



**AGENDA FOR THE
ENGLEWOOD CITY COUNCIL
STUDY SESSION
MONDAY, SEPTEMBER 17, 2012
COMMUNITY ROOM
6:00 P.M.**

- I. **Financial Report**
Financial and Administrative Services Director Frank Gryglewicz will discuss the August, 2012 Financial Report.
- II. **DRCOG IGA**
Public Works Director Rick Kahm and Traffic Engineer Ladd Vostry will be present to discuss an IGA with DRCOG for 2012 Traffic Signal System Equipment Purchase.
- III. **Storm Sewer Questionnaire**
Utilities/Wastewater Treatment Plant Director Stu Fonda will be present to discuss the storm sewer questionnaire.
- IV. **Board and Commission Reports**
City Council Members will discuss the activities of the various boards and commission on which they serve.
- V. **City Manager's Choice**
 - A. Gas Line Renovation
 - B. Business Forum Update
- VI. **City Attorney's Choice**

Please Note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood, 303-762-2407, at least 48 hours in advance of when services are needed. Thank you.



City of Englewood

To: Mayor Randy Penn and City Council
From: Frank Gryglewicz, Director of Finance and Administrative Services
Date: September 10, 2012
Subject: August 2012 Financial Report

The 2013 Budget is underway and the 2012 Estimate numbers may change. The Department Directors met in July with the City Manager to review and discuss their 2012 yearend estimate expenditure amounts, and also provided their proposed 2013 Budget request.

REVENUES:

- Through August 2012, the City of Englewood collected **\$27,903,398 or \$710,228 or 2.6 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 \$2,784,428 in Property Tax and \$143,873 in Specific Ownership Tax through August.
- **Year-to-date sales and use tax revenues were \$15,313,404 or \$335,452 or 2.2 percent more than August 2011**
- Cigarette tax collections were up \$677 compared to last year.
- Franchise fee collections were \$112,111 more than last year.
- Licenses and permit collections were \$62,292 more than 2011.
- Intergovernmental revenues were \$11,145 less than the prior year (due to large, one-time collections last year).
- Charges for services decreased \$30,247 from last year.
- Recreation revenues decreased \$8,188 from 2011.
- Fines and forfeitures were \$82,473 more than last year.
- Investment income was \$13,693 less than last year.
- The City collected \$426,244 in rents from the properties at McLellan Reservoir.
- Miscellaneous revenues were \$140,715 more than last year.

OUTSIDE CITY:

- Outside City sales and use tax receipts (cash basis) were down \$571,827 or 9.9 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 August 2012 totaled \$2,281,425.

EXPENDITURES:

- Expenditures through August were \$27,422,823 or \$1,728,241 (6.7 percent) more than the \$25,694,582 expended through August 2011. *August 2012 had one more payroll than 2011 and 2010; this added \$1,111,637 to expenditures. This "timing" issues will continue until the October report is presented.* The City's refund of sales and use tax claims through August 2012 totaled \$100,318.

REVENUES OVER/UNDER EXPENDITURES:

- Revenues exceeded expenditures by \$480,575 this year compared to revenues exceeding expenditures by \$1,498,588 in 2011.

TRANSFERS:

- Net 2012 transfers-in to date of \$1,185,465 were made by the end of August 2012 (please refer to page 14 for the makeup).

FUND BALANCE:

- The estimated total fund balance is \$8,538,569 or 21.7 percent of estimated revenue. The estimated Unassigned Fund Balance for 2012 is estimated at \$4,470,172 or 11.3 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 12.65 percent of revenues.
- The 2012 Long Term Asset Reserve (LTAR) balance is \$2,619,375 (the LTAR has been fully repaid from the NSP Fund)

PUBLIC IMPROVEMENT FUND (PIF):

- The PIF has collected \$1,871,455 in revenues and spent \$2,181,052 year-to-date. Estimated year-end fund balance is \$66,382.

