations and scoreboards, shall not flash, blink, or fluctuate and shall not be animated.

1. Address. Signs identifying the address of a dwelling unit or of an establishment:
 - a. All Residential Districts. Maximum two (2) square feet in area.
 - b. Medical, Business and Industrial Districts. Maximum thirty-two (32) square feet in area.
42. Bulletin Boards and Kiosks. Bulletin boards and kiosks for public, charitable, or religious institutions, which are not over twelve (12) square feet in area, and which are located on the premises of said institutions.

3. Cafe Table Umbrellas.
4. Cornerstones and Plaques. Cornerstones and plaques cut into any masonry surface or inlaid so as to be part of the building. Commemorative plaques or tablets memorializing a person, event, structure, or site.
5. Drive-Thru Menu Boards. A use with a drive-thru facility may have two (2) menu board signs along the drive-through lane, provided that each menu board sign is limited to one face and shall not:
 - a. Exceed eight feet (8') in height, and
 - b. Exceed thirty-five (35) square feet in area.
26. Election/Ideological Signs. ~~Provided such signs:~~ Election signs shall not be posted more than forty five (45) calendar days prior to the election to which the sign relates, and shall be removed within fifteen (15) calendar days following the election to which the sign relates. Such signs are limited to wall, window, and ground signs; and shall not be a banner of paper or cloth. Each election sign shall not exceed twelve (12) square feet of total sign area.
5. Ideological Signs. Ideological signs not more than twelve (12) square feet in total sign area. Such signs are limited to not more than two (2) per lot.
 - a. Are limited to wall, window, and ground signs, and
 - b. Shall not exceed twelve (12) square feet in area.
37. Flags. a. Flags of nations or an organization of nations, states, and cities, provided such flags:
 - a. ~~does~~ Shall not exceed thirty-five (35) square feet in area.
 - b. Total number of exempt flags shall not exceed five (5) flags.
 - b. Flags of City approved business improvement districts, provided the flags display only the name, emblem and/or logo of the organization and the term "sale today", but no individual business names. Such flags are limited to three feet (3') by four feet (4') but the emblem and/or logo and "sale today" term are permitted on both sides of the flag. Such flags may only be flown on the last Saturday of the month or on such other days as authorized by the City Manager or designee.
8. Garage Sale Signs. Signs pursuant to Section 15-16-3 EMC – (Signs).
49. Holiday Decorations. Signs in the nature of decorations, clearly incidental and commonly associated with any national, local or religious holiday; ~~provided that such signs shall be displayed for a period of not more than sixty (60) consecutive calendar days. Such signs may be of any type, number, area, height, location, illumination, or~~

~~animation, and shall be located so as not to conflict with traffic regulatory devices and are not subject to the maximum window coverage of twenty five percent (25%).~~

- ~~610.~~ Illuminated Buildings in Non-Residential Districts. Providing no signs, symbols, letters, figures, etc., identifying a name, service, or product, ~~occur on the building or the part of the building that is illuminated~~ are included in the illumination.
11. Job Site Signs: Signs not more than six (6) square feet in area, per face, in Residential zones and not more than thirty-two (32) square feet in area in Medical, Business and Industrial zones for the duration of work on site. One such sign shall be allowed per street frontage.
7. Memorial Signs. Memorial signs or tablets, giving the name of building and date of erection, when cut into any masonry surface or inlaid so as to be part of the building.
12. Miscellaneous non-illuminated signs on windows and doors one (1) square foot or less in area. Examples of such signs include open, credit cards accepted, business hours, business associations, and similar customer courtesy information.
13. On-Site Informational and Regulatory Signs: Signs that provide instructions as required by law, by necessity or for the convenience of visitors shall be interpreted to include such signs as “no smoking,” “restrooms,” “no solicitors,” “self-service,” “no trespassing” and similar informational signs provided such signs do not exceed six (6) square feet in area.

Alternative 2 – “Motion to allow Holiday Decorations as recommended but imposing a time limit for those in MU-B-1, MU-B-2, M-1, M-2, TSA, I-1, I-2 consistent with the current Code language.”

16-6-13: Signs:

B. Incidental Signs Allowed Without Sign Permit. The following signs are allowed in all zone districts and are exempt from the Sign Permit Requirements of Subsection 16-6-13(A)(3) EMC (Sign Permits). Such signs shall be in addition to all other signs permitted in any zone district in which they are located, provided such signs meet the conditions of this Subsection. Any sign not meeting the conditions of this Subsection shall require a Sign Permit and shall be included in the calculations for total allowable sign area and maximum sign number.

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1. Address. Signs identifying the address of a dwelling unit or of an establishment:
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12. Bulletin Boards and Kiosks. Bulletin boards and kiosks for public, charitable, or religious institutions, which are not over twelve (12) square feet in area, and which are located on the premises of said institutions.
3. Cafe Table Umbrellas.
4. Cornerstones and Plaques. Cornerstones and plaques cut into any masonry surface or inlaid so as to be part of the building. Commemorative plaques or tablets memorializing a person, event, structure, or site.
5. Drive-Thru Menu Boards. A use with a drive-thru facility may have two (2) menu board signs along the drive-through lane, provided that each menu board sign is limited to one face and shall not:
- a. Exceed eight feet (8') in height, and
 - b. Exceed thirty-five (35) square feet in area.
26. Election/Ideological Signs. Provided such signs: Election signs shall not be posted more than forty five (45) calendar days prior to the election to which the sign relates, and shall be removed within fifteen (15) calendar days following the election to which the sign relates. Such signs are limited to wall, window, and ground signs; and shall not be a banner of paper or cloth. Each election sign shall not exceed twelve (12) square feet of total sign area.
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- a. Are limited to wall, window, and ground signs, and
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37. Flags. a. Flags of nations or an organization of nations, states, and cities, provided such flags:
- a. does ~~Shall~~ not exceed thirty-five (35) square feet in area.
 - b. Total number of exempt flags shall not exceed five (5) flags.
 - b. Flags of City approved business improvement districts, provided the flags display only the name, emblem and/or logo of the organization and the term "sale today", but no individual business names. Such flags are limited to three feet (3') by four feet (4') but the emblem and/or logo and "sale today" term are permitted on both sides of the flag. Such flags may only be flown on the last Saturday of the month or on such other days as authorized by the City Manager or designee.
8. Garage Sale Signs. Signs pursuant to Section 15-16-3 EMC – (Signs).
49. Holiday Decorations. Signs in the nature of decorations, clearly incidental and commonly associated with any national, local or religious holiday; provided that such

signs in MU-B-1, MU-B-2, M-1, M-2, TSA, and I-1, I-2 shall be only displayed for a period of not more than sixty (60) consecutive calendar days. Such signs may be of any type, number, area, height, location, illumination, or animation, and shall be located so as not to conflict with traffic regulatory devices and are not subject to the maximum window coverage of twenty-five percent (25%).

610. Illuminated Buildings in Non-Residential Districts. Providing no signs, symbols, letters, figures, etc., identifying a name, service, or product, ~~occur on the building or the part of the building that is illuminated~~ are included in the illumination.
11. Job Site Signs: Signs not more than six (6) square feet in area, per face, in Residential zones and not more than thirty-two (32) square feet in area in Medical, Business and Industrial zones for the duration of work on site. One such sign shall be allowed per street frontage.
7. Memorial Signs. Memorial signs or tablets, giving the name of building and date of erection, when cut into any masonry surface or inlaid so as to be part of the building.
12. Miscellaneous non-illuminated signs on windows and doors one (1) square foot or less in area. Examples of such signs include open, credit cards accepted, business hours, business associations, and similar customer courtesy information.
13. On-Site Informational and Regulatory Signs: Signs that provide instructions as required by law, by necessity or for the convenience of visitors shall be interpreted to include such signs as “no smoking,” “restrooms,” “no solicitors,” “self-service,” “no trespassing” and similar informational signs provided such signs do not exceed six (6) square feet in area.

B. Incidental Signs Allowed Without Sign Permit. The following signs are allowed in all zone districts and are exempt from the Sign Permit Requirements of Subsection 16-6-13(A)(3) EMC (*Sign Permits*). Such signs shall be in addition to all other signs permitted in any zone district in which they are located, provided such signs meet the conditions of this Subsection. Any sign not meeting the conditions of this Subsection shall require a Sign Permit and shall be included in the calculations for total allowable sign area and maximum sign number.

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7. ~~Memorial Signs. Memorial signs or tablets, giving the name of building and date of erection, when cut into any masonry surface or inlaid so as to be part of the building.~~
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13. On-Site Informational and Regulatory Signs: Signs that provide instructions as required by law, by necessity or for the convenience of visitors shall be interpreted to include such signs as “no smoking,” “restrooms,” “no solicitors,” “self-service,” “no trespassing” and similar informational signs provided such signs do not exceed six (6) square feet in area.

Englewood Historic Preservation Society

Dedicated to Preserving the Historic Legacy of
Englewood, Colorado

PO Box 11234
Englewood, CO 80151
720-254-1897
historiclegacy@gmail.com
www.HistoricEnglewood.com

Council Members
City of Englewood
Englewood Civic Center
1000 Englewood Parkway
Englewood, CO 80110

July 16, 2012

Re: Presentation for the Acquisition of the Englewood Depot and Property

Dear Council Members,

Through our presentation and supporting documentation, we are submitting an Offer of Purchase for the Englewood Santa Fe Train Depot and the related Property to this body for review and proper consideration.

Documentation:

- Prospectus
- Board of Directors
- Proposal (not attached)
- Historical Building Validation
- Pictures
- Architectural drawings (not attached)

Our organization is aware of the lingering apprehension left by another historical organization. Their failure to honor their commitments is sad and somewhat tragic. However, we ask that you not judge our sincerity or ability based on another organization's actions. In our short history we have made exemplary strides and have steadily gained public support of our mission. We believe we have shown ourselves to have a high ethical standard and are of moral conscience.

Sincerely Yours Truly,

Jim Jordan

Jim Jordan,
President

Englewood Historic Preservation Society

Dedicated to Preserving the Historic Legacy of
Englewood, Colorado

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Englewood Historic Preservation Society

Dedicated to Preserving the Historic Legacy of
Englewood, Colorado

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Prospectus

About Us: The Englewood Historic Preservation Society has a two-fold mission. The first priority is acquisition of the Depot, completing the buildings restoration, and inaugurating the Depot as a community museum. The museum will offer and house exhibitions of our City, the region, and tell the story of the role the Depot played in the history of the railroads of the Southwest. The Society has in its collection nearly 120 cataloged items and an additional estimated 1100 unlisted items donated by citizens, friends, and railroad enthusiasts.

The second portion of our mission is to identify, gather, preserve, and protect our City's historic legacy by acquainting and educating our citizens, their children, visitors, and new residents to our City about our roots and the importance of our history to maintain a strong foundation in building our future.

The Englewood Historic Preservation Society is a recently formed organization dedicated to preserving the historic legacy of Englewood, Colorado. We are a Colorado Corporation having filed our Articles of Incorporation and our Bylaws with the Colorado Secretary of State. We received our Federal I.D. Number and we have our 501(c)(3) designation letter from the Internal Revenue Service. Our membership has grown to over 40 members within the last three months. Recent donations and small grants have allowed us to establish our professional credibility and offset the expenses required to pursue our two-fold mission.

Our agenda includes introducing our Society and its mission to local business and fraternal organizations such as: the Lions Club, the Shriners, the Elks Club, local churches, Englewood Chamber of Commerce, and community leaders through presentations documenting the Englewood Santa Fe Depot's history and the historical growth of our City.

We have begun our monthly afternoon historic lecture series at the Englewood Public Library featuring speakers who have a specific area of expertise related to the history of Colorado as well as the history of the railroads in Colorado. Some of the upcoming lectures include presentations on the *History of Craig Hospital*, *Gold Discovery in Colorado*, *mining techniques*, *Dinosaurs Once Lived Here*, *the Native American Indians of Colorado*, *their tools and weaponry*, and the *Mountain Men of the Region*. There are upcoming lectures featuring Southwestern Railroad History and the story of the Santa Fe Record Setting Run from Los Angeles to Chicago. Along with the lectures, our monthly Summer Tours are scheduled to begin in July which will define and visit the "now and then" historical sites in our community. The Tours will include a complimentary lunch and possibly an opportunity to pan for gold.

The Englewood Train Depot: At the numerous urgings by the Cities of Englewood and Sheridan, the Englewood Depot was built by the Atchison, Topeka, and Santa Fe Railways Company in 1915 replacing a small wood frame open air building used as the train station since 1898. The Depot was built on the same property the earlier station occupied. The land had been donated in 1890 by Peter Mangus, a resident of Sheridan, to the D&RGW to build the original station. Although, the Depot was named Englewood as the official stop, the building was actually in the Sheridan City Limits. There was not a common use agreement between the railroads using the Depot. To accommodate both the AT&SF and the D&RGW, a separate set of

tracks for each line had to be provided. The Englewood Depot, which opened on June 1, 1915, is the only Colorado example of the mission style railroad depot designed by the Santa Fe Railways Company. There were fifty stations built in this architectural style throughout New Mexico, Arizona, and into California. Only a few of the fifty mission type depots along the Santa Fe railway system that included a baggage and freight facility. Because of the tonnage commitment by both cities, the Englewood Depot was built with a baggage and freight annex complete with a high capacity scale and a 125 foot long wooden plank loading dock serviced by a dedicated track and switching capability. Today, only two mission style stations remain. One serves as a U.S. Post Office in Glorietta, New Mexico and the other is the Englewood Depot with the unique freight annex. The Depot ceased all operations during the mid to late 1970's.

The Depot was targeted for demolition in 1993 to make way for the Light Rail project from Denver to the Littleton and the south suburban area. Due to public interest, the building was moved by the Professional Building Movers, Inc. of Littleton, Colorado on September 19, 1994 from its original location (Hampden and Santa Fe) to South Galapago and Dartmouth, in Englewood. The Station is located approximately one block from the existing Burlington Northern Santa Fe (BNSF) tracks and sits on the property in the same orientation relative to the BNSF tracks as it did in its original location.

On November 9, 1994, the State of Colorado Historical Society (now Colorado History) designated the Englewood Santa Fe Railways Depot as a State Historical Building, Smithsonian Number 5AH.778 (Site #2-1994), and the building still retains the historical status. The Englewood Historic Preservation Society has made application to the National Registry to list the Depot through Kara Hahn National and State Registration Historian, Colorado History.

There are a total of thirty six train depots in Colorado which have survived the theory of bulldoze the past to make way for the future. Of the thirty six, only two are listed as unusable. The occupied depots range from tourist welcoming centers to chambers of commerce offices, restaurants to art centers, private homes to warehousing, and senior centers to museums. The Englewood Depot is listed as a probable museum.

Ownership and Funding: At the March 19, 2012 Council Meeting, many citizens spoke to the Council regarding the sale of the Depot to a developer. Most were against the sale, a few agreed. Nearly all of the citizens, who stood before the Council on that evening, favored restoration of the historical building. None wished it to be torn down. The residents also expressed surprise that the City had never put together a plan to help renovate the Depot. The age of speakers were not just the "older" folks, but included younger residents. There were suggestions the City make the Depot a city historic landmark. One individual thought the City should designate the Depot as a historic architecturally significant building.

Ownership of the Englewood Depot by the Englewood Historic Preservation Society is the "key" to Society's ability to apply for the grants and donations which total in the several thousands of dollars available through foundations, trusts, and certain societies. Such grants and donations are not available to municipalities. Railroad foundations and societies are extremely sympathetic to projects such as the Englewood Depot. For example, organizations like the Union Pacific Railroad Foundation and Burlington Northern annually award funding totaling thousands of dollars. Foundations dedicated to the preservation of the history of Americana likewise award annual funding in the thousands. We have under contract Allen Consulting, a highly experienced professional grant writing firm with excellent credentials who can effectively petition the railroad foundations and Americana societies applicable to our organization.

The Englewood Historic Preservation Society has obtained tenant commitments subject to the ownership of the property and the Depot by our organization. One tenant Dietrich Chocolates is an established business with an operation that will fit with the historic flavor of the Depot. As with the Santa Fe Railroad Historic and Modeling Society, the Pueblo Railroad Museum, and

the Railroad Museum in Greeley, we are bringing on board a full time operation HO model railroad club. The available grant monies, public and private foundations, corporate donations, sponsors, memberships, individual donations, and tenant revenue, coupled with the daily visitor participation are sources which will provide funding to restore the building, the operation and maintenance of the museum, and allow for future expansion. Additional revenue sources through gift shop sales of items such as souvenirs, railroad and area history books, mementos, and HO train supplies are under serious consideration.

The Society has acquired a Santa Fe Dining Car. Within the first year the Dining Car will rest on donated tracks located on the West of the Depot exactly 20' 6" from the building to the track centerline. The Dining Car will come fully restored and to Tri-County Health Standards for catered dining. The dining menu will consist catered chef prepared cuisine dinners for two or groups of four. The exclusive dinners will be served weekly on Friday and Saturday evenings using the same type and style of china used on the 1930's and 1940's passenger trains.

Based on performance data gathered from other museums we have visited in Colorado, New Mexico, and Wyoming that are of similar size and venue; the projected weekly average attendance to the Englewood Depot museum at the end of the first 12 months of operation is realistically estimated to be 200-300 customers per week, up to 650 customers per month, and we can expect an average of 7,500 visitors annually. Year number 2 projections indicate a doubling in the number of visitors.

Figure 1 is an in-house research projection for the first year 12 months "Open to the Public" with a visitor general admission of \$2.00 per person.

Projected Income Analysis*
Based on \$2.00 visitor general admission
and Dining Car patrons

Month	1	2	3	4	5	6	7	8	9	10	11	12
Visitors **	140	280	375	650	650	650	650	650	650	650	650	650
@ \$2.00	\$280	\$560	\$750	\$1300	\$1300	\$1300	\$1300	\$1300	\$1300	\$1300	\$1500	\$1300
Dining Car	\$0	\$0	\$0	\$0	\$0	\$0	\$250	\$750	\$1000	\$750	\$1200	\$1500
Gifts	\$500			\$1500			\$2000				\$2000	
Gift Shop	\$70	\$75	\$75	\$100	\$120	\$120	\$120	\$135	\$140	\$100	\$120	\$140
Gross	\$850	\$635	\$825	\$2900	\$1420	\$1670	\$3670	\$2185	\$2440	\$2150	\$4620	\$2940
Expense	(\$550)	(\$550)	(\$700)	(\$700)	\$700	(\$775)	(\$875)	(\$950)	(\$950)	(\$950)	(\$1000)	(\$1000)
Net	\$300	\$85	\$125	\$2200	\$720	\$775	\$2795	\$1235	\$1490	\$1200	\$3620	\$1940

Annual Total Visitors: 6,645

Annual Total Expenses: \$8750

Annual Net Ticket Income: \$16,485***

*The Projected Income is based on first year data from the Greeley and Cheyenne Museums with similar initial exhibit space and venue. ** Visitors, Greeley base data monthly average 2010-2011. ***Projection amount is contingent on estimated Dining Car start date.