City of Englewood, Colorado

August 2012 Financial Report

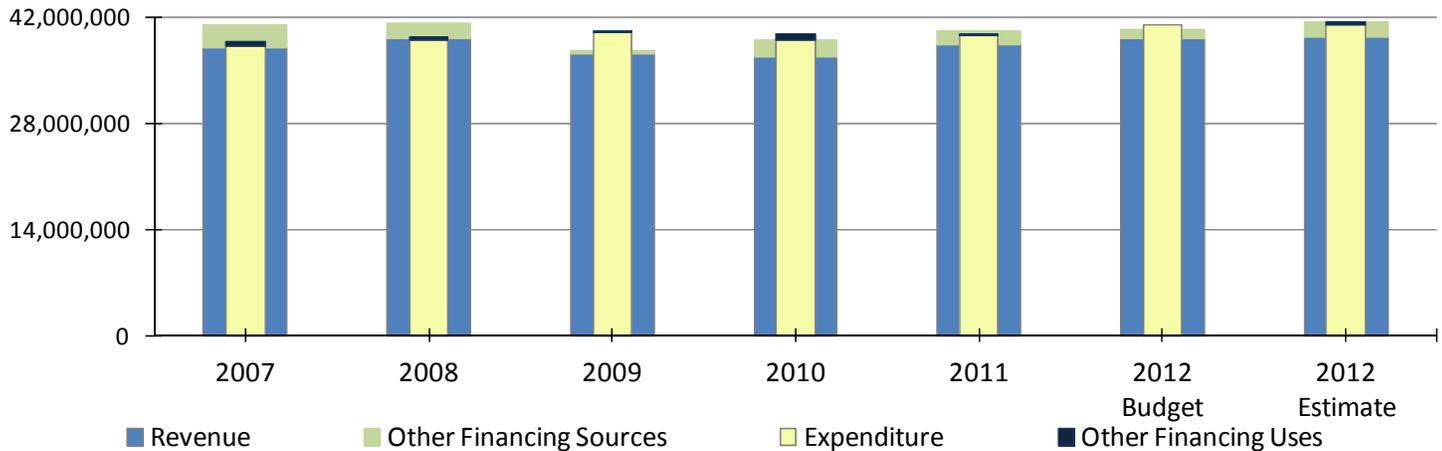
GENERAL FUND OVERVIEW AND ANALYSIS

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



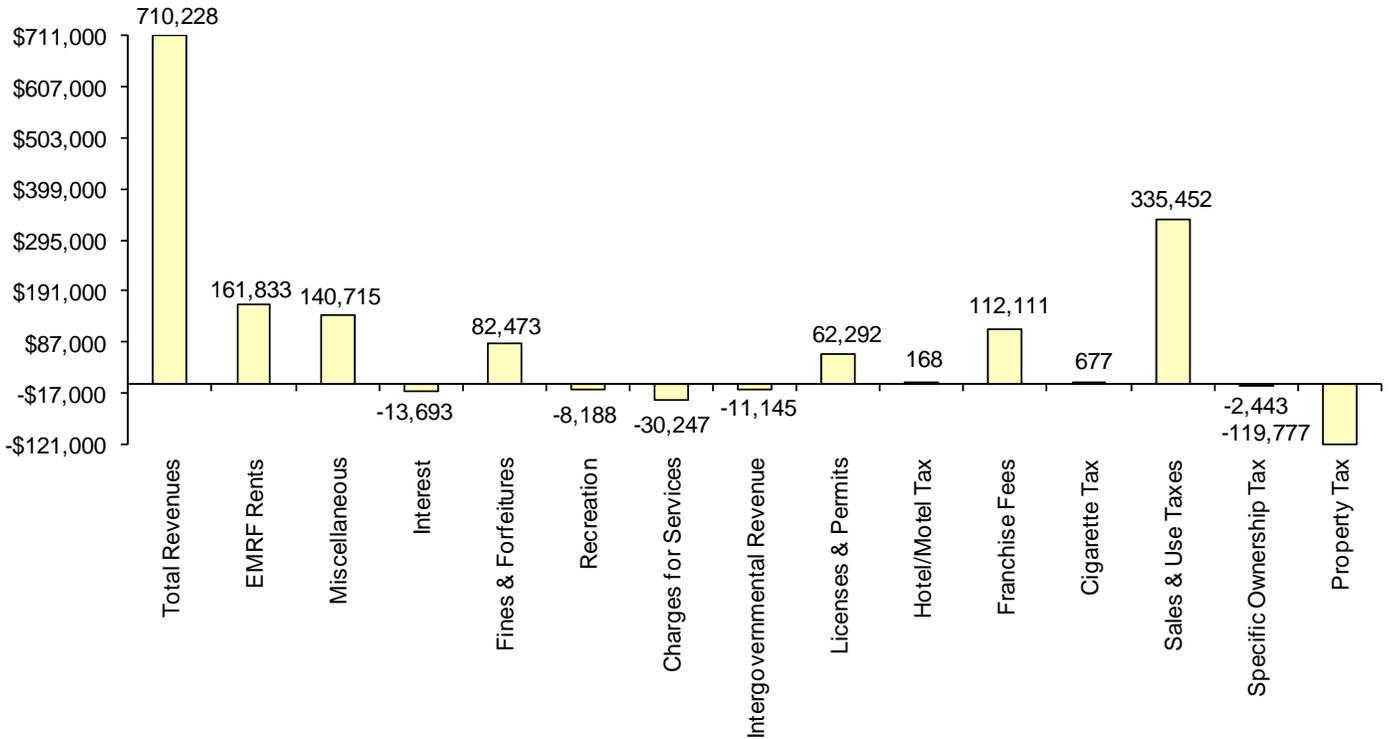
The table below summarizes General Fund Year-To-Date (YTD) Revenue, Expenditure, Sales & Use Tax Revenue and Outside City Sales & Use Tax Revenue for the month ended August, 2012. Comparative figures for years 2011 and 2010 are presented as well. The table also highlights the dollar and percentage changes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

	2012	2012 vs 2011 Increase (Decrease)		2011	2011 vs 2010 Increase (Decrease)		2010
General Fund							
Year-To-Date Revenue	\$ 27,903,398	\$ 710,228	2.61%	\$ 27,193,170	\$ 1,460,780	5.68%	\$ 25,732,390
Year-To-Date Expenditure	27,422,823	\$ 1,728,241	6.73%	25,694,582	\$ 173,513	.68%	25,521,069
Net Revenue (Expenditure)	\$ 480,575	\$ (1,018,013)		\$ 1,498,588	\$ 1,287,267		\$ 211,321
Estimated Unassigned Fund Balance	\$ 4,470,682	\$ (491,842)	(9.91%)	\$ 4,962,524	\$ 46,877	.95%	\$ 4,915,647
Sales & Use Tax Revenue YTD	\$ 15,313,404	\$ 335,452	2.24%	\$ 14,977,952	\$ 905,204	6.43%	\$ 14,072,748
Outside City Sales & Use Tax YTD	\$ 5,228,301	\$ (571,827)	(9.86%)	\$ 5,800,128	\$ 1,384,476	31.35%	\$ 4,415,652

General Fund Revenues

The City of Englewood’s total budgeted revenue is \$39,120,001. Total revenue collected through August 2012 was \$27,903,398 or \$710,228 (2.6 percent) more than was collected in 2011. The chart below illustrates changes in General Fund revenues this year as compared to last year.

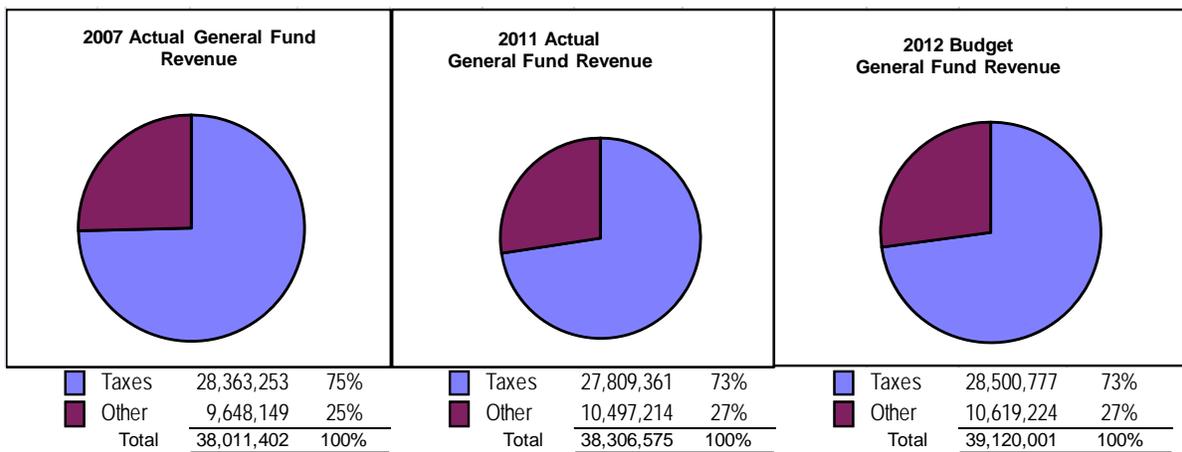
2012 Year-To-Date Change in General Fund Revenue as Compared to Prior Year



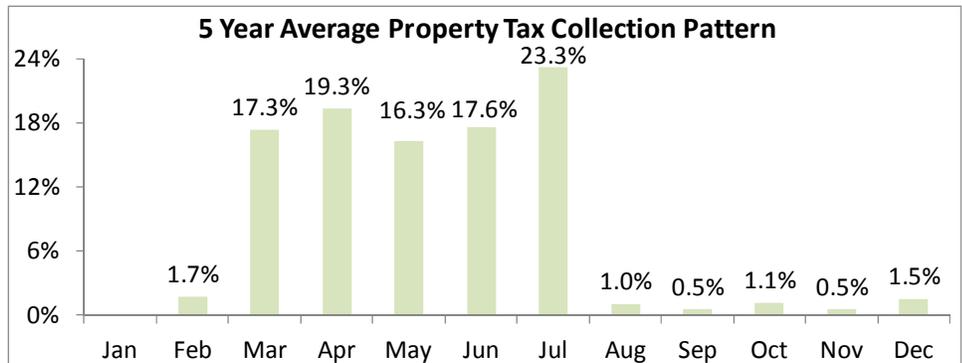
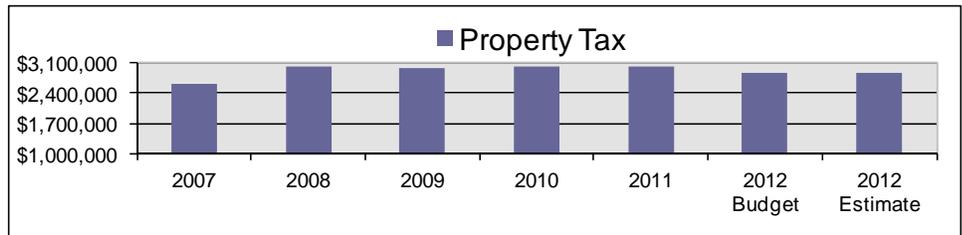
General Fund - Taxes

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.

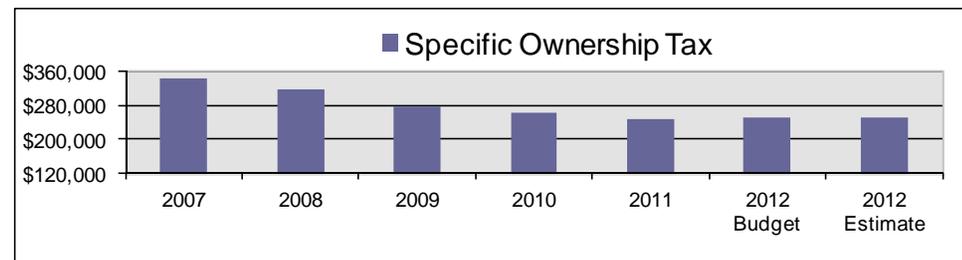
General Fund Revenues Taxes vs. Other



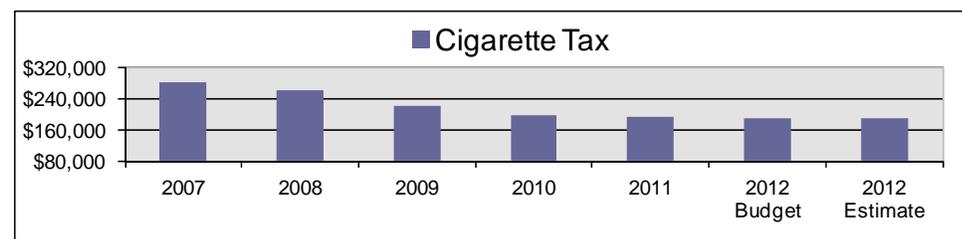
Property taxes: These taxes are collected based on the assessed value of all the properties in the City and the mill levy assessed against the property. The City's total 2011 mill levy collected in 2012 is 7.911 mills. The 2011 mill levy for general operations collected in 2012 is 5.880 mills. In 2001, 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 \$2,784,428 through August 2012. The estimate for the year is \$2,880,000.



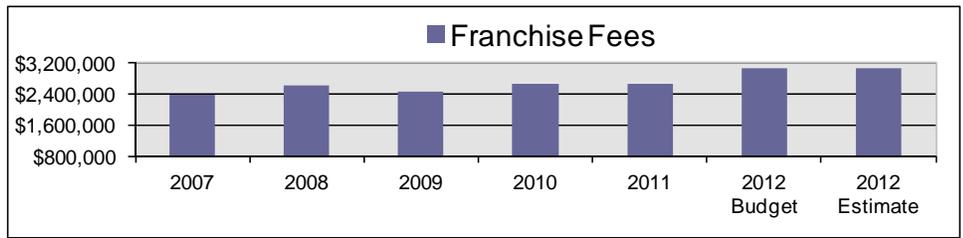
Specific ownership: These taxes are based on the age and type of motor vehicles, wheeled trailers, semi-trailers, etc. These taxes are collected by the County Treasurer and remitted to the City on the fifteenth day of the following month. The City collected \$341,423 in 2007 and \$246,062 in 2011 which 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 \$143,873 through August 2012. The estimate for the year is \$230,000.



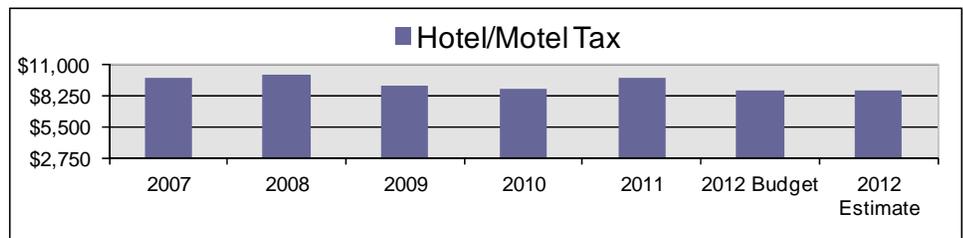
Cigarette Taxes: The State of Colorado levies a \$.20 per pack tax on cigarettes. The State distributes 46 percent of the gross tax to cities and towns based on the pro rata share of state sales tax collections in the previous year. These taxes have fallen significantly in the past and continue to fall 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 (CHIP). 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 \$121,643 through August 2012, which is \$677 or .6 percent more than the \$120,966 collected through August 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 August totaled \$1,705,558 compared to \$1,593,447 collected during the same period last year. The estimate for the year is \$3,067,552.

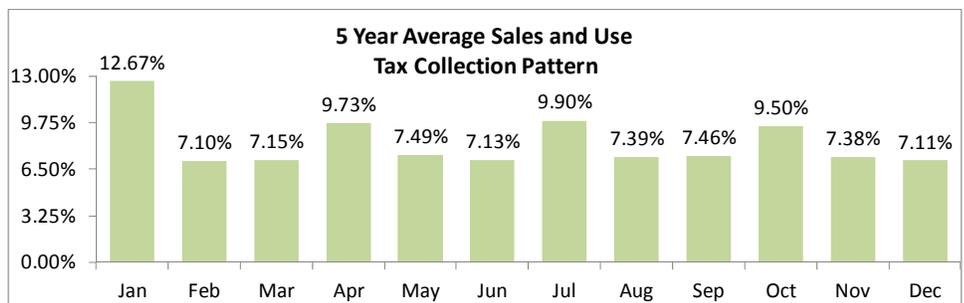
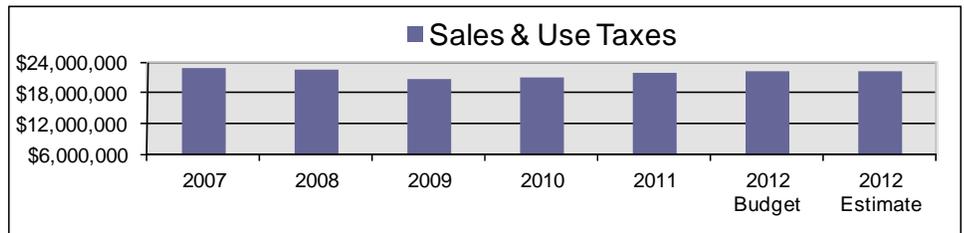


Hotel/Motel Tax: This tax is levied at two percent of the rental fee or price of lodging for under 30 days duration. The City budgeted \$8,713 for the year and has collected \$6,551 through August 2012. The estimate for the year is \$9,000.



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 August 2012 was \$15,313,404 while revenue year-to-date for August 2011 was \$14,977,952, an increase of \$335,452 or 2.2 percent.



Collections (cash basis) for August 2012 were \$2,270,971 while collections for August 2011 and August 2010 were \$1,576,884 and \$1,726,661 respectively. August 2012 collections were 8.7 percent or \$149,777 less than August 2011 collections and \$11,666 or .7 percent more than August 2010 collections.

Based on the last five years of sales tax collection data, year to date collections through August contribute 69.9 percent of the total year's sales tax collections; if this pattern holds this year, 30.1 percent is left to collect over the next six months. Based on collections through August, the City will collect an additional \$6,594,184 over the next four months for a total of \$21,907,588. Collections through August were 102.2 percent of collections received last August. If this were applied to the entire year, the total collected would be \$22,223,942; the average of the two forecasts is \$22,065,765.

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 August contribute 69.9 percent of the total year's sales tax collections. Based on historical collection patterns, the City should have collected \$15,458,473. At this time the collections are \$145,069 ahead of expectations.

Outside City sales and use tax collections through August totaled \$5,228,301 equaling a decrease of approximately \$571,827 from 2011.