[Figure 1]

The Figure 2 projection was prepared by a professional consulting firm specializing in management planning and budget analysis. The projection is for the initial 12 month "Open to the Public" first year using the model railroad attraction as the income source. The model railroad admission would be \$5.00 per visitor. Note that in this projection the opening date for the Dining Car is in the second month of operation.

Projected Income Analysis*
Based on \$5.00 model railroad admission
and Dining Car patrons

Month	1	2	3	4	5	6	7	8	9	10	11	12
Visitors**	100	200	250	350	400	400	400	400	400	400	400	400
Model RR	40	80	125	200	250	250	250	250	250	250	250	250
@ \$5.00	\$200	\$400	\$625	\$1000	\$1250	\$1250	\$1250	\$1250	\$1250	\$1250	\$1250	\$1250
Dining Car	\$0	\$250	\$750	\$1000	\$2000	\$2000	\$2000	\$2000	\$2000	\$2000	\$2000	\$2000
Gifts	\$1500			\$1500			\$2000				\$2000	
Gift Shop	\$70	\$75	\$75	\$100	\$120	\$120	\$120	\$135	\$140	\$100	\$120	\$140
Gross	\$1770	\$725	\$825	\$3600	\$3370	\$3370	\$4350	\$3385	\$3390	\$3350	\$5350	\$3340
Expense	(\$550)	(\$550)	(\$700)	(\$1000)	(\$1500)	(\$1500)	(\$1500)	(\$1500)	(\$1500)	(\$1500)	(\$1500)	(\$1500)
Net	\$1220	\$175	\$125	\$2600	\$1870	\$1870	\$2850	\$1885	\$1890	\$1850	\$3850	\$1840
Annual Visitors:				6,645								
Annual Model R.R.:				2,445								
Annual Total Expenses:				\$8750								
Annual Net Ticket Income:				\$22,025***								

*The Projected Income is based on data from the 2011 average from the Greeley Museum using the years 2002-2004 as a similar exhibit space and venue baseline. **Attendance Greeley adjusted average 15,500. ***Projection amount is contingent on estimated Dining Car start date.

Research Museums: Cheyenne Railroad Museum: 2011 annual average visitors: 52,000 Admission: \$6.00
Annual Ticket Income: \$311,800

Greeley Museum: 2010-2011 weekly visitors: 310, annual adjusted average: 15,500
Admission: \$6.00 Annual Ticket Income: \$96,720

[Figure 2]

Networking: The Englewood Historic Preservation Society is also in the process of developing and preparing to offer a networking plan to local business organizations such as the Englewood Chamber of Commerce, BID, and ACE to encourage a flow of our visitors to the Broadway business area. The museum and its associated tenants can clearly become a "destination point" for the City. The Englewood businesses fall short in providing a daily destination point for visitors and residents from other communities. The Englewood Depot is capable of filling that role.

The Museum: Our Society has been fortunate to acquire related historical documentation and copies of the original "As Built" architectural drawings of the Englewood Santa Fe Train Depot.

The acquisition of this documentation is the result of the extensive networking support we have established with other historians and their organizations throughout Colorado, New Mexico, Texas, and Wyoming. This network support has also allowed us to gain access to special collections of institutions and universities throughout the Southwest. The information we've acquired with the architectural drawings and historical documents are invaluable in tracing the Depot's railroad history and the knowledge to restore the Depot in detail. The networking has provided us the opportunity to obtain a semaphore signal tower. We have in our railroad collection a picture of the Depot taken during the 1970's that shows a semaphore tower in use in the front of the station. The semaphore in the picture of the Englewood Train Depot has similar markings to our acquisition.

Once restored, our desire is to inaugurate the Depot as a community museum which will house, protect, and display the items donated by supporters, friends, and the residents of Englewood. The museum will preserve, display, and showcase the historic memorabilia of the Depot and tell the story of how it contributed to the growth of the Cities of Englewood and Sheridan and to Southwest railroad history. For example, beside the necessary freight requirements and needs for the area farming industry and local companies like General Iron and Alexander; the Depot was used as a marshalling point during WWI and WWII for military troop train make up and it provided the vital link to Fort Logan. The historic preservation of the history, the artifacts, and memorabilia of the railroads that used the Depot; such as the AT&SF, C&S, and the D&RGW will be housed, protected, and displayed in the Englewood Train Depot museum. The Society also anticipates providing showcase and display opportunities for local and regional artists in the fields of painting, photography, crafts, and small sculpture. The museum will offer free guided tours to the public schools systems to aid in teaching the historical reference of the area.

The Property and Restoration: The site property has two levels to be developed. The Site Plan describes the property and the Depot building, Lots 18-24 inclusive, Taylor's Addition. The Depot requires restoration to maintain its historical significance. The Englewood Historic Preservation Society has in its possession a copy of the original drawings of the Englewood Depot. The drawings are described as "As Built" drawings which record the complete detail of a finished building. Dated June 1915, these drawings have the approval signatures and file numbers of the Santa Fe Railways Company. These drawings will be used as the master restoration reference. The contractor's estimate for restoration is \$65,000. The lower garden level will be built out by the tenant to his specifications. The Society's Purchase Offer is for Lots 18-24 and 25-30, inclusive, Taylor's Addition. We are prepared to aid in relocating the Garden to an alternate site and help provide new fencing and a sprinkler system.

Advisory Board: The Englewood Historic Preservation Society has an Advisory Board. The Board is comprised of prominent and successful citizens from different walks of life who are readily available to provide council to our organization with their knowledge, experience, and expertise.

Advisory Board member **John Birmingham** is the CEO of the Boulder Scientific Laboratories which manufacturers the catalyst for solid fuel rockets used by the military. He is the President of the Hudson Terminal Railroad in Hudson, Colorado. The HTR creates the tanker trains that move the oil, gasoline products, and propane on the BNSF lines. The company repairs rail and tank cars for several train companies such as the BNSF and the Union Pacific. In addition to being an ardent collector of actual trains, locomotives, Pullman cars, cabooses, and dining cars; John owns the Cripple Creek and Victor Railroad.

Erich Dietrich is a successful businessman famous for his Dietrich Chocolates. He became a Master Chocolate Maker studying as an apprentice for 3^{1/2} years in Germany. Erich recently

celebrated his 50th anniversary as a maker of fine chocolates. In addition to being an avid soccer fan, one of his major interests is the preservation of artifacts, memorabilia, and the historic values of the past. He has a dream of creating a chocolate factory that produces quality chocolate using the early equipment and techniques of the master chocolate makers of old and to invite the public to watch history come alive.

After 35 years, Advisory Board member **Mike Chesnut** retired in 2001 from the Proctor and Gamble headquarters as Associate Director of the Cosmetics Division of Beauty Care Products. Mike was responsible for the planning concepts, marketing, and category management with the major retailers throughout the United States and Europe. After leaving Baltimore, worked as a consultant for numerous small and medium size companies in Southern California. Mike now calls Denver his home where his skills in planning, analysis, long range concepts, mentoring, and training have been welcomed as a volunteer counselor and consultant with SCORE, an affiliate of the Small Business Administration. Mike's main focus is working with non-profit organizations.

With over twenty eight years of experience dealing strictly in railroad collectibles through cataloged auction sales, Advisory Board Member **Sue Knous** is recognized throughout the United States as one of the leading experts in railroad antiques and memorabilia. Sue and her late husband authored the sold out first edition of "Railroadiana, the Official 2000 and Beyond Price Guide". She authored "Railroadiana II, the Official Price Guide for 2011 and Beyond" published in February of this year. Sue has literally dealt with tens of thousands of collectible items through her auctions. She has been a member of Railroadiana Collectors Association and the Key, Lock and Lantern for over twenty years. Museums and private collectors have depended on Sue's expertise to evaluate and appraise their collections.

Born in India, Advisory Board member **Soli Sharupji** came to the United States at the age of 19. He attended the Colorado School of Mines and the University of Idaho majoring in Geology. After a successful career in the geological field, Soli retired to pursue his interest and his love of art in photography. He graduated from the New York Institute of Photography and has exhibited and received numerous awards for his creative use of color, light, form, and texture in his photographs of nature, scenic landscapes, and creative abstracts. An active member of the Aurora Society of Photographers, Soli has served two terms as President of the Denver Photographic Society.

Advisory Board member **Gerald Dandurand** is the President of the Pueblo Railway Foundation in Pueblo, Colorado. The Foundation is dedicated to the historic preservation of railroad equipment and history. The Foundation's collection of operational locomotives and other railroad equipment is known nationally. In addition to his passion for railroads, railroad history, and actual trains; Gerald owns a successful general contractor and developer business.

A graduate of the University of Oklahoma with a BA in Political Science and an MA in International Relations, **Bill Leeper** began his U.S. Air Force flight training in 1958. He was SAC pilot for eight years. Bill returned to civilian life and began his career with Continental Airlines. He was with Continental for over 28 years when he retired in 1995 having accumulated 20,000+ hours of flight time. Bill has been active with the Rotary Club in Littleton having served as their President and the District Governor of the Denver Metro area and Central Colorado. His outstanding community service portfolio includes his service as Past-President of the Friends of the Littleton Library and Museum, friends of the Endowment Fund, and is currently a member of the Board of Directors of the Denver Posse of Westerners, the United Airlines Historical Foundation, and Friends of Historical Fort Logan.

Bob Bradshaw has been the Projects Director for the City of Cheyenne, Wyoming since 1989. His department is responsible for many infrastructure and construction projects totaling in the tens of millions of dollars in funding. Among these projects are included public space and additions and the renovation to historic properties. One of the department's prime projects was the restoration of the Cheyenne Union Pacific Railroad Depot. Bob is a member of the Board of Directors for the Cheyenne Regional Medical Center/Hospital Historic District and endowment fund for historic property acquisition and preservation through private partnership. Bob's diverse career includes his service in the U.S. Air Force and as a police officer. Duty related injuries cut short his law enforcement career path.

Summary: Our plan of rehabilitation, preservation, and execution of the Englewood Historical Train Depot Museum is one of a self sustaining operation without funding from the City of Englewood or taxpayer assistance. We offer a partnership with City wherein it recognizes the Depot by designating it as a City of Englewood Historical Landmark that contributes to the growth of City through education, presentation, and the cultural benefit of its citizens. The museum will feature themed exhibits and displays by orchestrated an American Association of Museums certified Curator on a rotational schedule to provide optimum use of the citizen donated items.

Upon an approved ownership agreement of the Depot, Allen Consulting is prepared to submit three grant requests to the Burlington Northern Foundation for \$30,000.00, the Union Pacific Foundation for \$10,000.00, and the Freeport-McMoRan Foundation for \$25,000. Acceptance of any or all of the submitted grant petitions coupled with our "in-kind" contractors, such as Gerry DePugh of Prefection Wood Products for \$20,000, the stabilization and restoration process can begin in a timely manner. Additional grant requests will continue to follow.

The projected income analysis indicates the Depot operation to be solvent. Additional donation and grant petitions throughout each fiscal year will insure the projected solvency. As an example, the museum in Pueblo has been in operation for 8 years. During the last four fiscal years 2008-2012 they have received grants and donations totaling approximately \$800,000.00.

The Englewood Historic Preservation Society is a community oriented 501(c)(3) organization. Funding requests submitted to most all of our initial 35 targeted foundations require ownership of the building or the property or rare irreplaceable collections by the petitioning societies. Some foundations require the petitioner to show that 50% of the requested amount is on deposit. The foundations we plan to petition for grants will not award grants to municipalities.

The restoration of the building will no doubt be one of a few in the United States guided by copies of "As Built" drawings generated by the original builder. Any omission or need to meet current code requirements can be easily adjusted with the aid of these Santa Fe drawings. Proper door schedules and the elimination of guesswork is a major advantage. A return to the Colorado History State Foundation for additional funding will be enhanced by the accuracy of the restoration.

Regarding thoughts about relocation, there are a number of factors which disallow consideration of the idea. First, the upper and lower level landscape lends itself to the overall desired use of the facility. The garden level provides a suitable separation between the museum and a commercial enterprise, but the two museum formula enhances the "point of destination" impetus for our visitors. The second objection to a relocation proposal is the various railroad foundations have requirements that the building be a certain maximum distance from the active railroad track centerline. Each foundation has a preferred distance. The Depot is within the most stringent requirement. The placement of the foundation prior to moving the building in 1992 was planned to accommodate these requirements.

Finally, we wish to be viewed as the "caretakers" of the Englewood citizen's museum and "guardians" of their historical heritage. The legal community requires ownership and a paper trail. The City Council is a rotating body as are our Board members. To protect the idea of citizen ownership and insure the continuity of a citizen museum as the administrations of both groups evolve, we need to act as partners in this effort and provide an agreement satisfactory to all parties and the legalities. With open cooperation and our eyes on the future, such an agreement can be a reality.

The Englewood Historical Preservation Society is the answer to the City's problem. The Depot has been under the City's control for a decade. We have positioned ourselves to eliminate the City's liability to the building and in return provide a viable element within our City.

-dap

Signed,

Jim Jordan

Jim Jordan,
President

Dave Paschal

Dave Paschal,
Vice President

Sharlene Barker

Sharlene Barker,
Secretary

Matthew Crabtree

Matthew Crabtree,
Treasurer

Doug Cohn

Doug Cohn,
Membership

Ida May Nicholl

Ida May Nicholl,
Community Relations

Jeff Barker

Jeff Barker,
Comptroller

Christine Suess

Christine Suess,
Planning

**Englewood
Historic Preservation
Society
Board of Directors
Contact Information**
(Rev. 4, 06/18/2012)

President Jim Jordan	phone: 303-269-976	occupation: Retired, Fire Chief
Vice President/Historian Dave Paschal	phone: 720-373-9812	occupation: Retired, Federal Officer
Secretary Sharlene Barker	phone: 303-378-5540	occupation: Events Planner, ISES
Treasurer Matthew Crabtree	phone: 720-841-5384	occupation: Sr. Broadcast Engineer
Membership Doug Cohn	phone: 303-587-2407	occupation: Retired, Businessman
Community Relations Ida May Nicholl	phone: 303-789-9102	occupation: Retired, Purchasing Agent
Comptroller Jeff Barker	phone: 303-318-6633	occupation: Certified Public Accountant
Planning Christine Suess	phone: 720-560-0506	occupation: Occupational Therapist

Jim Jordan, President of the Englewood Historic Preservation Society: Jim is a 6th generation native of Colorado. He attended the University of Colorado majoring in History and a minor in Political Science. Jim's vocational background includes careers in transportation, the railroad industry, and firefighting. His years with the railroads included the CB&Q, the C&S, and the AT&SF Railways Company. Jim, in concert with the States of Colorado and Wyoming partnership, was the COO for the Colorado Midland Passenger Rail Project. During the 1970's, he held the position of Fire Chief of the Dillon Valley Fire District. As the youngest Fire Chief in the United States at that time, he received numerous awards and Letters and Commendation from such agencies as the Summit County Commissioners, the City of Lakeside, and the Denver Fire Department.

Jim is retired. He has two daughters with one in Denver, another in Montreal, Quebec and a son who is in Illinois.

Dave Paschal, Interim Vice President and Historian for the Englewood Historic Preservation Society: Born and raised in Indiana, Dave grew up addicted to auto racing and Indiana basketball. His third major interest gained traction when he was awarded a two-year scholarship to the John Herron Art Institute in Indianapolis. Dave's family moved to Albuquerque, New Mexico where he finished high school and earned a Bachelor's Degree in Engineering with a minor in Technical Illustration from the University of New Mexico.

Dave served as a U.S. Air Force pilot. His engineering career in the aerospace arena included positions with NASA and government contractors. Following his career in the aerospace industry, Dave entered the security field as a Federal Officer with the Department of Homeland Security, retiring in late 2011.

An Englewood resident for over 30 years, Dave is married to Sandy Summerwood. He has 3 daughters, and 7 grandchildren.

Ida May Nicholl, Community Relations Director for the Englewood Historic Preservation Society: Ida May is a Colorado native from Colorado Springs. After moving to Englewood, she began following her calling as a community volunteer worker by going door to door to register voters. This led to becoming involved in the political arena at all levels of government. Her other community interests focused on activities such as a Cub Scout leader, a PTA officer, and Mentor to young mothers under the MOPS mother/preschooler program. Ida May retired in 1993 as a Purchasing Agent for a home health care medical equipment company, a position which required her to provide the company with the necessary support of the company's design and development projects by effectively interfacing with the company's major vendors and manufacturing firms throughout the United States. The Nicholl family hobby is digging for old bottles in the ghost towns of Colorado. The bottle collection dates from the pre civil war era to the late 1800's.

Ida May's late husband, John, served four consecutive terms as a Arapahoe County Commissioner from 1965 through 1981, followed by two terms from 1989 through 1997. She and her husband have three children, two graduates from the University of Northern Colorado, and one from the Colorado School of Mines. They have five grandchildren.

Doug Cohn, Membership Coordinator for the Englewood Historic Preservation Society: Born in Denver, Doug grew up in Englewood. He received his Bachelor's Degree from the University of Colorado and his Master's from the Denver Seminary. He was a missionary counselor in Denver for five years. His family owns the Bonnie Brae Hobby Shop and Doug was active in the business for 28 years. Bonnie Brae is in its 50th year of operation. Doug was part of the creation of the Old Town Business Association which is now the South Broadway Business Improvement District. He was a major part of the Englewood Days Car Show for 6 years. Doug retired from the RTD in May 2012. He has been involved in politics for several years and has served on three different Boards.

Married to Linda for 36 years, they have 2 children and 3 grandchildren. Doug loves Englewood and Colorado history. His hobby is looking for buried treasure.

Sharlene Barker, Secretary for the Englewood Historic Preservation Society: Her friends and associates call her "Shar". A graduate with a Bachelor's Degree from Colorado State University, Shar has always been involved in community affairs. She is one of those rare individuals who will go farther than just "lip service". Shar actually cares about people and will always work to help make things better. A people advocate, the list of her volunteer and professional involvement is long and impressive. Shar is a volunteer "Mentor" with *Save Our Youth/North Littleton Promise* working with "at-risk" youth to develop relationship, social, educational, and spiritual skills. She was a committee member for Public Policy Advocacy with the Junior League of Denver 2010 - 2011 and is now a Sustainer for the 2012 year, as well as very active in her church.

A member of the Better Business Bureau and a Board Member of the International Special Events Society, Shar is a professional Special Events Planner and Coordinator. She and her husband Jeff have 3 children; graduates from DU, CU, Xavier, and Colorado College.