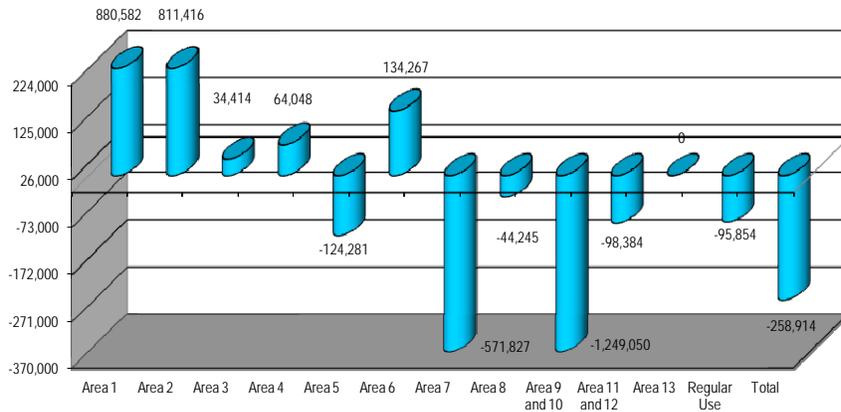
This revenue source tends to ebb and flow (often dramatically) with the economy, growing during economic expansions and contracting during downturns. The past three years of sales tax collections have been exceptionally erratic making it extremely difficult to make accurate short or long term forecasts. 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 2012 vs. 2011” 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 was 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:

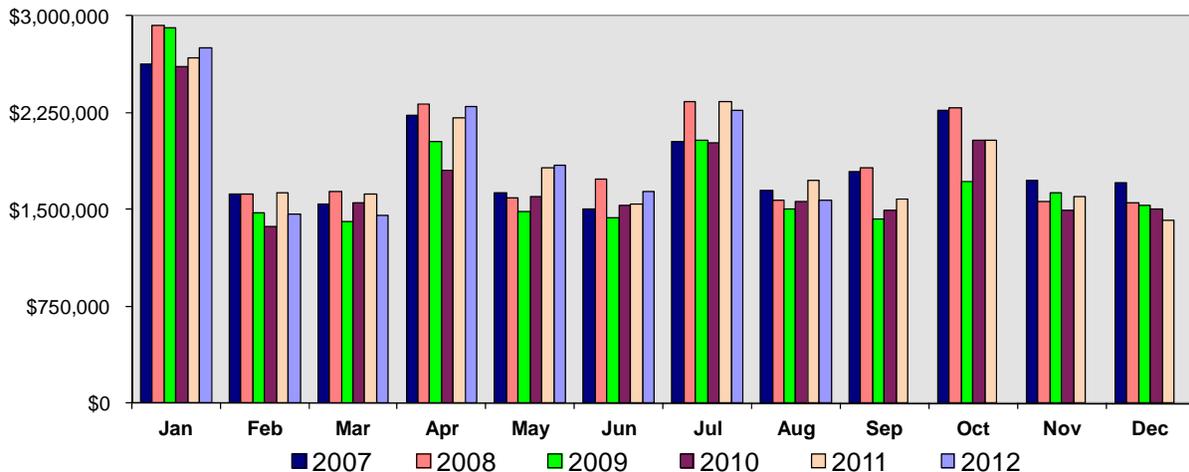
- Area 1 east boundary will change at Bannock St/Englewood Pkwy east to Acoma St south to Jefferson Ave/Hampden Ave/US 285
- Split the address down the middle of the streets for Area 2 and Area 3: Bannock St and Sherman St
- Split the address down the middle of the streets for Area 3 and Area 4: Belleview 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

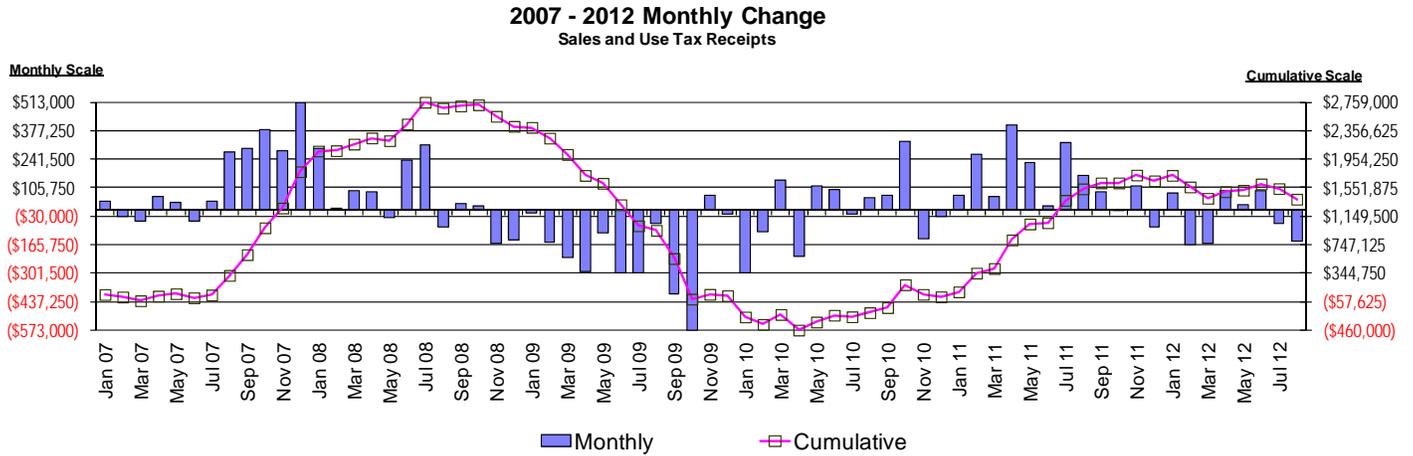


The bar graph below shows a comparison of monthly sales tax collections (cash basis) for 2007 through 2012.

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

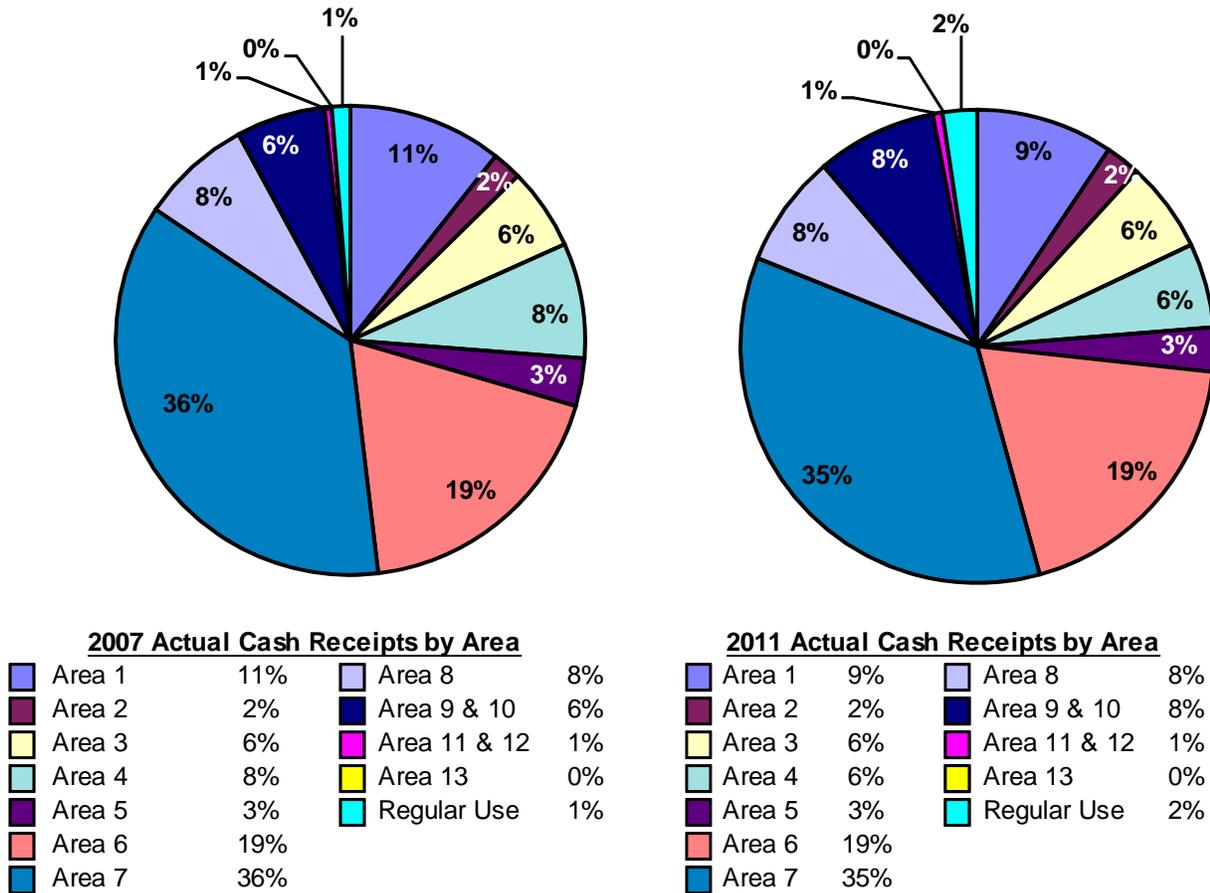


The next chart illustrates sales tax collections (cash basis) by month and cumulative for the years presented.