Matthew Crabtree, Treasurer for the Englewood Historic Preservation Society:

Matthew is a Colorado native and has been a resident of Englewood for 8 years. His hobbies include electronics/technology, classic cars, and woodworking along with an interest in Colorado History and 18th to early 19th century architecture. Matthew's education is in electrical design and engineering with extensive experience in RF signal design.

For the last 11 years Matthew has been employed with DMX, Inc. and currently holds the position of Senior Broadcast Engineer. His primary role in this position is to manage the department responsible for North American satellite transmissions and the design and engineering of broadcast systems. He is also a member of the product review board and works closely with the product development team for new product design.

Christine Suess, Planning and Board Member for the Englewood Historic Preservation Society: Born and raised in Dearborn, Michigan Christine worked a full time job while she attended Wayne State University, School of Medicine and Allied Health. She received her Bachelor's Degree in Occupational Therapy in 1974. Christine spent a brief period in Toronto, Canada honing her medical skills and moved to Denver where she became a member of the staff at the Presbyterian Children's Research Institute and Hospital. Christine later joined Craig Hospital in Englewood where her specialty field is treating patients with spinal cord and head injuries.

In 1989, Christine traveled with Project Hope to Yerevan, Armenia to set up a training and treatment rehabilitation program for specialists to deal with victims of the 1989 earthquake. Upon her return she expanded the program by arranging "stateside" training for Armenian students.

Christine recently celebrated 35 years in her field. Christine feels as she approaches the autumn of her life that now is the time to enjoy staying healthy, active, and time with her husband, Erich, as they enter a new frontier together.

INTERNAL REVENUE SERVICE
P. O. BOX 2508
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DEPARTMENT OF THE TREASURY

Date: JUN 21 2012

ENGLEWOOD HISTORIC PRESERVATION
SOCIETY
C/O JEFFREY W BARKER
303 E 17TH AVE STE 600
DENVER, CO 80203

Employer Identification Number:
45-4959899
DLN:
502166001
Contact Person:
DALE T SCHABER ID# 31175
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170.(b) (1) (A) (vi)
Form 990 Required:
Yes
Effective Date of Exemption:
April 19, 2012
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Sincerely,

Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)



HISTORY *Colorado*

29 June 2012

Jim Jordan
c/o Englewood Historic Preservation Society
PO Box 11234
Englewood, CO 80151

Re: State Register of Historic Properties Listing

Dear Mr. Jordan:

On 9 November 1994, the Colorado Historic Society, now History Colorado, listed the Englewood Depot on the State Register of Historic Properties. The State Register Nomination Form acknowledged the move of the depot to 3090 South Gaglapgo Street, prior to the listing of the property. According to our records, the historic property, Smithsonian number 5AH778, is still listed on the State Register.

If you have any additional questions about this historic property or the State Register of Historic Properties, please contact me at 303-866-4683.

Sincerely,

Kara Hahn

National and State Register Historian
Office of Archaeology and Historic Preservation
History Colorado Center
1200 Broadway, Denver, CO 80203

Englewood Historic Preservation Society

Dedicated to Preserving the Historic Legacy of
Englewood, Colorado

Depot Picture Series

Picture Number I

This picture dates to 1919-1920.
The recently finished Englewood Depot is shown
just inside the Sheridan city limits
20' 6" from the track centerline.

Picture Number II

The Englewood Depot is shown in this 1974
picture when it was primarily a freight facility. Note the
semaphore signal used to control
the North and Southbound train traffic.

Picture Number III

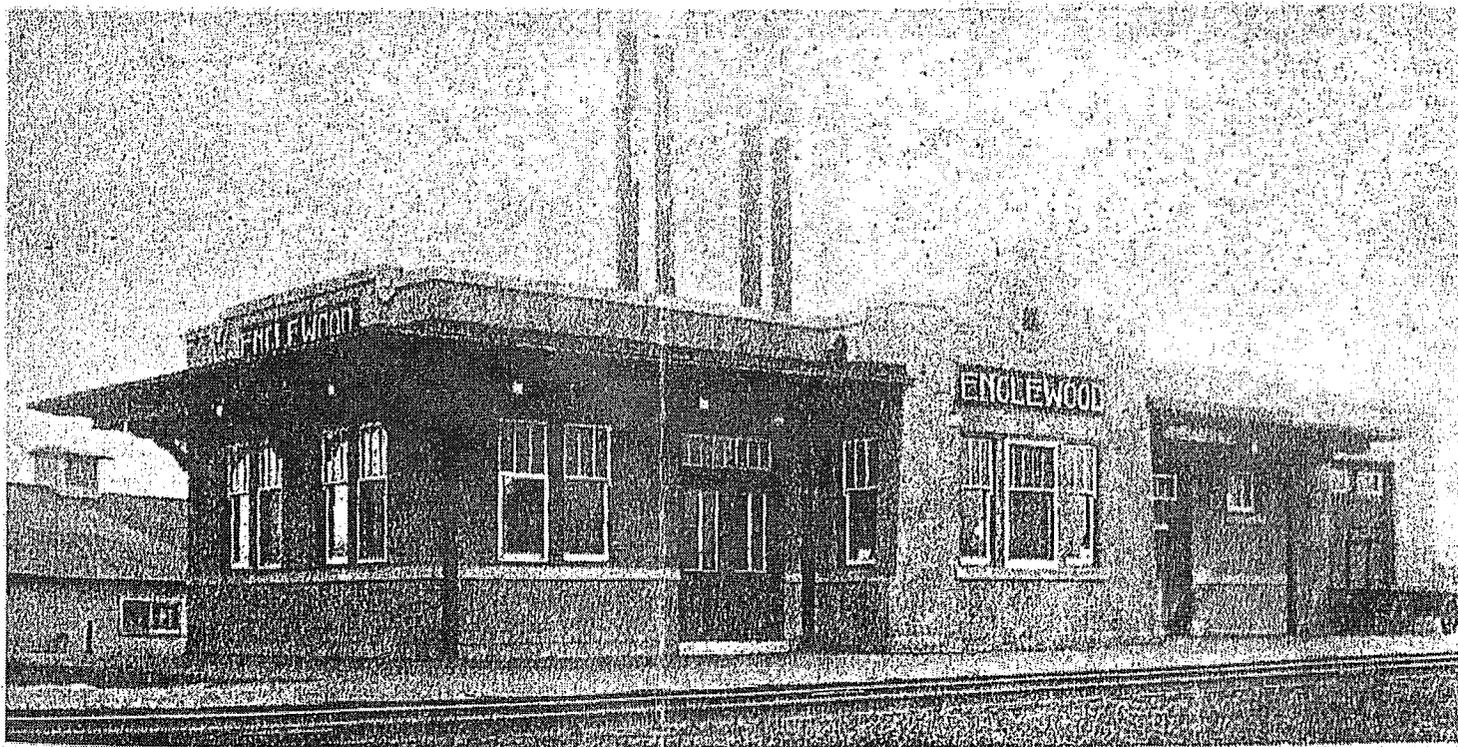
The Englewood Depot as it appeared in
1993. The tracks had been moved approximately
75 feet to the West making room for the
Light Rail right-of-way.

Picture Number IV

The Depot is shown sitting on the
Professional Building Movers flatbed
waiting to begin the trip to its new location on the
night of September 19, 1994.

Picture Number V

The Englewood Train Depot in new location.
The exterior has been stabilized. Note the
State of Colorado Historic Building Designation.



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This picture dates to 1919-1920.
The recently finished Englewood
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20' 6" from the track centerline.



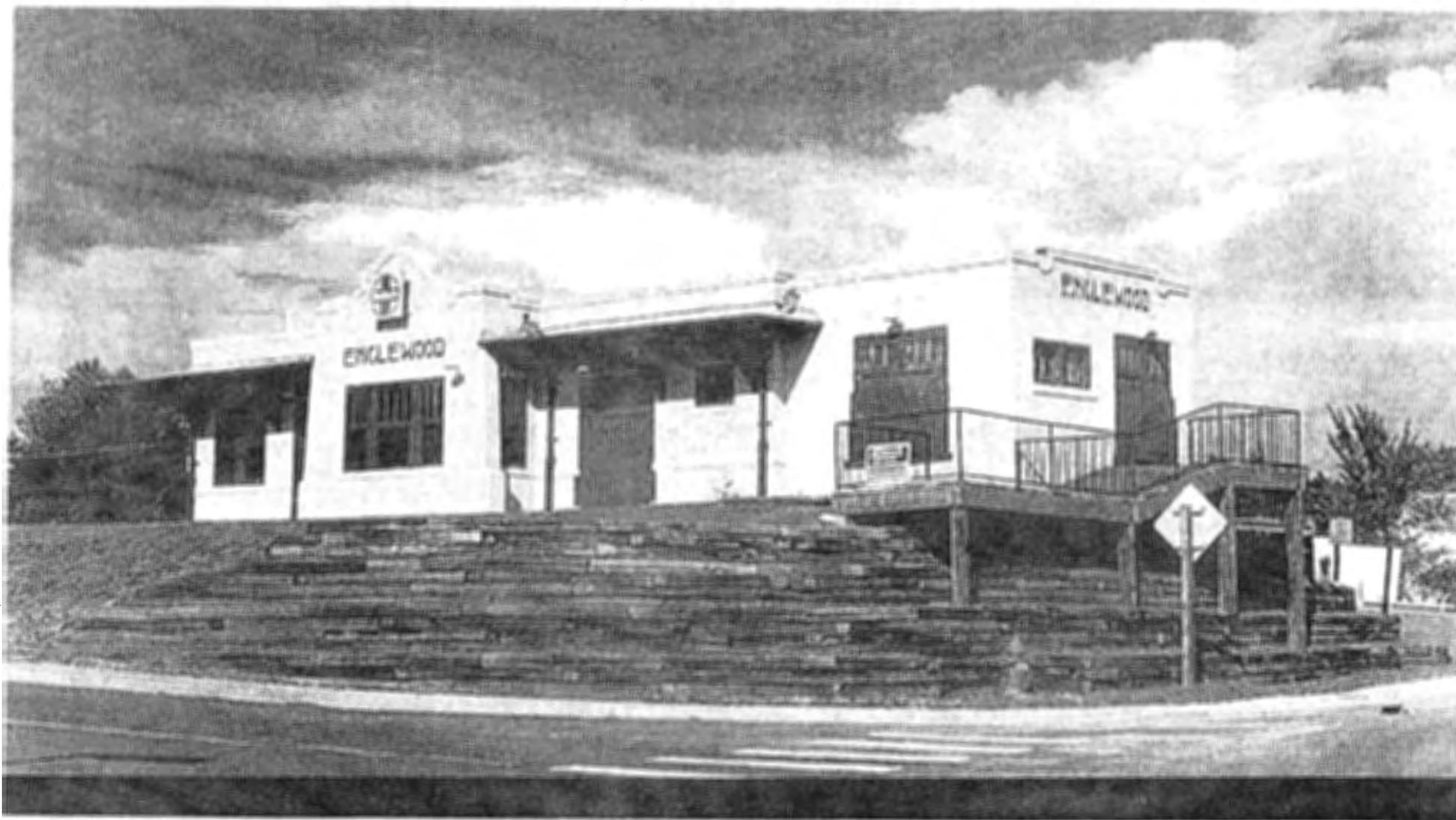
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Memorandum

City Manager's Office

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager ✓
FROM: Michael Flaherty, Deputy City Manager
DATE: June 28, 2012
SUBJECT: Englewood Depot – Discussion of Council Goals and Development Options

At the request of Mayor Penn, I am providing options for City Council to consider regarding the Englewood Depot during the upcoming July 2nd Study Session.

Background: In 1994 the depot was relocated to the current site, then owned by the Englewood Housing Authority, by the Englewood Historical Society (EHS), a private non-profit organization. EHS signed a promissory note with the Housing Authority in the amount of \$300,000 to secure the property. When the depot was moved, a foundation (which also serves as a walk-out basement) was constructed on which the depot was placed. The structure was stabilized and some basic rehabilitation (roofing and exterior) was performed with funding from the State Historical Fund. Between 1994 and 2001, under ownership of the EHS, no additional work was accomplished. The City acquired the property (six lots between Galapago and Fox) from the Housing Authority in 1998 for \$286,000 and assumed the EHS promissory note.

Because EHS was unable to secure funding to pay off the promissory note or for the rehabilitation of the structure, and could not provide for a sustainable use, EHS deeded the building to the City in 2001. The City conducted a Historical Structures Assessment that suggested a preservation plan. However, under City ownership, neither funding nor a sustainable use has been secured or identified and other than periodic repairs, no additional work has been accomplished. In spite of the further restoration efforts, the depot remains structurally sound and has shown few signs of deterioration.

The following are several possible goal statements for Council to consider for the future disposition of the depot. One or more may be applicable, depending on Council's direction:

- To provide for preservation of the historic Englewood Depot
- To provide for rehabilitation of the depot according to the Secretary of Interior standards
- To grant an historical preservation easement to the State Historic Foundation
- To secure a long-term sustainable use for the depot
- To provide for community access and use of the depot
- To retain City ownership of the depot and site
- To maximize revenue from sale or lease of the depot and site
- To facilitate relocation of the depot to a more appropriate site
- To minimize City's financial liability related to the depot

In addition to the above, Council may obviously suggest other goals.

When Council has agreed upon goal(s) for the Englewood Depot, and depending on the goals chosen, Council may consider disposition of the depot through pursuit of one of the options listed below:

Do nothing – As stated above, the depot is structurally sound and has shown little sign of deterioration. Council may determine to take no action at this time without significant negative impact. This may be an approach to consider while the plans for future development of the Winslow/General Iron properties are formulated. However, the vacant depot -- while not an eyesore – the depot may to some appear neglected, particularly at its prominent location. In addition, vacant buildings invite vandalism and intrusion, which potentially may lead to damage or even destruction.

Negotiate a sale or lease of the building – Following the most recent interest in the depot, two private parties and one group of community residents indicated interest in the depot. Council could directly negotiate a sale or lease of the depot building with one of the interested parties. Depending on the interest in the depot, a lease of the building only, without the ground might be feasible, especially to a private non-profit organization. (The newly formed Englewood Historical Preservation Society will present their plan to City Council later in July.) However, to enter into direct negotiation with one party for sale or lease of the depot would preclude other interested parties and could potentially be challenged or appear to some to be improper. (Note: Bryant Winslow has recently expressed potential interest in purchasing the depot.)

Issue a Request for Proposal for sale or lease of the depot – The last attempt to sale the depot through issuance of an RFP was criticized for deficiencies, primarily the perceived lack of notice or advertisement of its availability and because some desired conditions of sale were not addressed in the previous RFP, e.g., the lack of an historical preservation easement and a correct form of deed. Depending on Council's goals for the disposition of the depot, an RFP could be written to address all desired conditions and notification. Any and all interested parties would then have the opportunity to submit proposals. However, a sale or long-term lease could limit the City's future use of the site and/or prohibit public access to the depot, depending on the intended use by a private owner.

City to retain ownership and fund rehabilitation of the depot – As owner of the depot, the City could take advantage of grant funding from the State Historic Fund to rehabilitate the depot. The cost of rehabilitation, including build-out of the unfinished basement, has been estimated at approximately \$350,000. It is possible that grant funding could be secured to pay for one-half of the restoration of the historical elements of the depot, the cost of build out of the non-historic unfinished basement and building systems are not eligible. However, funding is not currently budgeted for this purpose and based on the City's criteria for funding of capital projects, the rehabilitation of the depot would not rank highly. In addition, the City has yet to determine a sustainable use of the depot.

Council may also offer other options, e.g., the gifting of the depot to a party willing to move the depot from the current site in order to allow for more productive use of the City-owned property on which it is located.

I look forward to the Council's discussion on this matter and will be available to answer questions during the Study Session on July 2nd.



City of Englewood

To: Mayor Randy Penn and City Council
From: Frank Gryglewicz, Director of Finance and Administrative Services
Date: July 10, 2012
Subject: June 2012 (Mid-Year) Financial Report

The 2013 Budget is underway and the 2012 Estimate numbers may change. The Department Directors will be meeting with the City Manager during the next couple of weeks to review their 2012 Budget and discuss where they anticipate finishing for the year in terms of their budget and provide their proposed 2013 Budget request.

REVENUES:

- Through June 2012, the City of Englewood collected **\$20,019,204 or \$536,676 or 2.7 percent more** than last year (See the chart on page 3 and the attached full report for details on changes in revenue in past year).
- The City collected \$2,051,818 in Property Tax and \$104,228 in Specific Ownership Tax through June.
- **Year-to-date sales and use tax revenues were \$11,463,710 or \$554,326 or five percent more than June 2011**
- Cigarette tax collections were down \$3,082 compared to last year.
- Franchise fee collections were \$136,863 more than last year.
- Licenses and permit collections were \$31,916 more than 2011.
- Intergovernmental revenues were \$289,176 less than the prior year (due to large, one-time collections last year).
- Charges for services decreased \$27,993 from last year.
- Recreation revenues increased \$35,907 from 2011.
- Fines and forfeitures were \$62,343 more than last year.
- Investment income was \$15,730 less than last year.
- The City collected \$335,079 in rents from the properties at McLellan Reservoir.
- Miscellaneous revenues were \$20,044 more than last year.

OUTSIDE CITY:

- Outside City sales and use tax receipts (cash basis) were down \$392,434 or 9.2 percent compared to last year.
- At this time potential refunds total approximately \$1,290,000 for claims submitted to Englewood but not completed; the balance of the account to cover intercity claims is \$1,100,000.

CITY CENTER ENGLEWOOD (CCE):

- Sales and use tax revenue collected through June 2012 were \$1,716,730.

EXPENDITURES:

- Expenditures through June were \$20,086,063 or \$530,711 (2.7 percent) more than the \$19,555,352 expended through June 2011. The City's refund of sales and use tax claims through June 2012 totaled \$94,673.

REVENUES OVER/UNDER EXPENDITURES:

- Expenditures exceeded revenues by \$66,859 this year compared to expenditures exceeding revenues by \$72,824 in 2011.

TRANSFERS:

- Net 2012 transfers-in to date of \$1,285,465 were made by the end of June 2012 (please refer to page 14 for the makeup).

FUND BALANCE:

- The estimated total fund balance is \$8,010,258 or 20.5 percent of estimated revenue. The estimated Unassigned Fund Balance for 2012 is estimated at \$3,942,371 or 10.07 percent of revenues. If the transfer of \$334,000 had not been made to the Public Improvement Fund, the estimated Unassigned Fund Balance would be 10.9 percent of revenues.
- The 2012 Long Term Asset Reserve (LTAR) balance is \$2,619,375.

PUBLIC IMPROVEMENT FUND (PIF):

- The PIF has collected \$1,416,368 in revenues and spent \$1,920,298 year-to-date. Estimated year-end fund balance is \$70,427.