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



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 August. 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	15,752,611	14,284,984	14,045,587	15,569,443	15,310,529
Outside City Collections	5,636,732	4,738,807	4,415,652	5,800,128	5,228,301
Percentage of Total	35.8%	33.2%	31.4%	37.3%	34.1%
Total General Fund Revenues	27,379,198	25,977,581	25,732,390	27,193,170	27,903,398
Outside City Collections	5,636,732	4,738,807	4,415,652	5,800,128	5,228,301
Percentage of Revenues	20.6%	18.2%	17.2%	21.3%	18.7%

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 \$95,482 in refunds including intercity sales/use tax claims through August 2012 compared to \$32,038 through August 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 August 2012 were 3.8 percent or \$44,245 less than August 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 \$99,576 in sales and use tax audit revenues and general collections of balances on account through the month of August 2012, this compares to \$170,029 collected in 2011 and \$292,845 collected in 2010.

Of the 52 sales tax accounts reviewed in the various geographic areas, 33 (63.5 percent) showed improved collections and 19 (36.5 percent) showed reduced collections this year compared to the same period last year.

The Department issued 259 new sales tax licenses through August 2012; 262 and 248 were issued through August 2011 and 2010 respectively.

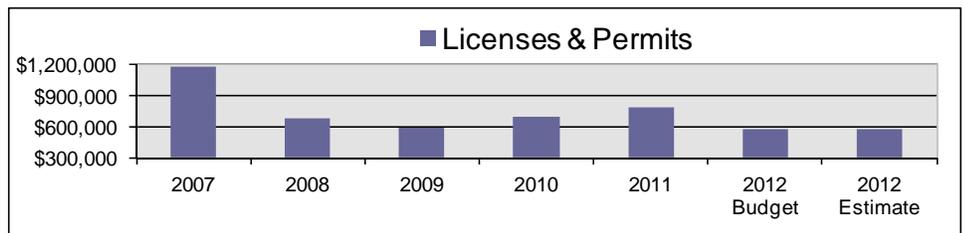
City records indicate that year-to-date 102 businesses closed (64 of them were outside the physical limits of Englewood) and 295 opened (194 of them were outside the physical limits of Englewood).

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.

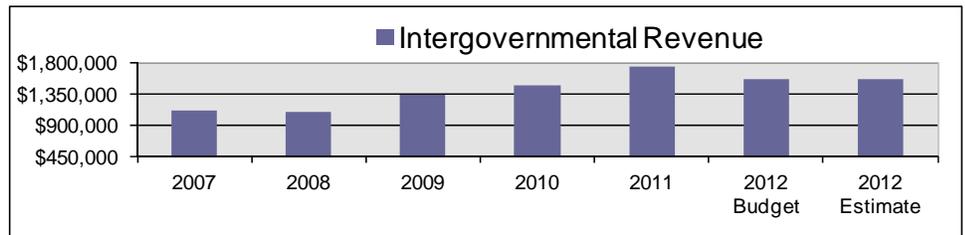
The following provides additional information on the significant revenue sources of the General Fund:

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

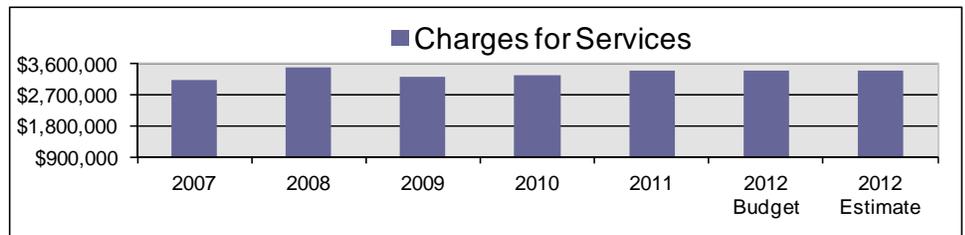


\$778,536 in 2011, a 33.4 percent decrease. The City budgeted \$574,025 for 2012 and year-to-date the City collected \$553,204 or \$62,292 (12.7 percent) more than the \$490,912 collected through August 2010. The estimate for the year is \$765,148.

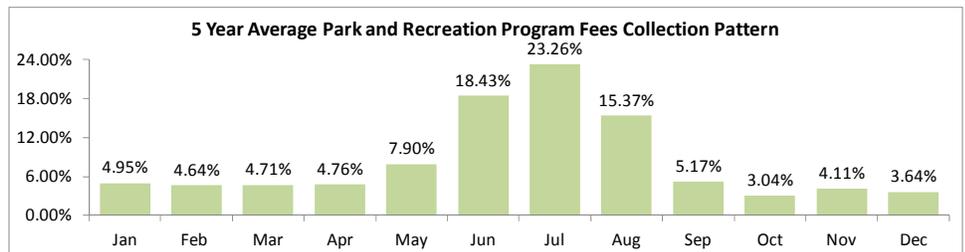
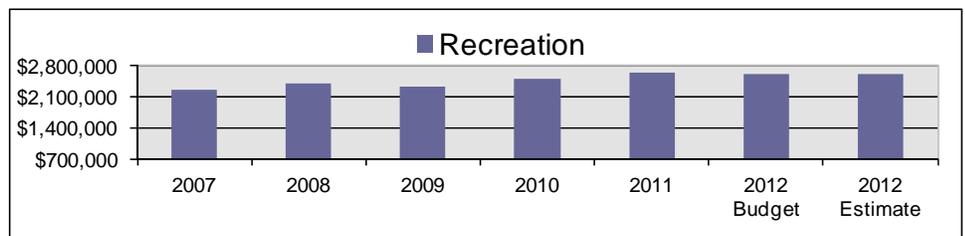
Intergovernmental Revenues: This revenue source includes state and federal shared revenues including payments in lieu of taxes. These revenues are budgeted at \$1,552,315 for 2012. This revenue source totaled \$1,106,280 in 2007 and the City collected \$1,724,807 in 2011, a 55.9 percent increase. The City collected \$1,214,656 through August 2012 this is \$11,145 (.9 percent) less than the \$1,225,801 collected in the same period in 2011. The estimate for the year is \$1,979,903 (increased for Wild Land Fire and medic vehicle reimbursements).



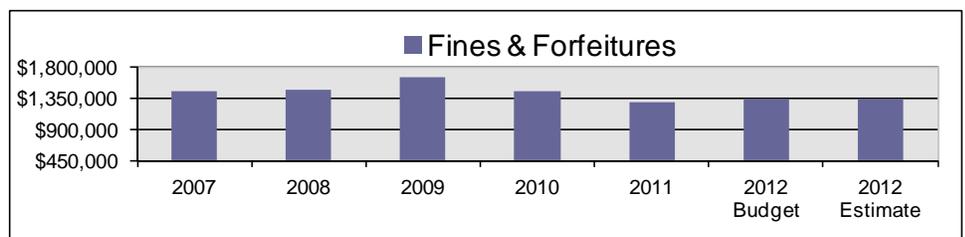
Charges for Services: This includes general government, public safety, fees for the administration of the utilities funds, court costs, highway and street and other charges. This revenue source is budgeted at \$3,399,722 for 2012. This revenue source totaled \$3,113,550 in 2007 and increased to \$3,384,318 in 2011, an 8.7 percent increase. Total collected year-to-date was \$2,108,193 or \$30,247 (1.4 percent) less than the \$2,138,440 collected year-to-date in 2011. The estimate for the year is \$3,261,304.



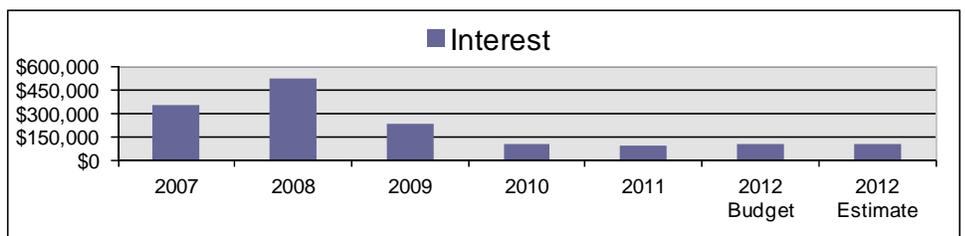
Recreation: This category of revenue includes the fees and charges collected from customers to participate in the various programs offered by the Parks and Recreation Department. This revenue source is budgeted at \$2,599,668 for 2012. This revenue source totaled \$2,235,938 in 2007 and increased to \$2,635,221 in 2011, a 17.9 percent increase. Total collections through August 2012 were \$2,239,259 compared to \$2,247,447 collected in 2011. The estimate for the year is \$2,609,701.



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 \$950,874 or \$82,473 (9.5 percent) more than the \$868,401 collected in the same time period last year. The estimate for the year is \$1,368,450.

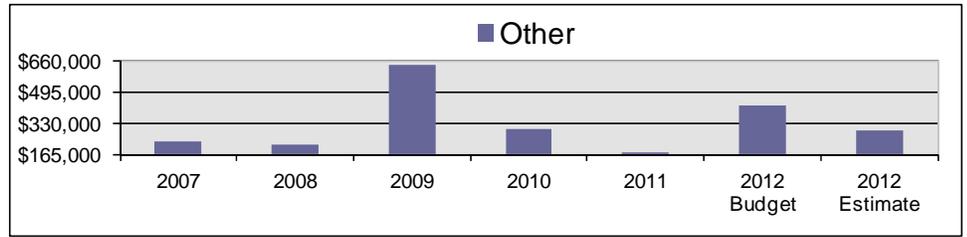


Interest: This is the amount earned on the City's cash investments. The 2012 budget for this source is \$100,000. This revenue source totaled \$411,516 in 2007 and decreased to \$91,864 in 2011, a 77.9 percent decrease. The City earned \$64,616



through August 2012; while the City earned \$78,309 through August 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 \$270,895 (108.1 percent) more than the \$130,180 collected last year during the same period. The estimate for the year is \$339,307.



General Fund - Expenditures

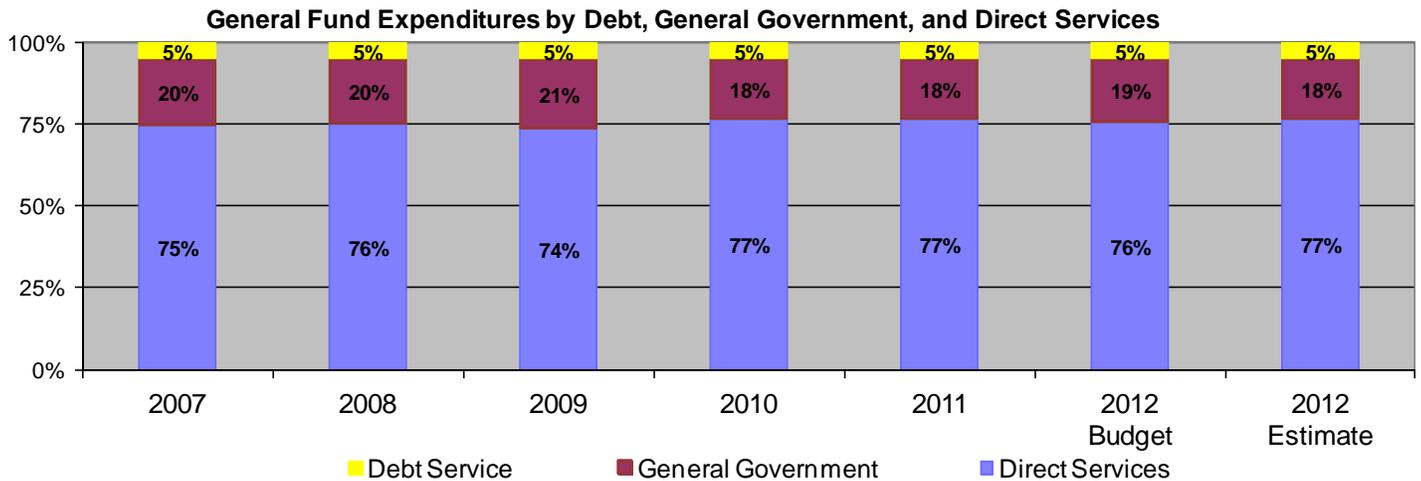
In 2006 the City adopted an outcome based budgeting philosophy. City Council and Staff outlined five outcomes to reflect, more appropriately, the desired result of the services delivered to the citizens of Englewood. The five outcomes identified are intended to depict Englewood as:

- ▶ 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 August were \$27,422,823 compared to \$25,694,582 in 2011 and \$25,521,069 in 2010.

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



The chart below 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	337,748
City Manager	673,949	674,322	674,170	659,882	639,184	672,072	665,441
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	949,982
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	1,509,333
Information Technology	1,254,364	1,280,156	1,360,237	1,280,660	1,332,766	1,360,355	1,342,364
Community Development	1,412,444	1,464,725	1,366,437	1,301,473	1,359,264	1,478,398	1,328,798
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	7,519,263
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	11,043,064
Fire		7,215,444	7,320,268	7,425,903	7,666,842	7,711,732	8,021,054
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	5,704,923
Direct Services Subtotal	28,744,752	29,557,103	29,660,571	29,971,792	30,184,716	31,160,730	31,328,225
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	40,908,227
% Expenditure Change	5.73%	2.35%	2.01%	-2.25%	1.53%	3.68%	-0.10%
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	41,342,227
% Uses of Funds Change	7.29%	1.92%	1.40%	-0.81%	0.37%	2.90%	0.96%