City of Englewood, Colorado

June 2012 Financial Report

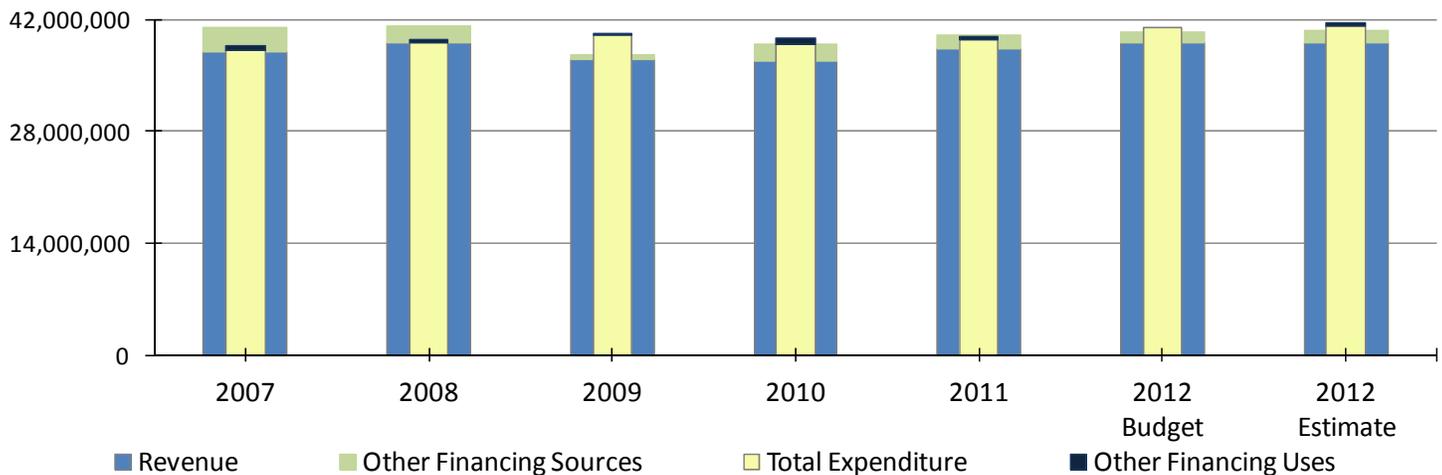
GENERAL FUND OVERVIEW AND ANALYSIS

The General Fund accounts for the major “governmental” activities of the City. These activities include “direct” services to the public such as Police, Fire, Public Works, Parks and Recreation, and Library Services. General government also provides administrative and oversight services through the offices of City Manager and City Attorney; the departments of Information Technology, Finance and Administrative Services, Community Development, Human Resources, Municipal Court and Legislation. Debt service, lease payments, and other contractual payments are also commitments of the General Fund.

General Fund - Surplus and Deficits

The graph below depicts the history of sources and uses of funds from 2007 to 2012 Estimate. As illustrated, both surpluses and deficits have occurred in the past. The gap has narrowed over the past few years by reducing expenditures, freezing positions, negotiating lower-cost health benefits, increased revenue collections. Continued efforts will be required to balance revenues and expenditures, especially with persistent upward pressure on expenditures due to increases in the cost of energy, wages and benefits.

General Fund: Total Sources and Uses of Funds



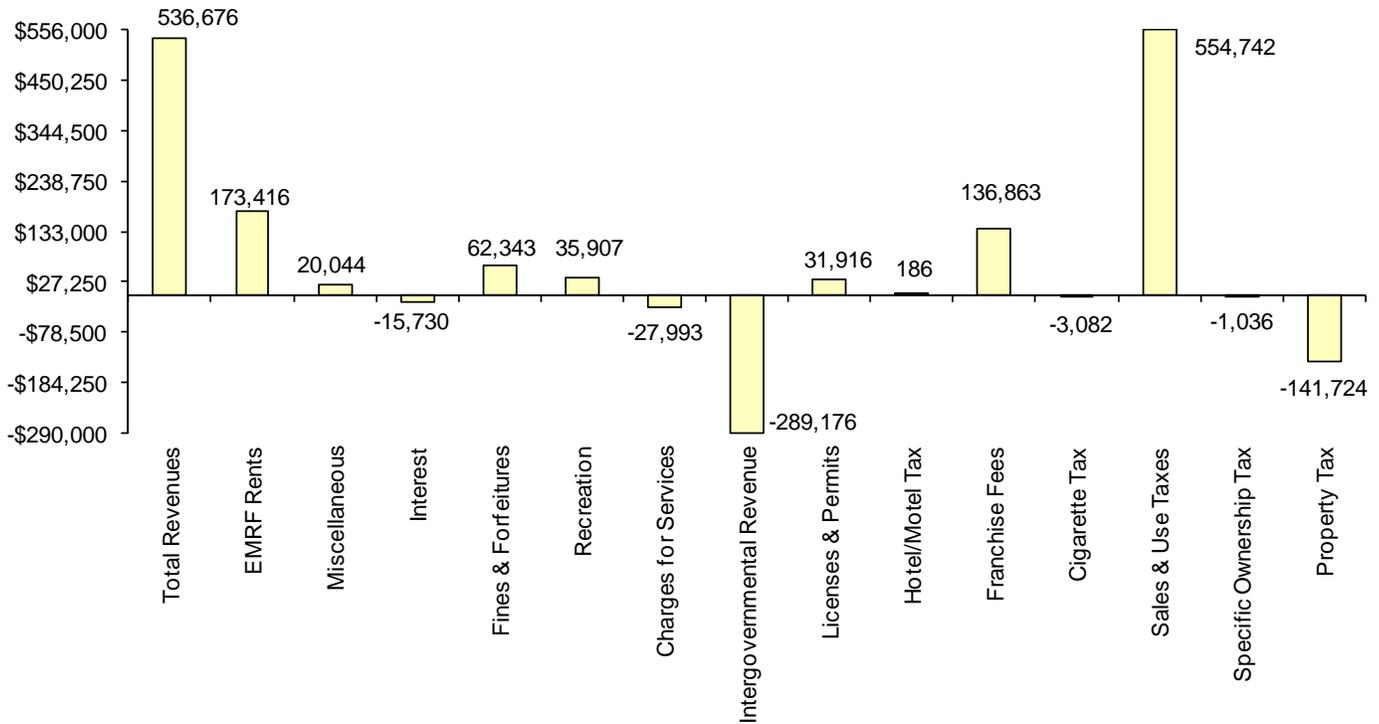
The table below summarizes General Fund Year-To-Date (YTD) Revenue, Expenditure, Sales & Use Tax Revenue and Outside City Sales & Use Tax Revenue for the month ended June, 2012. Comparative figures for years 2011 and 2010 are presented as well. The table also highlights the dollar and percentage changes between those periods.

	2012	2012 vs 2011 Increase (Decrease)		2011	2011 vs 2010 Increase (Decrease)		2010
General Fund							
Year-To-Date Revenue	\$ 20,019,204	\$ 536,676	2.75%	\$ 19,482,528	\$ 784,731	4.20%	\$ 18,697,797
Year-To-Date Expenditure	20,086,063	\$ 530,711	2.71%	19,555,352	\$ 21,114	.11%	19,534,238
Net Revenue (Expenditure)	\$ (66,859)	\$ 5,965		\$ (72,824)	\$ 763,617		\$ (836,441)
Estimated Unassigned Fund Balance	\$ 3,666,655	\$ (1,295,869)	(26.11%)	\$ 4,962,524	\$ 46,877	.95%	\$ 4,915,647
Sales & Use Tax Revenue YTD	\$ 11,463,710	\$ 554,742	5.09%	\$ 10,908,968	\$ 424,612	4.05%	\$ 10,484,356
Outside City Sales & Use Tax YTD	\$ 3,865,098	\$ (392,434)	(9.22%)	\$ 4,257,532	\$ 993,642	30.44%	\$ 3,263,890

General Fund Revenues

The City of Englewood’s total budgeted revenue is \$39,120,001. Total revenue collected through June 2012 was \$20,019,204 or \$536,676 (2.7 percent) more than was collected in 2011. The chart below illustrates changes in General Fund revenues this year as compared to last year.

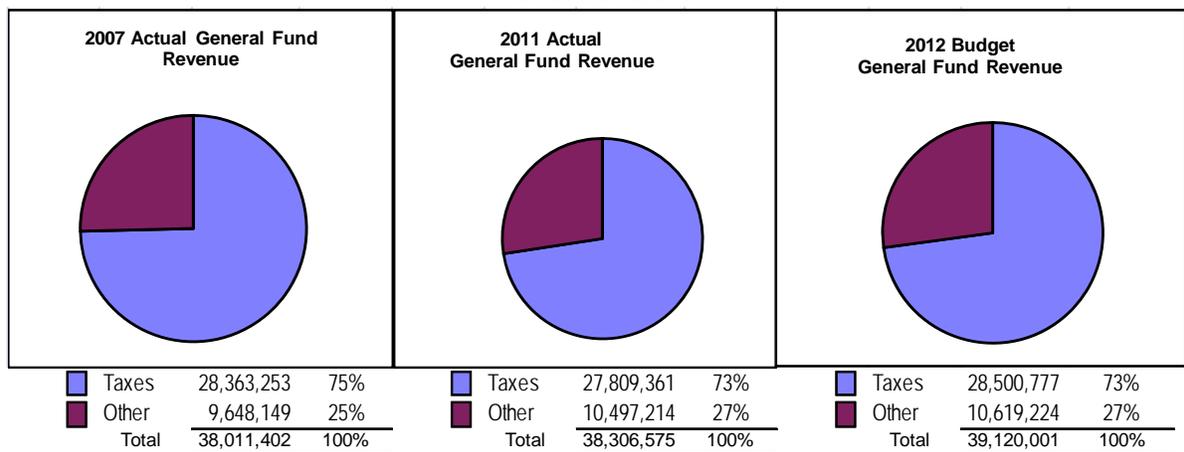
2012 Year-To-Date Change in General Fund Revenue as Compared to Prior Year



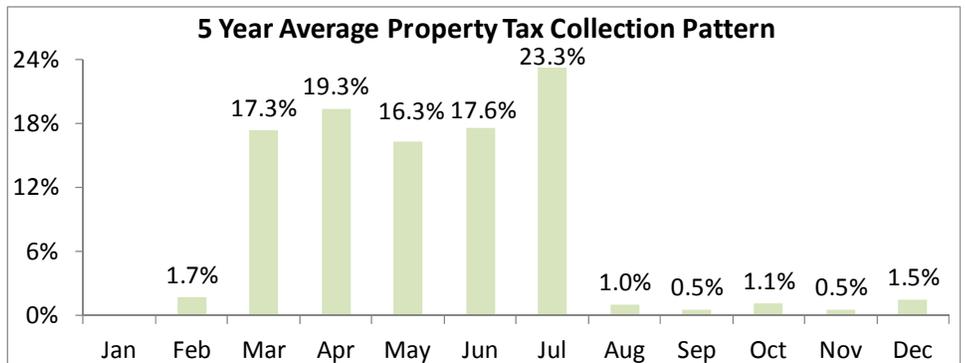
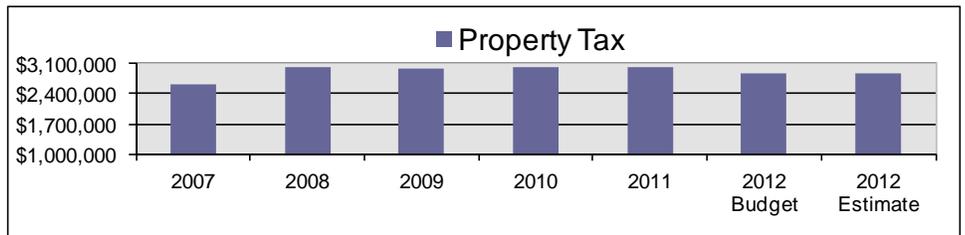
General Fund - Taxes

The General Fund obtains most of its revenue from taxes. In 2011 total revenues were \$38,306,575 of which \$27,809,361 (72.6 percent) came from tax collections. Taxes include property, sales and use, specific ownership, cigarette, utilities, franchise fees, and hotel/motel. The following pie charts illustrate the contribution of taxes to total revenue for 2007, 2011 and 2012 Budget. Taxes as a percentage of total revenue have declined slightly as other fees and charges have been increased to help offset rising costs and relatively flat tax revenues.

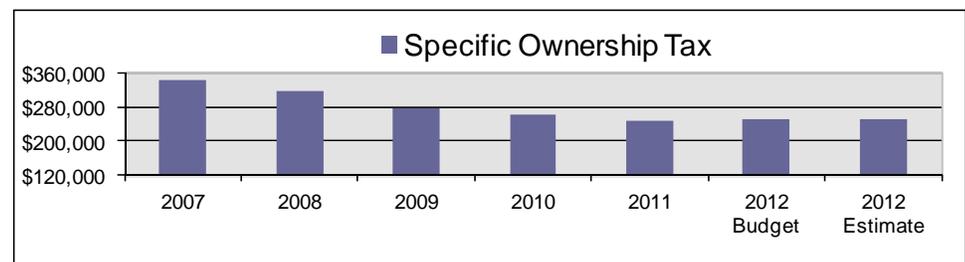
General Fund Revenues Taxes vs. Other



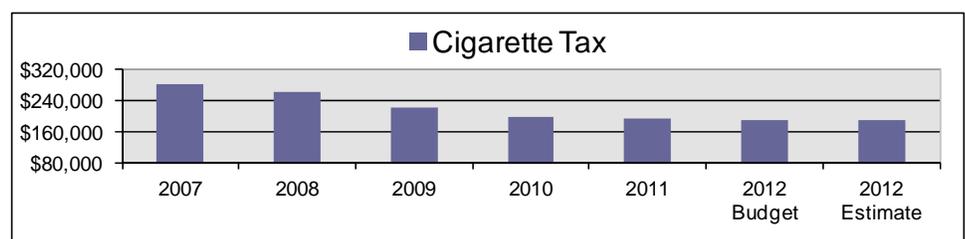
Property taxes: These taxes are collected based on the assessed value of all the properties in the City and the mill levy assessed against the property. The City's total 2011 mill levy collected in 2012 is 7.911 mills. The 2011 mill levy for general operations collected in 2012 is 5.880 mills. In 2001, voters approved a separate, dedicated mill levy for principal and interest payments on the City's general obligation debt for the construction of parks and recreation projects. The dedicated general obligation debt mill levy is accounted for in the Debt Service Fund. The dedicated general obligation debt mill levy dedicated for the City's general obligation debt collected in 2012 is 1.741 mills. The General Fund Property Tax collections grew from \$2,623,118 in 2007 to \$2,994,213 in 2011. This was an increase of \$371,095 or 14.1 percent. In 2011 the City collected \$2,994,213 or 10.8 percent of 2011 total taxes and eight percent of total revenues from property taxes. The City budgeted \$2,880,000 for 2012; and collected \$2,051,818 through June 2012. The estimate for the year is \$2,880,000.



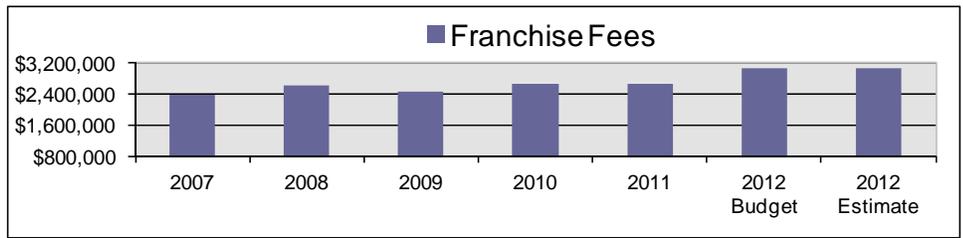
Specific ownership: These taxes are based on the age and type of motor vehicles, wheeled trailers, semi-trailers, etc. These taxes are collected by the County Treasurer and remitted to the City on the fifteenth day of the following month. The City collected \$341,423 in 2007 and \$246,062 in 2011 which is a decrease of \$95,361 or 27.9 percent. The City collected \$246,062 in 2011 which is less than one percent of total revenues and total taxes. The City budgeted \$250,000 for 2011 and collected \$104,228 through June 2012. The estimate for the year is \$245,000.



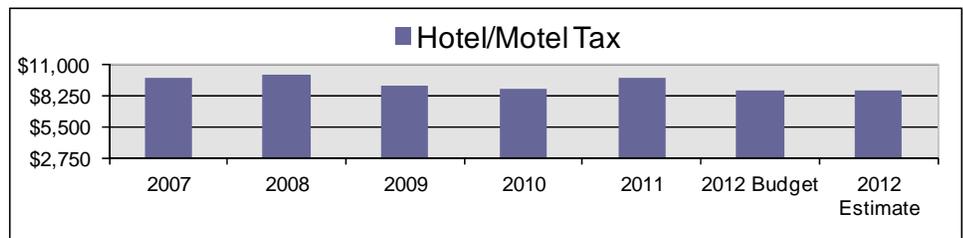
Cigarette Taxes: The State of Colorado levies a \$.20 per pack tax on cigarettes. The State distributes 46 percent of the gross tax to cities and towns based on the pro rata share of state sales tax collections in the previous year. These taxes have fallen significantly in the past and continue to fall after the 2009 federal tax increase of approximately \$.62 per pack went into effect. This federal tax increase will fund the State Children's Health Insurance Program (SCHIP). In 2007 the City collected \$278,785, but in 2011 the City collected \$190,763, which is a decrease of \$88,022 or 31.6 percent. These taxes accounted for less than one percent of total taxes and less than one percent of total revenues in 2010. The City budgeted \$190,000 for the year and collected \$88,427 through June 2012, which is \$3,082 or 3.4 percent less than the \$91,509 collected through June 2011. The estimate for the year is \$184,000.



Franchise Fees: The City collects a number of taxes on various utilities. This includes franchise tax on water, sewer, and public services, as well as occupational tax on telephone services. The City collected \$2,356,385 in 2007 and \$2,631,393 in 2011, an increase of \$275,008 or 11.7 percent. These taxes accounted for 9.4 percent of taxes and 6.9 percent of total revenues in 2011. The City budgeted \$3,056,938 for the year; collections through June totaled \$1,219,138 compared to \$1,082,275 collected during the same period last year. The estimate for the year is \$3,056,938.

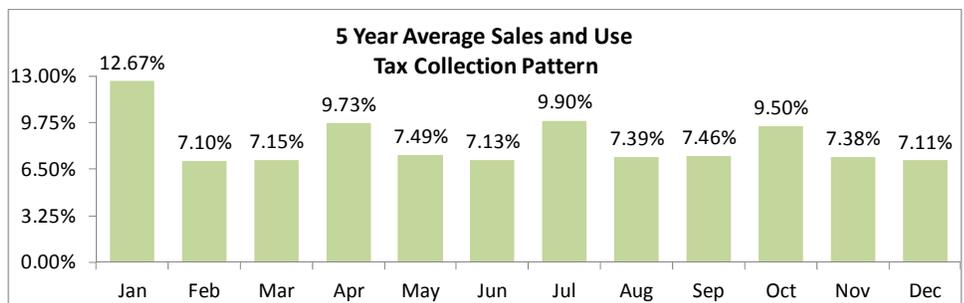
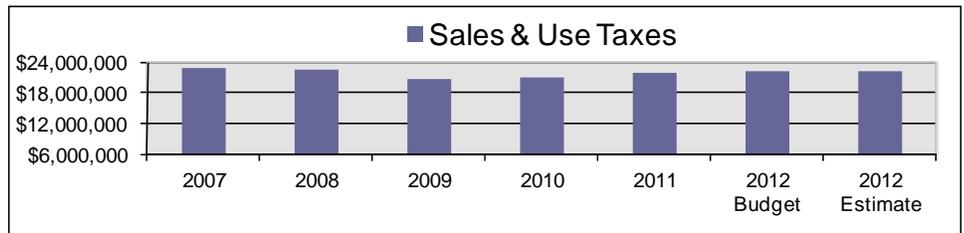


Hotel/Motel Tax: This tax is levied at two percent of the rental fee or price of lodging for under 30 days duration. The City budgeted \$8,713 for the year and has collected \$4,571 through June 2012. The estimate for the year is \$9,000.



Sales and Use Taxes Analysis

Sales and use taxes are the most important (and volatile) revenue sources for the City. Sales and use taxes generated 78.2 percent of all taxes and 57.2 percent of total revenues collected in 2011. In 2007, this tax generated \$22,753,820 for the City of Englewood; in 2011 the City collected \$21,737,110, a decrease of 4.5 percent. This tax is levied on the sale price of taxable goods. Sales tax is calculated by multiplying the sales price of taxable goods times the sales tax rate of 3.5 percent. Vendors no longer receive a fee for collecting and remitting their sales/use taxes. Taxes for the current month are due to the City by the twentieth day of the following month. The City budgeted \$22,115,126 for 2012. Sales and Use Tax revenue through June 2012 was \$11,463,710 while revenue year-to-date for June 2011 was \$10,908,968, an increase of \$554,742 or 5.1 percent.



Collections (cash basis) for June 2012 were \$1,635,613 while collections for June 2011 and June 2010 were \$1,547,381 and \$1,530,247 respectively. June 2012 collections were 5.7 percent or \$88,232 more than June 2011 collections and \$105,366 or 6.9 percent more than June 2010 collections.

Based on the last five years of sales tax collection data, year to date collections through June contribute 51.2 percent of the total year's sales tax collections; if this pattern holds this year, 48.8 percent is left to collect over the next six months. Based on collections through June, the City will collect an additional \$10,926,349 over the next six months for a total of \$22,390,059. Collections through June were 105.1 percent of last June's collections. If this were applied to the entire year, the total collected would be \$22,842,484; the average of the two forecasts is \$21,616,271.

The City budgeted \$22,115,126 for the year. Based on the last five years of sales tax collection data, year to date collections through June contribute 51.2 percent of the total year's sales tax collections. Based on historical collection patterns, the City should have collected \$11,322,945. At this time the collections are \$140,765 ahead of expectations.

Outside City sales and use tax collections through June totaled \$3,865,098 equaling a decrease of approximately \$392,434 from 2011.

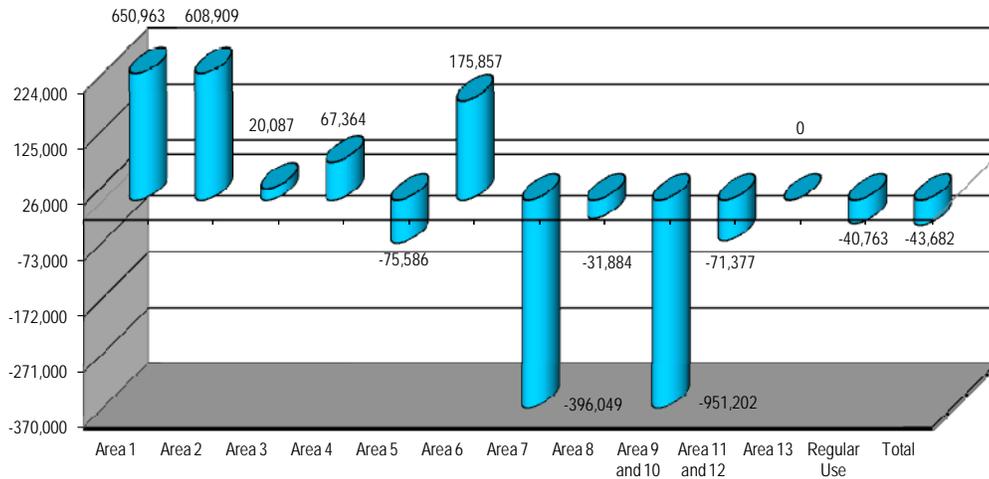
This revenue source tends to ebb and flow (often dramatically) with the economy, growing during economic expansions and contracting during downturns. The past three years of sales tax collections have been exceptionally erratic making it extremely difficult to make accurate short or long term forecasts. It is important to continually review and analyze sales and use tax data including trends in the various geographic areas of the City.

The chart on the next page, “Change in Sales/Use Tax Collections by Area 2011 vs. 2010” indicates that most of the increase in sales tax collections is due to Outside City (Area 7) and Collections from Public Utilities (Area 8). Economic conditions, judged by sales tax collections, appears to be a “mixed bag” with some geographic areas increasing and some decreasing compared to the same period last year.

Please note that the geographic map of the sales tax areas has been changed as of the February 2012 report, and hopefully makes more sense. Some of the areas will look skewed until more comparable data is available (next year). EURA Areas 9 & 10 and EURA Areas 11 & 12 were incorporated into Areas 1, 2 and 6. Specific changes include:

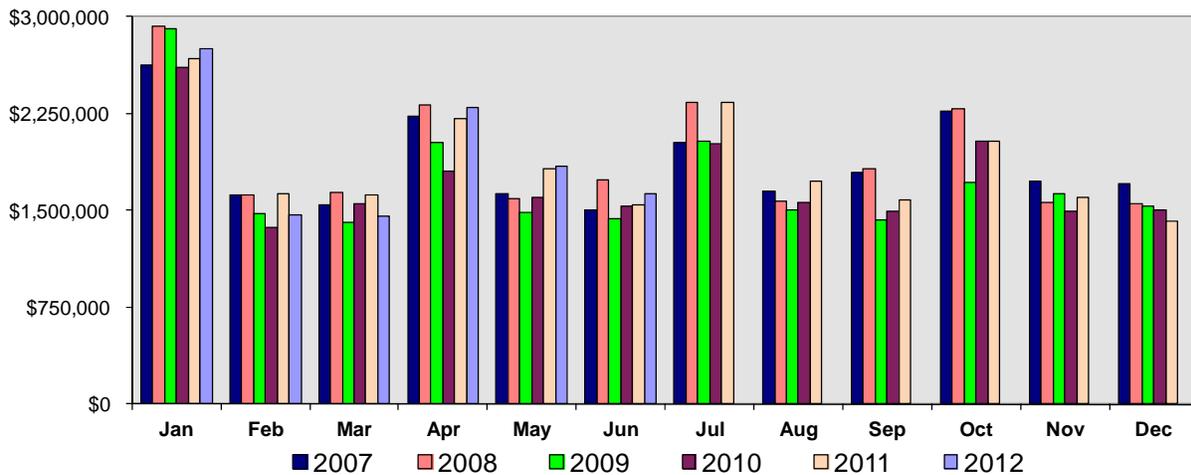
- Area 1 east boundary will change at Bannock St/Englewood Pkwy east to Acoma St south to Jefferson Ave/Hampden Ave/US 285
- Split the address down the middle of the streets for Area 2 and Area 3: Bannock St and Sherman St
- Split the address down the middle of the streets for Area 3 and Area 4: Belleview Ave, Fox St and Logan St
- The north and south side of the street included in Area 1: Jefferson Avenue
- The north and south side of the street included in Area 2: Jefferson Ave/Hampden Ave/US 285

Change in Sales/Use Tax Collections by Area 2012 vs 2011

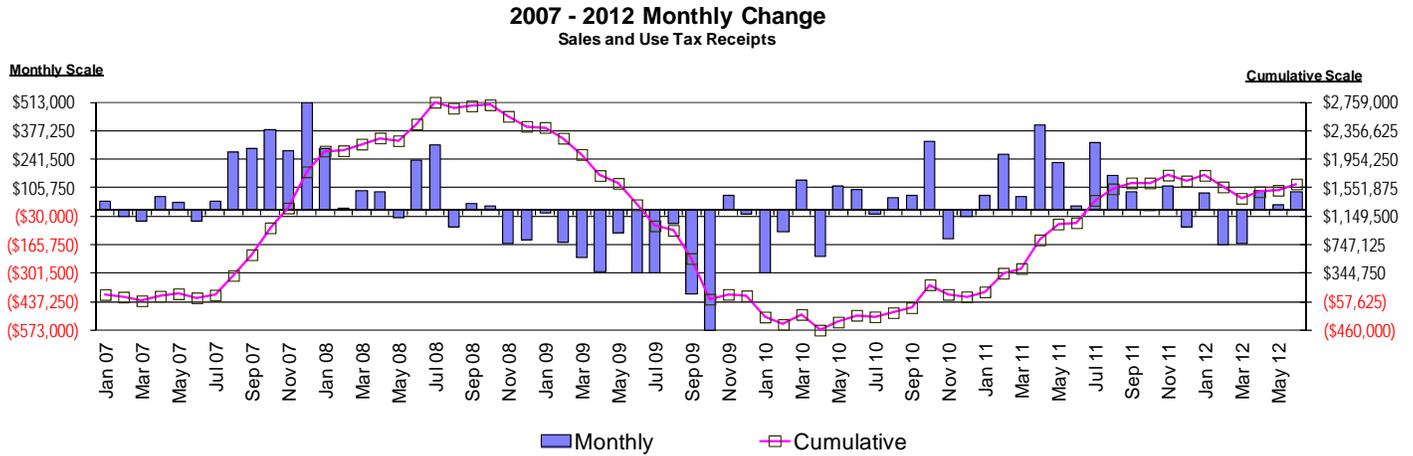


The bar graph below shows a comparison of monthly sales tax collections (cash basis) for 2007 through 2012.

2007-2012 YTD Sales/Use Tax Collections by Month - Cash Basis

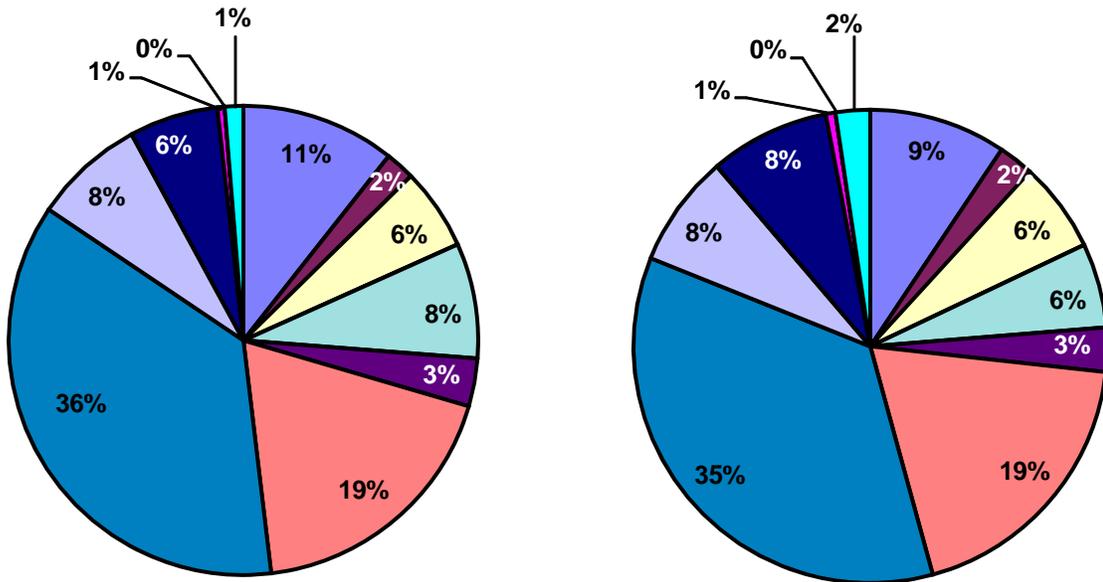


The next chart illustrates sales tax collections (cash basis) by month and cumulative for the years presented.



Sales tax collections are reported by various geographic areas as illustrated in the following pie charts. These illustrate the changing collection patterns for 2007 and 2011.

Geographic Sales Tax Collection Areas



2007 Actual Cash Receipts by Area

Area 1	11%	Area 8	8%
Area 2	2%	Area 9 & 10	6%
Area 3	6%	Area 11 & 12	1%
Area 4	8%	Area 13	0%
Area 5	3%	Regular Use	1%
Area 6	19%		
Area 7	36%		

2011 Actual Cash Receipts by Area

Area 1	9%	Area 8	8%
Area 2	2%	Area 9 & 10	8%
Area 3	6%	Area 11 & 12	1%
Area 4	6%	Area 13	0%
Area 5	3%	Regular Use	2%
Area 6	19%		
Area 7	35%		

Information for business and geographic Areas 7 and 8 follows:

Area 7: This geographic area records the outside city sales tax collections (Outside City). Outside City has been the geographic area responsible for much of the sales tax growth (and decline) in past years. Outside City collections have decreased 1.2 percent from the same period last year. The chart below illustrates this area's contribution to total sales and use taxes (cash basis) as well as total revenues since 2008 for collections through the month of June. The

importance of Outside City has declined as a percentage of sales and use tax collections but it continues to remain an important impact on the City's General Fund as illustrated by the following:

	2008	2009	2010	2011	2012
Total Sales and Use Taxes	11,842,777	10,736,758	10,460,612	11,505,576	11,462,278
Outside City Collections	4,318,009	3,494,717	3,263,890	4,257,532	3,865,098
Percentage of Total	36.5%	32.5%	31.2%	37.0%	33.7%
Total General Fund Revenues	19,881,851	18,867,958	18,657,799	19,482,528	20,019,204
Outside City Collections	4,318,009	3,494,717	3,263,890	4,257,532	3,865,098
Percentage of Revenues	21.7%	18.5%	17.5%	21.9%	19.3%

The City records the proceeds of some returns from Outside City into an unearned revenue (liability) account. The criteria staff uses to decide if proceeds should be placed in the unearned account is if a reasonable probability exists for another municipality to claim the revenue. This account currently has a balance of \$1,100,000 to cover intercity claims. The City paid \$94,673 in refunds including intercity sales/use tax claims through June 2012 compared to \$31,220 through June 2011. At this time *potential* refunds total approximately \$1,290,000 for claims submitted to Englewood but not completed.

Area 8: This geographic area consists of collections from public utilities. Collections through June 2012 were 3.6 percent or \$31,884 less than June 2011. Weather conditions, energy usage conservation, and rising energy prices play an important role in revenue collections. Collections could increase or decrease if the remainder of the year is significantly hotter/colder than normal.

Other Sales Tax Related Information

Finance and Administrative Services Department collected \$87,107 in sales and use tax audit revenues and general collections of balances on account through the month of June 2012, this compares to \$144,406 collected in 2011 and \$231,472 collected in 2010.

Of the 62 sales tax accounts reviewed in the various geographic areas, 39 (62.9 percent) showed improved collections and 23 (37.1 percent) showed reduced collections this year compared to the same period last year.

The Department issued 220 new sales tax licenses through June 2012; 233 and 214 were issued through June 2011 and 2010 respectively.

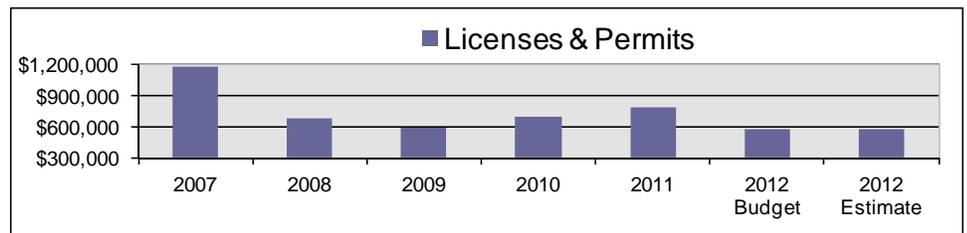
City records indicate that year-to-date 76 businesses closed (49 of them were outside the physical limits of Englewood) and 220 opened (142 of them were outside the physical limits of Englewood).

General Fund - Other Revenue

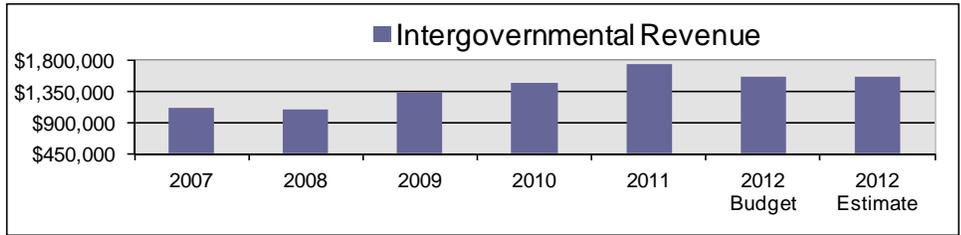
Other revenues accounted for \$10,497,214 or 27.4 percent of the total revenues for 2011; the City budgeted \$9,956,178 for 2012.

The following provides additional information on the significant revenue sources of the General Fund:

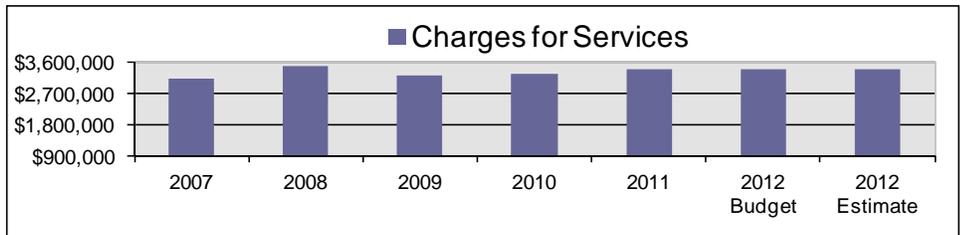
Licenses and Permits: This revenue category includes business and building licenses and permits. This revenue source generated \$778,536 during 2011 or two percent of total revenue and 7.4 percent of total other revenue. This revenue source totaled \$1,168,977 in 2007 and decreased to \$778,536 in 2011, a 33.4 percent decrease. The City budgeted \$574,025 for 2012 and year-to-date the City collected \$382,574 or \$31,916 (9.1 percent) more than the \$350,658 collected through June 2010. The estimate for the year is \$765,148.