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

	Aug YTD 2012	YTD % Change	% of Total	Aug YTD 2011	YTD % Change	% of Total	Aug YTD 2010	YTD % Change	% of Total	Aug YTD 2009	YTD % Change	% of Total	Aug YTD 2008	% of Total
Personnel services														
Salaries and wages	14,577,574	7.040%	52.332%	13,618,519	-2.550%	52.893%	13,974,930	0.350%	53.195%	13,926,652	1.990%	52.940%	13,654,673	52.940%
Overtime	457,864	31.370%	1.644%	348,522	3.880%	1.354%	335,499	6.520%	1.277%	314,974	-24.880%	1.197%	419,301	1.197%
Benefits	4,491,879	5.760%	16.125%	4,247,329	0.120%	16.496%	4,242,342	3.580%	16.148%	4,095,755	0.290%	15.569%	4,083,950	15.569%
Personnel services total	19,527,317	7.210%	70.101%	18,214,370	-1.820%	70.743%	18,552,770	1.170%	70.621%	18,337,381	0.990%	69.707%	18,157,924	69.707%
Commodities total	1,610,002	28.000%	5.780%	1,257,811	9.170%	4.885%	1,152,150	-4.520%	4.386%	1,206,641	-19.270%	4.587%	1,494,631	4.587%
Contractual services total	4,168,298	1.660%	14.964%	4,100,333	4.860%	15.925%	3,910,143	-1.740%	14.884%	3,979,486	1.440%	15.127%	3,922,903	15.127%
Capital total	509,769	16.470%	1.830%	437,672	-0.840%	1.700%	441,396	23.870%	1.680%	356,330	-5.410%	1.355%	376,696	1.355%
Total Expenditures	25,815,387	7.520%	92.674%	24,010,185	-0.190%	93.253%	24,056,460	0.740%	91.570%	23,879,837	-0.300%	90.775%	23,952,154	90.775%
Debt service total	1,606,672	-4.610%	5.768%	1,684,397	15.010%	6.542%	1,464,622	1.030%	5.575%	1,449,672	0.790%	5.511%	1,438,240	5.511%
Other financing uses total	434,000	721.742%	1.558%	52,815	-92.960%	0.205%	750,000	-23.240%	2.855%	977,011	344.096%	3.714%	220,000	3.714%
Total Uses of Funds	27,856,058	8.190%	100.000%	25,747,397	-1.990%	100.000%	26,271,081	-0.130%	100.000%	26,306,520	2.720%	100.000%	25,610,395	100.000%
Annual Total	41,071,717	3.202%		39,797,514	0.369%		39,651,356	-0.810%		39,974,987	1.397%		39,424,113	
YTD % of Annual Total	67.823%			64.696%			66.255%			65.807%			64.961%	

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:

Source of Funds	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	52,739	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>\$ 1,185,465</u>	<u>1,645,438</u>

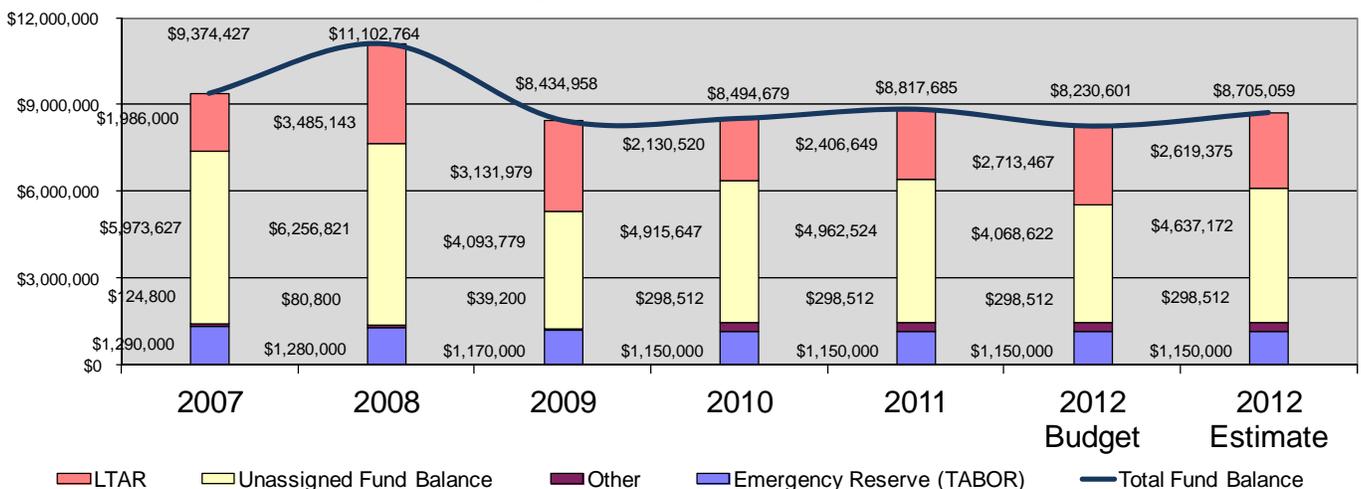
*In addition to the 2011 amount received (\$396,130) from the Neighborhood Stabilization Program (NSP) Fund, the NSP Fund returned \$47,052 in 2010 of the \$750,000 borrowed in this same year. All the funds borrowed by the NSP Fund in 2010 plus interest in the amount of \$5,908 have been repaid to the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

General Fund - Fund Balance

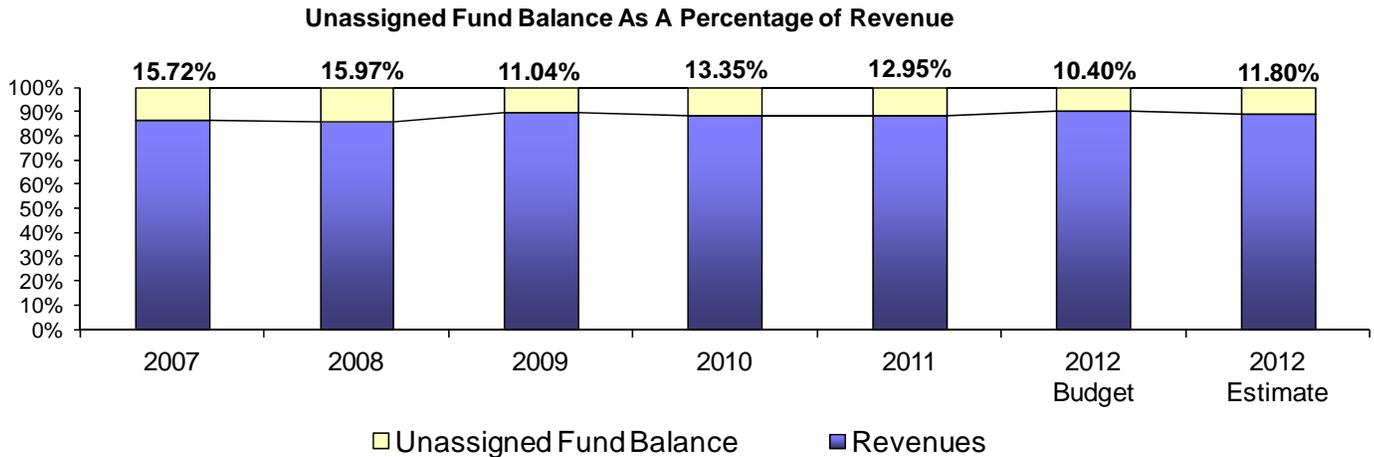
The City designates the fund balance into two categories, restricted and unrestricted. The portion of the fund balance which is restricted is referred to as the “Reserves” while the unrestricted portion is referred to as the unassigned fund balance. The unassigned fund balance represents funds the City 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 August 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 August 2012 is \$2,619,375. Council reduced the LTAR balance by \$100,000 for improvements to the Little Dry Creek Plaza at the August 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 \$8,705,059 with an unassigned fund balance of \$4,470,172 or 11.3 percent of estimated revenues or 10.9 percent of estimated expenditures. The \$4,470,172 would allow the City to operate for approximately 39.7 days (using average daily estimated 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.