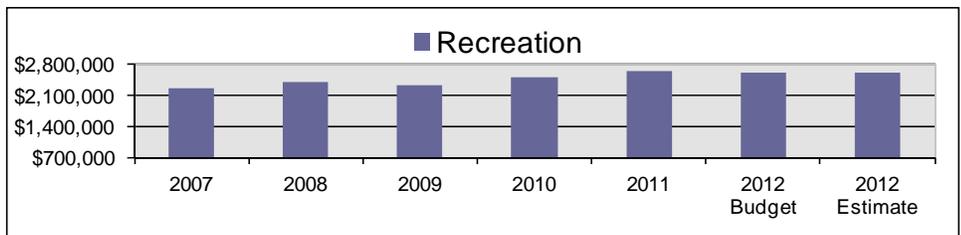
Intergovernmental Revenues: This revenue source includes state and federal shared revenues including payments in lieu of taxes. These revenues are budgeted at \$1,552,315 for 2012. This revenue source totaled \$1,106,280 in 2007 and the City collected \$1,724,807 in 2011, a 55.9 percent increase. The City collected \$694,207 through June 2012 this is \$289,176 (29.4 percent) less than the \$983,383 collected in the same period in 2011. The estimate for the year is \$1,732,335 (increased for Wild Land Fire and medic vehicle reimbursements).



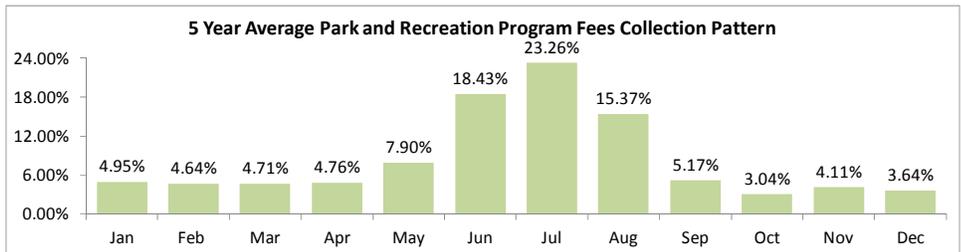
Charges for Services: This includes general government, public safety, fees for the administration of the utilities funds, court costs, highway and street and other charges. This revenue source is budgeted at \$3,399,722 for 2012. This revenue source totaled \$3,113,550 in 2007 and increased to \$3,384,318 in 2011, an 8.7 percent increase. Total collected year-to-date was \$1,569,943 or \$27,993 (1.8 percent) less than the \$1,597,936 collected year-to-date in 2011. The estimate for the year is \$3,236,304.



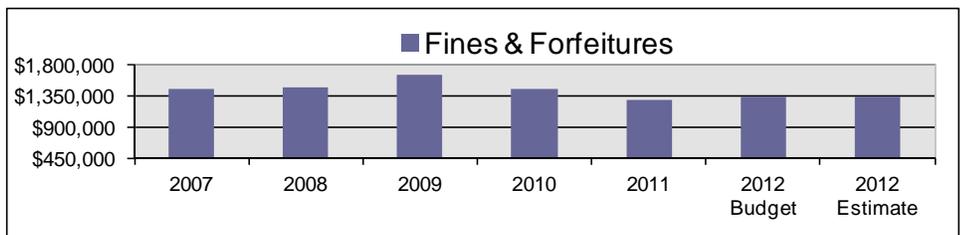
Recreation: This category of revenue includes the fees and charges collected from customers to participate in the various programs offered by the Parks and Recreation Department. This revenue source is budgeted at \$2,599,668 for 2012.



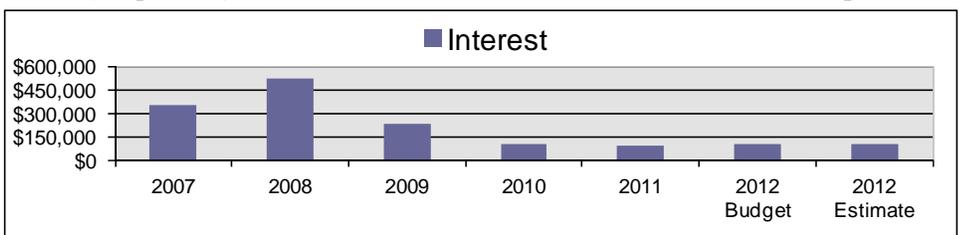
This revenue source totaled \$2,235,938 in 2007 and increased to \$2,635,221 in 2011, a 17.9 percent increase. Total collections through June 2012 were \$1,223,361 compared to \$1,187,454 collected in 2011. The estimate for the year is \$2,635,500.



Fines and Forfeitures: This revenue source includes court, library, and other fines. The 2012 budget for this source is \$1,318,450 or 14.7 percent of total other revenue. This revenue source totaled \$1,445,641 in 2007 and decreased to \$1,284,758 in 2011, an 11.1 percent decrease. Total collected year-to-date was \$717,755 or \$62,343 (9.5 percent) more than the \$655,412 collected in the same time period last year. The estimate for the year is \$1,350,450.

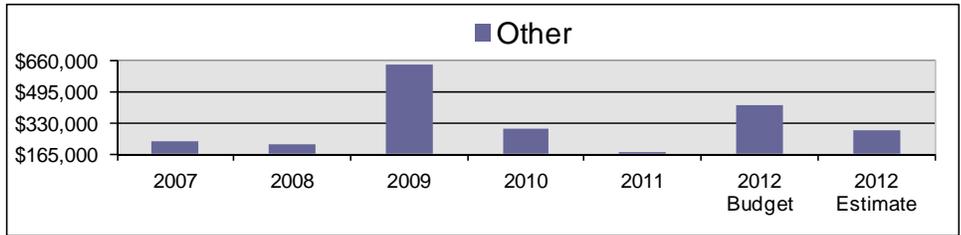


Interest: This is the amount earned on the City's cash investments. The 2012 budget for this source is \$100,000. This revenue source totaled \$411,516 in 2007 and



decreased to \$91,864 in 2011, a 77.9 percent decrease. The City earned \$40,111 through June 2012; while the City earned \$55,841 through June 2011. The estimate for the year is \$100,000.

Miscellaneous: This source includes all revenues that do not fit in another revenue category. The 2012 budget for this source is \$419,153. This revenue source totaled \$166,247 in 2007 and increased to \$173,381 in 2011, a 4.3 percent increase. Total collected year-to-date is \$124,282 (19.2 percent) more than the \$104,238 collected last year during the same period. The estimate for the year is \$339,307.



General Fund - Expenditures

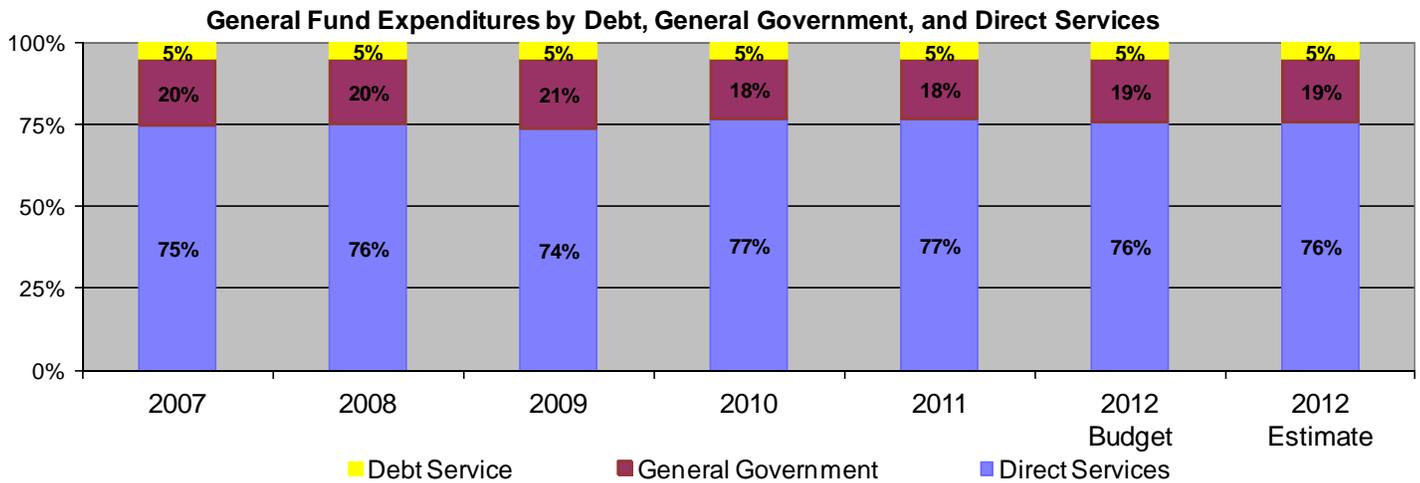
In 2006 the City adopted an outcome based budgeting philosophy. City Council and Staff outlined five outcomes to reflect, more appropriately, the desired result of the services delivered to the citizens of Englewood. The five outcomes identified are intended to depict Englewood as:

- ▶ A City that provides and maintains quality infrastructure,
- ▶ A safe, clean, healthy, and attractive City,
- ▶ A progressive City that provides responsive and cost efficient services,
- ▶ A City that is business friendly and economically diverse, and
- ▶ A City that provides diverse cultural, recreational, and entertainment opportunities.

Outcome based budgeting is an additional tool the City Council and staff use to better develop ways to serve our citizens. This type of budgeting is refined and reviewed on an on-going basis to help us better focus our resources in meeting the objectives of our citizens.

The City budgeted total expenditures at \$40,949,793 for 2012, this compares to \$39,496,268 and \$38,901,342 expended in 2011 and 2010 respectively. Budgeted expenditures for 2012 general government (City Manager, Human Resources, etc.) totals \$7,728,324 or 18.9 percent of the total. Direct government expenditures (Police, Fire, etc.) are budgeted at \$31,160,730 or 76.1 percent of the total. Debt service (fixed costs) payments are \$2,060,739 or five percent of the total. Total expenditures through June were \$20,086,063 compared to \$19,555,352 in 2010 and \$19,534,238 in 2009.

The chart below illustrates the breakdown of expenditures into debt service, general and direct government services.



The below chart provides the expenditure for each of the General Fund departments for the years 2007 through 2012 Estimate.

Expenditure	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget	2012 Estimate
General Government							
Legislation	323,964	350,254	346,044	309,870	298,731	333,793	337,758
City Manager	673,949	674,322	674,170	659,882	639,184	672,072	660,331
City Attorney	694,358	698,563	678,038	702,228	706,841	746,734	774,254
Municipal Court	890,152	915,303	914,494	901,469	848,775	974,417	968,513
Human Resources	557,855	579,136	456,275	419,422	430,792	470,910	461,343
Finance & Administrative Services	1,568,074	1,626,571	1,575,923	1,445,581	1,446,313	1,541,645	1,555,589
Information Technology	1,254,364	1,280,156	1,360,237	1,280,660	1,332,766	1,360,355	1,347,039
Community Development	1,412,444	1,464,725	1,366,437	1,301,473	1,359,264	1,478,398	1,448,798
Contingencies	130,925	59,759	160,578	48,138	152,423	150,000	150,000
Contribution to Component Unit(s)	-	-	800,000	-	-	-	-
General Government Subtotal	7,506,085	7,648,789	8,332,196	7,068,723	7,215,089	7,728,324	7,703,625
Direct Services							
Public Works	5,421,774	5,189,173	5,152,891	5,137,364	5,259,875	5,436,637	5,327,838
Safety Services	16,497,359						
Police		9,974,925	10,183,890	10,312,633	10,395,239	10,921,455	11,256,501
Fire		7,215,444	7,320,268	7,425,903	7,666,842	7,711,732	7,885,634
Library	1,259,525	1,261,112	1,275,554	1,284,083	1,145,613	1,256,481	1,231,346
Parks and Recreation	5,566,094	5,916,449	5,727,968	5,811,809	5,717,147	5,834,425	5,684,576
Direct Services Subtotal	28,744,752	29,557,103	29,660,571	29,971,792	30,184,716	31,160,730	31,385,895
Debt Service							
Debt Service-Civiccenter	1,575,731	1,575,850	1,571,752	1,570,705	1,658,857	1,574,000	1,574,000
Debt Service-Other	294,030	233,456	233,456	290,122	437,606	486,739	486,739
Debt Service Subtotal	1,869,761	1,809,306	1,805,208	1,860,827	2,096,463	2,060,739	2,060,739
Total Expenditure	38,120,598	39,015,198	39,797,975	38,901,342	39,496,268	40,949,793	41,150,259
% Expenditure Change	5.73%	2.35%	2.01%	-2.25%	1.53%	3.68%	0.49%
Other Financing Uses							
Transfers Out	561,876	408,915	177,011	750,000	301,246	0	434,000
Total Other Financing Uses	561,876	408,915	177,011	750,000	301,246	0	434,000
Total Uses of Funds	38,682,474	39,424,113	39,974,986	39,651,342	39,797,514	40,949,793	41,584,259
% Uses of Funds Change	7.29%	1.92%	1.40%	-0.81%	0.37%	2.90%	1.55%

The chart below provides per capita the General Fund expenditure information categorized into direct and general government services and debt service. Also provided is the per capita General Obligation Debt accounted for in the Debt Service Fund.

	2007	2008	2009	2010	2011	2012 Budget	2012 Estimate
Population	32,191	32,191	32,191	30,255	30,255	30,255	30,255
General Fund							
General Government Services	\$ 233	\$ 238	\$ 234	\$ 234	\$ 238	\$ 255	\$ 255
Direct Services	\$ 893	\$ 918	\$ 921	\$ 991	\$ 998	\$ 1,030	\$ 1,030
Debt Service	\$ 58	\$ 56	\$ 62	\$ 62	\$ 69	\$ 68	\$ 68
Total Expenditure Per Capita	\$ 1,184	\$ 1,212	\$ 1,217	\$ 1,286	\$ 1,305	\$ 1,353	\$ 1,353
Debt Service Fund							
General Obligation Debt Per Capita	\$ 34	\$ 34	\$ 34	\$ 36	\$ 31	\$ 32	\$ 32

City of Englewood, Colorado

General Fund - Five Year Expenditure Comparison by Category

	Jun YTD 2012	YTD % Change	% of Total	Jun YTD 2011	YTD % Change	% of Total	Jun YTD 2010	YTD % Change	% of Total	Jun YTD 2009	YTD % Change	% of Total	Jun YTD 2008	% of Total
Personnel services														
Salaries and wages	10,047,052	-0.260%	48.962%	10,073,013	-2.050%	51.372%	10,283,478	0.080%	50.697%	10,275,452	0.02	50.578%	10,108,196	50.578%
Overtime	330,589	25.200%	1.611%	264,047	2.970%	1.347%	256,431	15.900%	1.264%	221,251	-0.15	1.089%	259,026	1.089%
Benefits	3,335,476	-0.450%	16.255%	3,350,432	-0.070%	17.087%	3,352,903	3.680%	16.530%	3,233,861	0.01	15.918%	3,215,878	15.918%
Personnel services total	13,713,117	0.190%	66.828%	13,687,492	-1.480%	69.805%	13,892,812	1.180%	68.491%	13,730,563	0.01	67.584%	13,583,100	67.584%
Commodities total	981,837	11.180%	4.785%	883,079	8.380%	4.504%	814,781	-5.530%	4.017%	862,472	-0.14	4.245%	1,007,276	4.245%
Contractual services total	3,401,493	10.250%	16.576%	3,085,321	-0.900%	15.735%	3,113,282	-0.720%	15.348%	3,135,996	0.04	15.436%	3,023,902	15.436%
Capital total	417,768	24.350%	2.036%	335,957	-4.370%	1.713%	351,319	27.730%	1.732%	275,054	-0.02	1.354%	280,367	1.354%
Total Expenditures	18,514,215	2.900%	90.225%	17,991,849	-0.990%	91.757%	18,172,193	0.930%	89.588%	18,004,086	0.01	88.619%	17,894,646	88.619%
Debt service total	1,571,847	0.530%	7.660%	1,563,504	14.790%	7.974%	1,362,058	1.110%	6.715%	1,347,108	0.01	6.631%	1,335,677	6.631%
Other financing uses total	434,000	721.742%	2.115%	52,815	-92.960%	0.269%	750,000	-22.280%	3.697%	965,000	338.636%	4.750%	220,000	4.750%
Total Uses of Funds	20,520,062	4.650%	100.000%	19,608,167	-3.330%	100.000%	20,284,252	-0.160%	100.000%	20,316,195	0.04	100.000%	19,450,323	100.000%
Annual Total	41,584,259	4.490%		39,797,514	0.369%		39,651,356	-0.810%		39,974,987	1.397%		39,424,113	
YTD % of Annual Total	49.346%			49.270%			51.157%			50.822%			49.336%	

General Fund - Transfers

The General Fund has provided funds to and has received funds from Special Revenue Funds, Capital Projects Funds, Internal Service Funds and Component Units in order to buffer temporary gaps in revenue and expenditure amounts. In 2012 the General Fund is not in the position to provide funding to the Capital Projects Funds but has received the following net transfers:

<u>Source of Funds</u>	2012 Budget Amount	2012 YTD Amount	2011 Annual Amount
Special Revenue Funds			
Neighborhood Stabilization Program Fund*	\$ -	\$ 312,726	\$ 396,130
Capital Project Funds			
Public Improvement Fund (PIF)	486,739	152,739	338,308
Internal Service Funds			
Central Services Fund	-	-	100,000
Servicenter Fund	100,000	100,000	100,000
Risk Management Fund	720,000	720,000	546,000
Employee Benefits Fund	-	-	165,000
Transfers Total	<u>\$ 1,306,739</u>	<u>\$ 1,285,465</u>	<u>1,645,438</u>

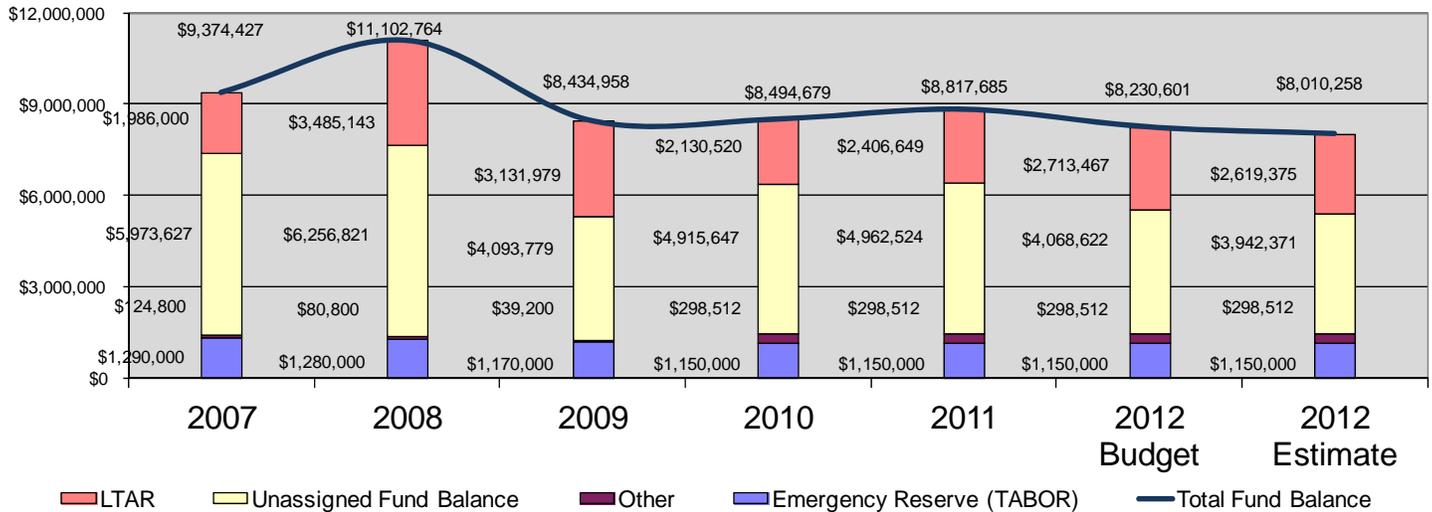
*In addition to the 2011 amount received (\$396,130) from the Neighborhood Stabilization Program (NSP) Fund, the NSP Fund returned \$47,052 in 2010 of the \$750,000 borrowed in this same year. All the funds borrowed by the NSP Fund in 2010 plus interest in the amount of \$5,908 have been returned to the General Fund Long-Term Asset Reserve.

General Fund - Fund Balance

The City designates the fund balance into two categories, restricted and unrestricted. The portion of the fund balance which is restricted is referred to as the "Reserves" while the unrestricted portion is referred to as the unassigned fund balance. The unassigned fund balance represents funds the City sets aside for a "rainy day". Another way to view these unrestricted funds is as a stabilization fund, the intent of which is to smooth over unexpected fluctuations in revenues and expenditures. The fund balance is normally built up when revenues exceed expenditures. In the past, excess funds have been transferred out, usually for capital projects identified in the Multiple Year Capital Plan (MYCP). The unassigned fund balance is not adequate to provide for a transfer from the General Fund to the capital projects funds.

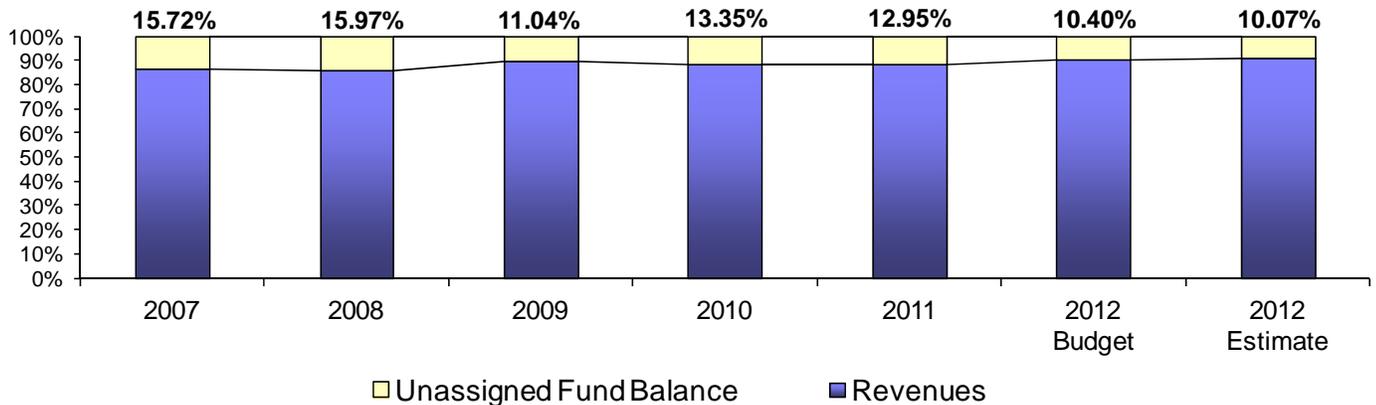
Long Term Asset Reserve (LTAR) At the 2008 Budget workshop held on June 22, 2007, City Council discussed and directed staff to establish a General Fund reserve account to accumulate funds from the sale, lease, or earnings from long-term assets. It was also determined that these funds should be used in a careful, judicious and strategic manner. The funds restricted in this account are to be expended if the funds are appropriated in the annual budget or by supplemental appropriation. The balance at the end of June 2012 is \$2,619,375. Council reduced the LTAR balance by \$100,000 for improvements to the Little Dry Creek Plaza at the June 4, 2012 Regular Council Meeting).

General Fund Reserves



The City's General Fund ended 2011 with total fund balance of \$8,817,685, and an unassigned fund balance of \$4,962,524 is 12.95 percent of revenues or 12.6 percent of expenditures. The estimated total ending fund balance for 2012 are \$8,010,258 with an unassigned fund balance of \$3,942,371 or 10.07 percent of estimated revenues or 9.6 percent of estimated expenditures. The \$3,942,371 would allow the City to operate for approximately 35 days (using average daily budgeted expenditures) if all other revenues and financing sources ceased. In these times of economic uncertainty, it is more important than ever to maintain reserves to help the City make up for revenue shortfalls and unexpected expenditure increases given that the one-time transfers made to the General Fund to help maintain reserves are no longer available.

Unassigned Fund Balance As A Percentage of Revenue



PUBLIC IMPROVEMENT FUND OVERVIEW

The Public Improvement Fund (PIF) accounts for the City's "public-use" capital projects (e.g. roads, bridges, pavement, etc.). The PIF funding is from the collection of vehicle and building use taxes, intergovernmental revenues, interest income, and other miscellaneous sources.

Provided for your information is the table below that illustrates the PIF Year-To-Date (YTD) revenue and expenditure amounts for the years 2010 through 2012. The dollar and percentage change between each year is also provided. The Estimated Ending Fund Balance is included in order to account for the remaining PIF appropriation in addition to the remaining annual revenue anticipated for the fund.

Public Improvement Fund (PIF)	2012	2012 vs 2011 Increase (Decrease)		2011	2011 vs 2010 Increase (Decrease)		2010
YTD Revenues	\$ 1,416,368	\$ 449,648	46.51%	\$ 966,720	\$ 174,712	22.06%	\$ 792,008
YTD Expenditures	1,920,298	\$ (1,471,788)	(43.39%)	3,392,086	\$ 1,467,694	76.27%	1,924,392
Net Revenues (Expenditures)	\$ (503,930)	\$ 1,921,436		\$ (2,425,366)	\$ (1,292,982)		\$ (1,132,384)
Beginning PIF Fund Balance	\$ 934,251			\$ 2,686,457			\$ 1,515,399
Ending PIF Fund Balance Before Remaining Annual Revenue and Appropriation	\$ 430,321			\$ 261,091			\$ 383,015
Plus: Remaining Annual Revenue	828,796			696,014			907,751
Less: Remaining Annual Appropriation	(1,188,690)			(777,323)			(1,135,450)
Estimated Ending Fund Balance	\$ 70,427			\$ 179,782			\$ 155,316
Unappropriated Fund Balance as of December 31,				\$ 274,180			\$ 620,120

The three main funding sources for the PIF are Vehicle Use Tax, Building Use Tax and Arapahoe County Road and Bridge Tax.

	2012 Estimate	2012 Adopted Budget	2012 YTD Actual	2012 Vs 2011 Amount	%	2011 YTD Actual	2011 Vs 2010 Amount	%	2010 YTD Actual
Vehicle Use Tax	\$ 1,200,000	\$ 1,000,000	\$ 525,156	\$ 150,455	40%	\$ 374,700	\$ 14,024	4%	\$ 360,677
Building Use Tax	\$ 700,000	\$ 550,000	\$ 370,851	\$ 2,242	1%	\$ 368,609	\$ 146,860	66%	\$ 221,749
Arapahoe County Road and Bridge Tax	\$ 197,000	\$ 184,000	\$ 68,977	\$ (103,437)	-60%	\$ 172,413	\$ (485)	0%	\$ 172,898

Vehicle Use Tax is based on the valuation of new vehicles purchased by City of Englewood residents. This tax is collected and remitted by Arapahoe County at the time the vehicle is registered. **Building Use Tax** is based on the valuation of building permits issued by the City of Englewood. These revenue sources are monitored periodically to determine the revision of the 2012 Estimate. **Arapahoe County Road and Bridge Tax** is restricted to the construction and maintenance of streets and bridges. This tax is based on a mill levy established by Arapahoe County multiplied by the City's assessed valuation multiplied by 50%.

2012 Year-To-Date City Funds At-A-Glance

(Please refer to "Funds Glossary" for a Brief Description of Funds and Fund Types)

	Beginning Balance	Revenue	Expenditure	Other Sources (Uses)	Restricted/ Committed Balance	Ending Balance
Governmental Fund Types (Fund Balance)						
General Fund	8,817,685	19,684,124	20,086,062	(311,396)	4,161,979	3,942,371
Special Revenue Funds						
Conservation Trust	1,184,882	165,250	160,596	(1,179,461)	-	10,075
Open Space	1,367,255	133,272	166,072	(1,194,109)	-	140,346
Neighborhood Stabilization Program	408,432	663,843	367,079	(705,196)	-	-
Donors	380,622	150,180	51,350	-	-	479,452
Community Development	-	90,535	132,579	42,045	-	-
Malley Center Trust	279,038	1,770	(18)	-	-	280,826
Parks & Recreation Trust	451,714	2,269	5,385	-	-	448,598
Debt Service Fund						
General Obligation Bond	154,267	608,846	151,024	-	-	612,089
Capital Projects Funds						
PIF	934,251	982,368	623,444	(1,222,748)	-	70,427
MYCP	827,183	3,307	168,511	(685,588)	-	(23,609)
Proprietary Fund Types (Funds Available Balance)						
Enterprise Funds						
Water	7,426,594	3,394,424	4,088,451	-	-	6,732,567
Sewer	5,306,200	7,377,396	6,017,231	-	1,000,000	5,666,365
Stormwater Drainage	990,801	192,055	1,110,275	1,027,485	102,500	997,566
Golf Course	735,144	1,005,360	868,904	-	293,500	578,101
Concrete Utility	338,297	516,241	230,382	-	-	624,156
Housing Rehabilitation	489,000	120,766	54,753	(94,017)	-	460,996
Internal Service Funds						
Central Services	151,323	165,330	141,276	-	-	175,377
ServiCenter	993,875	1,170,502	985,505	(100,000)	-	1,078,872
CERF	1,538,025	367,491	512,537	-	-	1,392,980
Employee Benefits	4,936	2,798,619	3,005,646	-	-	(202,092)
Risk Management	1,101,326	1,193,070	706,143	(720,000)	-	868,253

CLOSING

The Finance and Administrative Services Department staff works closely with the City Manager's Office and the various departments to help identify revenue and expenditure threats, trends and opportunities as well as strategies to balance revenues and expenditures. I will continue to provide Council with monthly reports. It is important to frequently monitor the financial condition of the City so City staff and Council can work together to take action, if necessary, to maintain service levels, employees, and fiscal health of the City.

I plan to discuss this report with Council at an upcoming study session. If you have any questions regarding this report, I can be reached at 303.762.2401.

FUNDS GLOSSARY

Capital Equipment Replacement Fund (CERF) – Accounts for the accumulation of funds for the scheduled replacement of City-owned equipment and vehicles.

Capital Projects Funds account for financial resources to be used for the acquisition and/or construction of major capital facilities (other than those financed by proprietary funds).

Central Services Fund – Accounts for the financing of printing services and for maintaining an inventory of frequently used or essential office supplies provided by Central Services to other departments of the City on a cost reimbursement basis.

Community Development Fund – Accounts for the **art** Shuttle Program which is funded in part by the Regional Transportation District (RTD). **art** provides riders free transportation to 19 stops connecting CityCenter Englewood, businesses in downtown Englewood, and the medical facilities in and near Craig Hospital and Swedish Medical Center.

Concrete Utility Fund – Accounts for revenues and expenses associated with maintaining the City’s sidewalks, curbs and gutters.

Conservation Trust Fund – Accounts for the acquisition of parks and open space land not previously owned by the City and for improvements to existing park and recreation facilities. Financing is provided primarily from State Lottery funds.

Debt Service Funds account for the accumulation of resources and payment of general obligation bond principal and interest from governmental resources and special assessment bond and loan principal and interest from special assessment levies when the government is obligated in some manner for payment.

Donors’ Fund – Accounts for funds donated to the City for various specified activities.

Employee Benefits Fund – Accounts for the administration of providing City employee benefit programs: medical, dental, life, and disability insurance.

Enterprise Funds account for operations that: (a) are financed and operated in a manner similar to private business enterprises where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges, or (b) where the City Council has decided that periodic determination of revenue earned, expenses incurred and/or net income is appropriate for capital maintenance, public policy, management controls, accountability or other purposes.

Fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

General Obligation Bond Fund – Accounts for the accumulation of monies for payment of General Obligation Bond principal and interest.

Golf Course Fund – Accounts for revenues and expenses associated with the operations of the Englewood Municipal Golf Course.

Governmental Funds distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). These funds focus on the near-term *inflows and outflows of spendable resources*, as well as on balances of spendable resources available at the end of the year.

Housing Rehabilitation Fund – Accounts for revenues and expenses associated with the City’s housing rehabilitation program.

Internal Service Funds are used to account for the financing of goods or services provided by one department or agency to other departments or agencies of the City on a cost-reimbursement basis.

MOA – Museum of Outdoor Arts

FUNDS GLOSSARY

Malley Center Trust Fund – Accounts for a trust established by Elsie Malley to be used for the benefit of the Malley Senior Recreation Center.

Multi-Year Capital Projects Fund (MYCP) - Accounts for the acquisition and/or construction of major capital improvements and facilities. Financing is provided primarily with transfers from other City Funds.

Neighborhood Stabilization Program Fund – Accounts for the federal grant awarded to acquire, rehabilitate and resale approximately eleven foreclosed residential properties located in the City.

Open Space Fund – Accounts for the acquisition of parks and open space land not previously owned by the City and for improvements to existing park and recreation facilities. Financing is provided from the Arapahoe County Open Space Sales Tax of .25%. The Open Space Tax was created on January 1, 2004 and expires on December 31, 2023.

Parks and Recreation Trust Fund – Accounts for a trust established by the City, financed primarily by donations, to be used exclusively for specific park and recreation projects.

Proprietary Funds account for operations that are financed and operated in a manner similar to private business enterprises. It is the intent that the cost of providing such goods or services will be recovered through user charges.

Public Improvement Fund (PIF) – Accounts for the acquisition and/or construction of major capital improvements and facilities. Financing is provided primarily from building and vehicle use taxes.

Risk Management Fund – Accounts for the administration of maintaining property and liability and workers' compensation insurance.

ServiCenter Fund – Accounts for the financing of automotive repairs and services provided by the ServiCenter to other departments of the City, or to other governmental units, on a cost reimbursement basis.

Sewer Fund – Accounts for revenues and expenses associated with providing wastewater services to the City of Englewood residents and some county residents.

Special Assessment Funds account for and pay special assessment bond principal and interest and/or inter-fund loan principal and interest: Following are funds to account for special assessments: **Paving District No. 35, Paving District No. 38, and Concrete Replacement District 1995.**

Special Revenue Funds account for the proceeds of specific revenue sources that are legally restricted to expenditure for specified purposes.

Storm Drainage Fund – Accounts for revenues and expenses associated with maintaining the City's storm drainage system.

Water Fund – Accounts for revenues and expenses associated with providing water services to City of Englewood residents.

General Fund Comparative Revenue, Expenditure & Fund Balance Report as of June 30, 2012

Percentage of Year Completed = 50%

Fund Balance January 1	\$ 8,753,654	\$ 8,817,685	\$ 8,817,685	\$ 8,494,679	\$ 8,494,679	\$ 9,234,957	\$ 9,234,957			
	2012				2011			2010		
	Budget	Jun-12	% Budget	YE Estimate	Dec-11	Jun-11	% YTD	Dec-10	Jun-10	% YTD
Revenues										
Property Tax	2,880,000	2,051,818	71.24%	2,880,000	2,994,213	2,193,542	73.26%	3,020,884	2,147,185	71.08%
Specific Ownership Tax	250,000	104,228	41.69%	245,000	246,062	105,264	42.78%	263,434	109,749	41.66%
Sales & Use Taxes	22,115,126	11,463,710	51.84%	22,115,126	21,737,110	10,908,968	50.19%	20,866,515	10,484,356	50.24%
Cigarette Tax	190,000	88,427	46.54%	184,000	190,763	91,509	47.97%	196,320	94,736	48.26%
Franchise Fees	3,056,938	1,219,138	39.88%	3,067,552	2,631,393	1,082,275	41.13%	2,620,191	1,109,754	42.35%
Hotel/Motel Tax	8,713	4,571	52.46%	9,000	9,820	4,385	44.65%	8,806	4,148	47.10%
Licenses & Permits	574,025	382,574	66.65%	765,148	778,536	350,658	45.04%	695,563	324,540	46.66%
Intergovernmental Revenue	1,552,315	694,207	44.72%	1,732,335	1,724,807	983,383	57.01%	1,465,970	608,868	41.53%
Charges for Services	3,399,722	1,569,943	46.18%	3,236,304	3,384,318	1,597,936	47.22%	3,254,830	1,574,990	48.39%
Recreation	2,599,668	1,223,361	47.06%	2,635,500	2,635,221	1,187,454	45.06%	2,489,781	1,118,356	44.92%
Fines & Forfeitures	1,318,450	717,755	54.44%	1,350,450	1,284,758	655,412	51.01%	1,437,957	788,582	54.84%
Interest	100,000	40,111	40.11%	100,000	91,034	55,841	61.34%	100,545	87,489	87.01%
EMRF Rents	663,046	335,079	50.54%	497,645	425,159	161,663	38.02%	105,125	40,000	38.05%
Miscellaneous	411,998	124,282	30.17%	339,307	173,381	104,238	60.12%	293,658	205,044	69.82%
Total Revenues	39,120,001	20,019,204	51.17%	39,157,367	38,306,575	19,482,528	50.86%	36,819,579	18,697,797	50.78%
Expenditures										
Legislation	333,793	150,495	45.09%	337,758	298,731	152,984	51.21%	309,870	160,720	51.87%
City Attorney	746,734	340,129	45.55%	774,254	706,841	325,553	46.06%	702,228	345,998	49.27%
Court	974,417	406,414	41.71%	968,513	848,775	407,630	48.03%	901,469	416,669	46.22%
City Manager	672,072	325,202	48.39%	660,331	639,184	329,565	51.56%	659,882	340,656	51.62%
Human Resources	470,910	217,524	46.19%	461,343	430,792	202,353	46.97%	419,421	183,907	43.85%
Financial Services	1,541,645	702,532	45.57%	1,555,589	1,446,313	687,573	47.54%	1,445,581	720,370	49.83%
Information Technology	1,360,355	644,913	47.41%	1,347,039	1,332,766	664,879	49.89%	1,280,660	604,639	47.21%
Public Works	5,436,637	2,549,982	46.90%	5,327,838	5,259,875	2,500,057	47.53%	5,137,364	2,563,295	49.90%
Fire Department	7,711,732	3,978,680	51.59%	7,885,634	7,666,842	3,693,196	48.17%	7,425,903	3,655,226	49.22%
Police Department	10,921,455	5,360,989	49.09%	11,256,501	10,395,239	5,106,583	49.12%	10,312,633	5,162,420	50.06%
Community Development	1,478,398	625,007	42.28%	1,448,798	1,359,264	561,264	41.29%	1,301,473	593,324	45.59%
Library	1,256,481	560,025	44.57%	1,231,346	1,145,613	575,049	50.20%	1,284,083	663,497	51.67%
Recreation	5,834,425	2,603,979	44.63%	5,684,576	5,717,147	2,692,818	47.10%	5,811,809	2,752,525	47.36%
Debt Service	2,060,739	1,571,877	76.28%	2,060,739	2,096,463	1,563,998	74.60%	1,860,827	1,364,429	73.32%
Contingency	150,000	48,315	32.21%	150,000	152,423	91,850	60.26%	48,139	6,563	13.63%
Total Expenditures	40,949,793	20,086,063	49.05%	41,150,259	39,496,268	19,555,352	49.51%	38,901,342	19,534,238	50.21%
Excess revenues over (under) expenditures	(1,829,792)	(66,859)	3.65%	(1,992,892)	(1,189,693)	(72,824)		(2,081,763)	(836,441)	
Net transfers in (out)	1,306,739	1,185,465	90.72%	1,185,465	1,512,699	1,450,575	95.89%	1,341,485	1,094,433	81.58%
Total Fund Balance	\$ 8,230,601	\$ 9,936,291	120.72%	\$ 8,010,258	\$ 8,817,685	\$ 9,872,430	111.96%	\$ 8,494,679	\$ 9,492,949	111.75%

Fund Balance Analysis

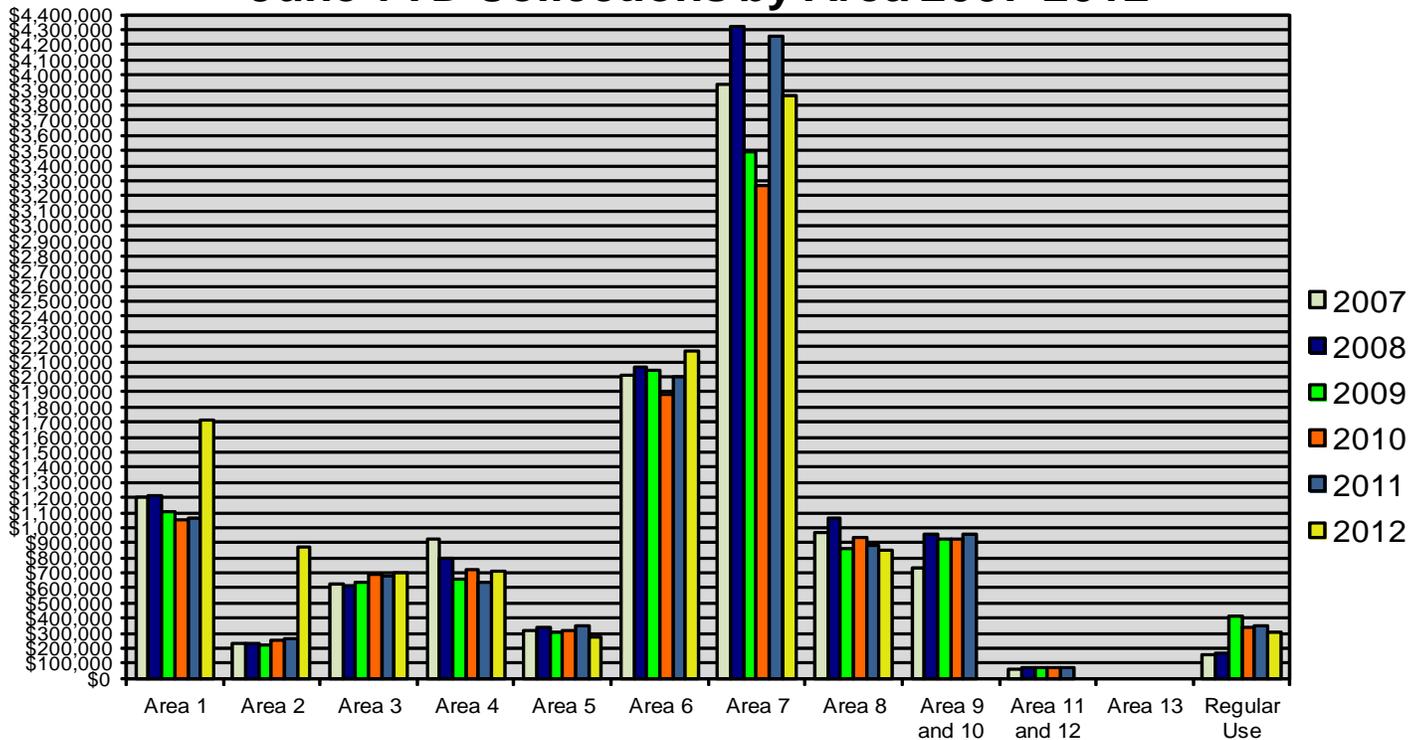
Total Fund Balance	\$ 8,230,601	\$ 9,936,291	\$ 8,010,258	\$ 8,817,685	\$ 8,494,679
Restricted Fund Balance					
-Emergencies (TABOR)	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000
Committed Fund Balance					
-LTAR	2,713,467	2,619,375	2,619,375	2,406,649	2,130,520
-COPS Grant	298,512	298,512	298,512	298,512	298,512
Restricted/Committed	\$ 4,161,979	\$ 4,067,887	\$ 4,067,887	\$ 3,855,161	\$ 3,579,032
Estimated Unassigned Fund Balance	\$ 4,068,622	\$ 5,868,404	\$ 3,942,371	\$ 4,962,524	\$ 4,915,647
As a percentage of projected revenues	10.39%		10.07%	12.95%	13.35%
As a percentage of budgeted revenues	10.40%		10.08%		
Target	3,912,000	-	5,868,000		

**Sales & Use Tax Collections Year-to-Date Comparison
for the month of June 2012**

Cash Basis

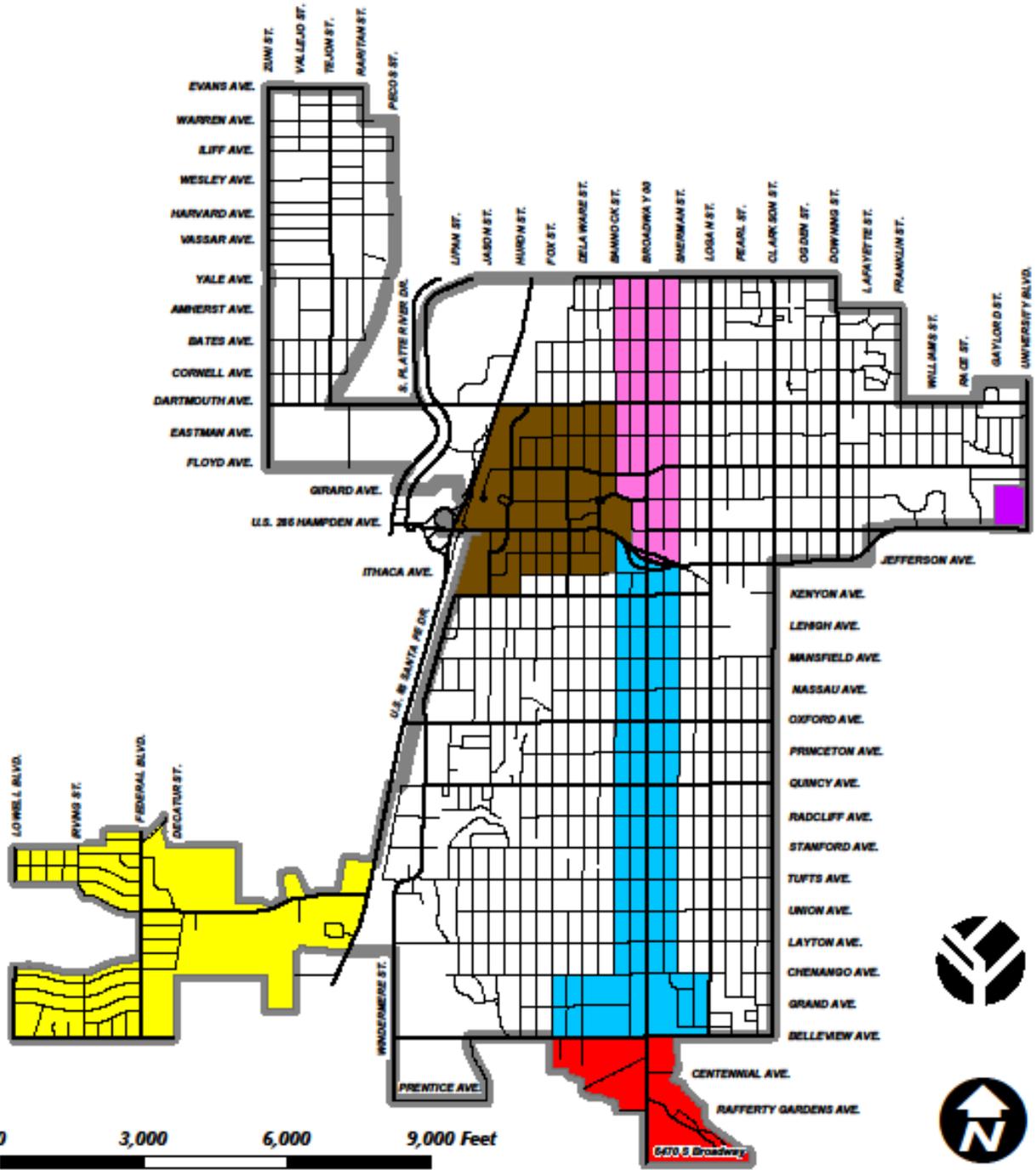
	2007	% Change	2008	% Change	2009	% Change	2010	% Change	2011	% Change	2012	% Change
Area 1	1,206,657	-50.95%	1,208,474	0.15%	1,110,619	-7.96%	1,054,220	-12.76%	1,065,451	1.07%	1,716,414	61.10%
Area 2	231,034	-42.20%	228,876	-0.93%	225,204	-2.52%	249,387	8.96%	267,011	7.07%	875,919	228.05%
Area 3	621,650	-45.57%	620,344	-0.21%	634,781	2.11%	693,456	11.79%	676,579	-2.43%	696,665	2.97%
Area 4	919,364	-46.14%	801,521	-12.82%	655,073	-28.75%	727,158	-9.28%	639,936	-11.99%	707,300	10.53%
Area 5	319,125	-52.63%	339,295	6.32%	310,063	-2.84%	321,928	-5.12%	349,101	8.44%	273,516	-21.65%
Area 6	2,013,915	-49.32%	2,059,234	2.25%	2,042,041	1.40%	1,885,567	-8.43%	1,997,244	5.92%	2,173,101	8.80%
Area 7	3,935,431	-45.74%	4,318,009	9.72%	3,494,717	-11.20%	3,263,890	-24.41%	4,257,532	30.44%	3,861,483	-9.30%
Area 8	963,214	-46.44%	1,064,030	10.47%	856,237	-11.11%	934,338	-12.19%	884,954	-5.29%	853,070	-3.60%
Area 9 and 10	738,106	-3.49%	957,488	29.72%	927,803	-3.10%	921,103	-0.72%	951,202	3.27%	0	-100.00%
Area 11 and 12	60,030	-3.57%	75,892	26.42%	71,914	-5.24%	69,746	-3.02%	71,377	2.34%	0	-100.00%
Area 13									0	0.00%	0	0.00%
Regular Use	160,619	-52.78%	169,614	5.60%	408,307	154.21%	339,817	100.35%	345,189	1.58%	304,426	-11.81%
Total	11,169,147	-45.71%	11,842,777	6.03%	10,736,758	-3.87%	10,460,612	-11.67%	11,505,576	9.99%	11,461,894	-0.38%
Refunds	71,114	-76.85%	309,764	335.59%	67,195	-78.31%	167,706	149.58%	31,220	-81.38%	95,482	205.84%
Audit & Collections Revenue*	259,732	-40.53%	327,877	26.24%	391,555	19.42%	231,472	-40.88%	144,406	-37.61%	90,186	-37.55%
*included Above												
Unearned Sales Tax	650,000	0.00%	650,000	0.00%	600,000	-7.69%	600,000	0.00%	1,100,000	83.33%	1,100,000	0.00%
Building Use	672,841	-20.80%	450,120	-33.10%	155,362	-65.48%	221,749	42.73%	368,609	66.23%	370,851	0.61%
Vehicle Use	710,844	-43.13%	647,292	-8.94%	470,888	-27.25%	448,113	-4.84%	445,388	-0.61%	633,080	42.14%

June YTD Collections by Area 2007-2012



Area Descriptions

- | | |
|---|---|
| Area 1 - CityCenter (Formerly Cinderella City) | Area 5 - Federal and Belleview W of Santa Fe |
| Area 2 - S of Yale, north & south side of Jefferson Ave/US 285 between Bannock and Sherman | Area 6 - All other City locations |
| Area 3 - S of Jefferson Ave/US 285 between Bannock & Sherman and north side of Belleview between Logan & Delaware | Area 7 - Outside City limits |
| Area 4 - Broadway and Belleview (Between Fox and Sherman and south side of Belleview and to the Southern City Limits) | Area 8 - Public Utilities |
| | Area 9 and 10 - Downtown & Englewood Pkwy |
| | Area 11 and 12 - S of 285, N of Kenyon between Jason and Santa Fe |
| | Area 13 - Hampden Avenue (US 285) and University Boulevard |



City of Englewood, Colorado: Sales Tax Areas

- | | | |
|---------|---------|--------------------------|
| Area 1* | Area 4 | Arterials and Collectors |
| Area 2* | Area 5 | Local Streets |
| Area 3 | Area 13 | Englewood City Limits |

Areas Not Depicted on Map:
 Area 6 - Other City Locations* Area 7 - Outside City Limits Area 8 - Public Utilities
 * Includes EURA designated Areas 9, 10, 11, & 12

Median Replanting and Designs for South Broadway from Yale to H285.

Purpose of median project – The median project should improve the floral display, cut down on weeding, and to improve on water conservation.

Median project implementation – This project would be design to be put into place May 1, 2013.

The scope of the work for the median project is listed below.

- **Project Design**
- **Project Budgeting**
- **Project Implementation**
- **Project Work Force by Volunteers**
- **Project Work Force by City**
- **Project Grant Funding**

The project is now needed to match the new median projects installed in Denver from Yale to the north.

The project should include the following groups – Englewood Parks and Recreation, Englewood Streets and Traffic department, Englewood Police, Englewood Transportation Authority, Keep Englewood Beautiful, Cultural Arts Commission, Greater Englewood Chamber, Downtown BID, private project sponsors – monetary or in-kind, non-profit entities and service clubs, participating sponsor merchants, and interested individual citizens.

The project needs to create a committee that would be willing to take on the task of design, budgeting, planned implementation, volunteer

coordinator, work force coordinator, and collection of funds needed to complete the project.

Time line for 2013 project:

September 2012 – Create Median Committee. Develop plans for project, safety and traffic concerns. Develop plans for plant in median.

November 2012 – Develop the scope of the project (this should include the individual medians) and begin fund collection and cost per median.

December 2012 – Present project to the city DRT and City Council. Recruit interested individual, participating merchants, non-profit groups and service clubs.

January 2013 – Map out individual medians for distribution. Develop the specific work days, create a safety plan for all participants and get a coordinated plan for the City groups involved.

February 2013 – Inventory the project – groups, plants, safety, detailed plantings, and future weeding work parties. Develop daily plan for all planting and weeding days.

March 2013 – Coordinate with the City to make sure all medians will be in working order (ie. Sprinkler system and removal of old and aged plant materials) and ready for planting.

April 2013 – Have inventory list of all materials needed – soil amenities, weed barrier, work tools, water and food for workers, and all safety needs for project. Have distribution time line for the May 2013 day.

May 2013 – Preparation, division of existing plants and planting the medians with new plants.

June 2013 – Weeding and replanting if necessary.

July 2013 – Weeding

August 2013 – Weeding

September 2013 – Winterize the Median

Individual Median Inventory

2700 S. Broadway – Probably the most important median, this is the entry way from Denver.

North End – shorter grasses – divide or replace with same or comparable plants (small planting)

Mid Section – medium grasses – divide or replace with same throughout this area

South End – taller grasses - divide or replace with same throughout this area

2800 S. Broadway –

North End – annual or perennials (quantity is unknown)

Mid Section – day lilies – divide and replant – share with other medians

South End - annual or perennials (quantity is unknown)

2900 S. Broadway –

North End – annual or perennials (quantity is unknown)

North Mid Section – Tree replacement - day lilies – divide and replant – share with other medians

South Mid Section – shrubs (unknown) – divide and replant or purchase new

South End - annual or perennials (quantity is unknown)

3000 S. Broadway

North End - annual or perennials (quantity is unknown)

Mid Section – day lilies – divide and replant – share with other medians.

South End - annual or perennials (quantity is unknown)

3100 S. Broadway

North End – annual or perennials (quantity is unknown)

North Mid Section – tall grasses - divide and replant

South Mid Section – shrubs (unknown) – divide and replant or purchase new – this could also be planted in North Mid Section

South End - annual or perennials (quantity is unknown)

3200 S. Broadway

North End – divide and replant – share with other medians.

Mid Section – tall grasses – divide and replant – share with other medians

South End – daylilies - divide and replant – share with other medians

This could also include Broadway south of 285 to Oxford if the Median Project submitted to DRCOG does not go forward.

Concerns that need to be addressed:

Safety of the volunteers – how to set up – how to insure safety – can cones be used to divide median from cars – safety vest for volunteers – can the message carts be used for this program - what does the city have that can assist this process that has not been mentioned – how can the police be used to insure safety?

What are the means to get planting material, plants, tools and other needed items to perform the task in the medians?

Who can help with the planting, plant selection and design of median? Who can help with plant identification?

What is the condition of the sprinkler system in the medians?

Does the City have contact with nurseries that might help with this project or have wholesale rates for plants and planting material?

There are probably many more items that need to be address, please add.

Thanks,

Randy Penn