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	\$ 1,871,455	\$ 652,541	53.53%	\$ 1,218,914	\$ 138,083	12.78%	\$ 1,080,831
YTD Expenditures	2,181,052	\$ (1,123,109)	(33.99%)	3,304,161	\$ 1,239,946	60.07%	2,064,215
Net Revenues (Expenditures)	\$ (309,597)	\$ 1,775,650		\$ (2,085,247)	\$ (1,101,863)		\$ (983,384)
Beginning PIF Fund Balance	\$ 934,251			\$ 2,686,457			\$ 1,515,399
Ending PIF Fund Balance Before Remaining Annual Revenue and Appropriation	\$ 624,654			\$ 601,210			\$ 532,015
Plus: Remaining Annual Revenue	493,709			593,820			635,490
Less: Remaining Annual Appropriation	(1,051,981)			(905,569)			(673,847)
Estimated Ending Fund Balance	\$ 66,382			\$ 289,461			\$ 493,658
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		2011 YTD Actual	2011 Vs 2010		2010 YTD Actual
				Amount	%		Amount	%	
Vehicle Use Tax	\$ 1,200,000	\$ 1,000,000	\$ 747,243	\$ 193,916	35%	\$ 553,326	\$ 34,677	7%	\$ 518,649
Building Use Tax	\$ 997,284	\$ 550,000	\$ 492,765	\$ 54,040	12%	\$ 438,725	\$ 104,844	31%	\$ 333,881
Arapahoe County Road and Bridge Tax	\$ 197,000	\$ 184,000	\$ 177,369	\$ 4,955	3%	\$ 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	27,477,157	27,422,058	(73,633)	4,161,979	4,637,172
Special Revenue Funds						
Conservation Trust	1,184,882	168,116	173,458	(1,169,465)	-	10,075
Open Space	1,367,255	137,079	472,357	(926,067)	-	105,910
Neighborhood Stabilization Program	408,432	664,592	410,903	(662,121)	-	-
Donors	380,622	164,662	58,682	-	-	486,602
Community Development	-	162,205	184,273	22,068	-	-
Malley Center Trust	279,038	2,761	(18)	-	-	281,817
Parks & Recreation Trust	451,714	10,116	5,957	-	-	455,872
Debt Service Fund						
General Obligation Bond	154,267	827,889	153,497	-	-	828,659
Capital Projects Funds						
PIF	934,251	1,437,455	766,509	(1,538,815)	-	66,382
MYCP	827,183	5,083	260,143	(595,731)	-	(23,609)
Proprietary Fund Types (Funds Available Balance)						
Enterprise Funds						
Water	7,426,594	4,841,543	5,429,287	6,875,782	-	13,714,633
Sewer	5,306,200	11,011,767	11,207,506	-	1,000,000	4,110,461
Stormwater Drainage	990,801	252,215	111,781	2,485	102,500	1,031,220
Golf Course	735,144	1,604,985	1,214,147	-	293,500	832,483
Concrete Utility	338,297	596,358	483,764	-	-	450,891
Housing Rehabilitation	489,000	133,899	201,439	(127,384)	-	294,076
Internal Service Funds						
Central Services	151,323	235,568	203,612	-	-	183,279
ServiCenter	993,875	1,589,475	1,372,283	(100,000)	-	1,111,066
CERF	1,538,025	515,786	847,346	-	-	1,206,465
Employee Benefits	4,936	3,743,204	3,894,268	-	-	(146,128)
Risk Management	1,101,326	1,197,810	925,226	(720,000)	-	653,911

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 August 31, 2012

Percentage of Year Completed = 67%

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			
Revenues	2012				2011			2010		
	Budget	Aug-12	% Budget	YE Estimate	Dec-11	Aug-11	% YTD	Dec-10	Aug-10	% YTD
Property Tax	2,880,000	2,784,428	96.68%	2,880,000	2,994,213	2,904,205	96.99%	3,020,884	2,885,015	95.50%
Specific Ownership Tax	250,000	143,873	57.55%	230,000	246,062	146,316	59.46%	263,434	155,700	59.10%
Sales & Use Taxes	22,115,126	15,313,404	69.24%	22,115,126	21,737,110	14,977,952	68.90%	20,866,515	14,072,748	67.44%
Cigarette Tax	190,000	121,643	64.02%	184,000	190,763	120,966	63.41%	196,320	127,224	64.80%
Franchise Fees	3,056,938	1,705,558	55.79%	3,067,552	2,631,393	1,593,447	60.56%	2,620,191	1,613,589	61.58%
Hotel/Motel Tax	8,713	6,551	75.19%	9,000	9,820	6,383	65.00%	8,806	5,903	67.03%
Licenses & Permits	574,025	553,204	96.37%	765,148	778,536	490,912	63.06%	695,563	439,813	63.23%
Intergovernmental Revenue	1,552,315	1,214,656	78.25%	1,882,903	1,724,807	1,225,801	71.07%	1,465,970	854,196	58.27%
Charges for Services	3,399,722	2,108,193	62.01%	3,261,304	3,384,318	2,138,440	63.19%	3,254,830	2,071,897	63.66%
Recreation	2,599,668	2,239,259	86.14%	2,609,701	2,635,221	2,247,447	85.28%	2,489,781	2,109,440	84.72%
Fines & Forfeitures	1,318,450	950,874	72.12%	1,368,450	1,284,758	868,401	67.59%	1,437,957	1,026,597	71.39%
Interest	100,000	64,616	64.62%	100,000	91,034	78,309	86.02%	100,545	105,126	104.56%
EMRF Rents	663,046	426,244	64.29%	497,645	425,159	264,411	62.19%	105,125	40,000	38.05%
Miscellaneous	411,998	270,895	65.75%	339,307	173,381	130,180	75.08%	293,658	225,142	76.67%
Total Revenues	39,120,001	27,903,398	71.33%	39,310,136	38,306,575	27,193,170	70.99%	36,819,579	25,732,390	69.89%
Expenditures										
Legislation	333,793	175,228	52.50%	337,748	298,731	169,204	56.64%	309,870	215,185	69.44%
City Attorney	746,734	475,127	63.63%	774,254	706,841	443,728	62.78%	702,228	463,712	66.03%
Court	974,417	591,623	60.72%	949,982	848,775	549,371	64.73%	901,469	581,640	64.52%
City Manager	672,072	445,778	66.33%	665,441	639,184	415,277	64.97%	659,882	438,461	66.45%
Human Resources	470,910	300,866	63.89%	461,343	430,792	266,638	61.89%	419,421	249,058	59.38%
Financial Services	1,541,645	988,601	64.13%	1,509,333	1,446,313	918,018	63.47%	1,445,581	937,388	64.85%
Information Technology	1,360,355	864,161	63.52%	1,342,364	1,332,766	851,774	63.91%	1,280,660	780,445	60.94%
Public Works	5,436,637	3,654,839	67.23%	5,327,838	5,259,875	3,299,166	62.72%	5,137,364	3,321,322	64.65%
Fire Department	7,711,732	5,421,128	70.30%	8,021,054	7,666,842	4,888,906	63.77%	7,425,903	4,727,346	63.66%
Police Department	10,921,455	7,238,261	66.28%	11,043,064	10,395,239	6,595,191	63.44%	10,312,633	6,671,908	64.70%
Community Development	1,478,398	836,345	56.57%	1,328,798	1,359,264	860,238	63.29%	1,301,473	782,203	60.10%
Library	1,256,481	756,510	60.21%	1,231,346	1,145,613	730,782	63.79%	1,284,083	854,803	66.57%
Recreation	5,834,425	3,986,580	68.33%	5,704,923	5,717,147	3,915,187	68.48%	5,811,809	3,990,541	68.66%
Debt Service	2,060,739	1,608,277	78.04%	2,060,739	2,096,463	1,684,891	80.37%	1,860,827	1,468,567	78.92%
Contingency	150,000	79,499	53.00%	150,000	152,423	106,211	69.68%	48,139	38,490	79.96%
Total Expenditures	40,949,793	27,422,823	66.97%	40,908,227	39,496,268	25,694,582	65.06%	38,901,342	25,521,069	65.60%
Excess revenues over (under) expenditures	(1,829,792)	480,575	-26.26%	(1,598,091)	(1,189,693)	1,498,588		(2,081,763)	211,321	
Net transfers in (out)	1,306,739	1,185,465	90.72%	1,485,465	1,512,699	1,450,575	95.89%	1,341,485	1,094,433	81.58%
Total Fund Balance	\$ 8,230,601	\$ 10,483,725	127.37%	\$ 8,705,059	\$ 8,817,685	\$ 11,443,842	129.78%	\$ 8,494,679	\$ 10,540,711	124.09%

Fund Balance Analysis

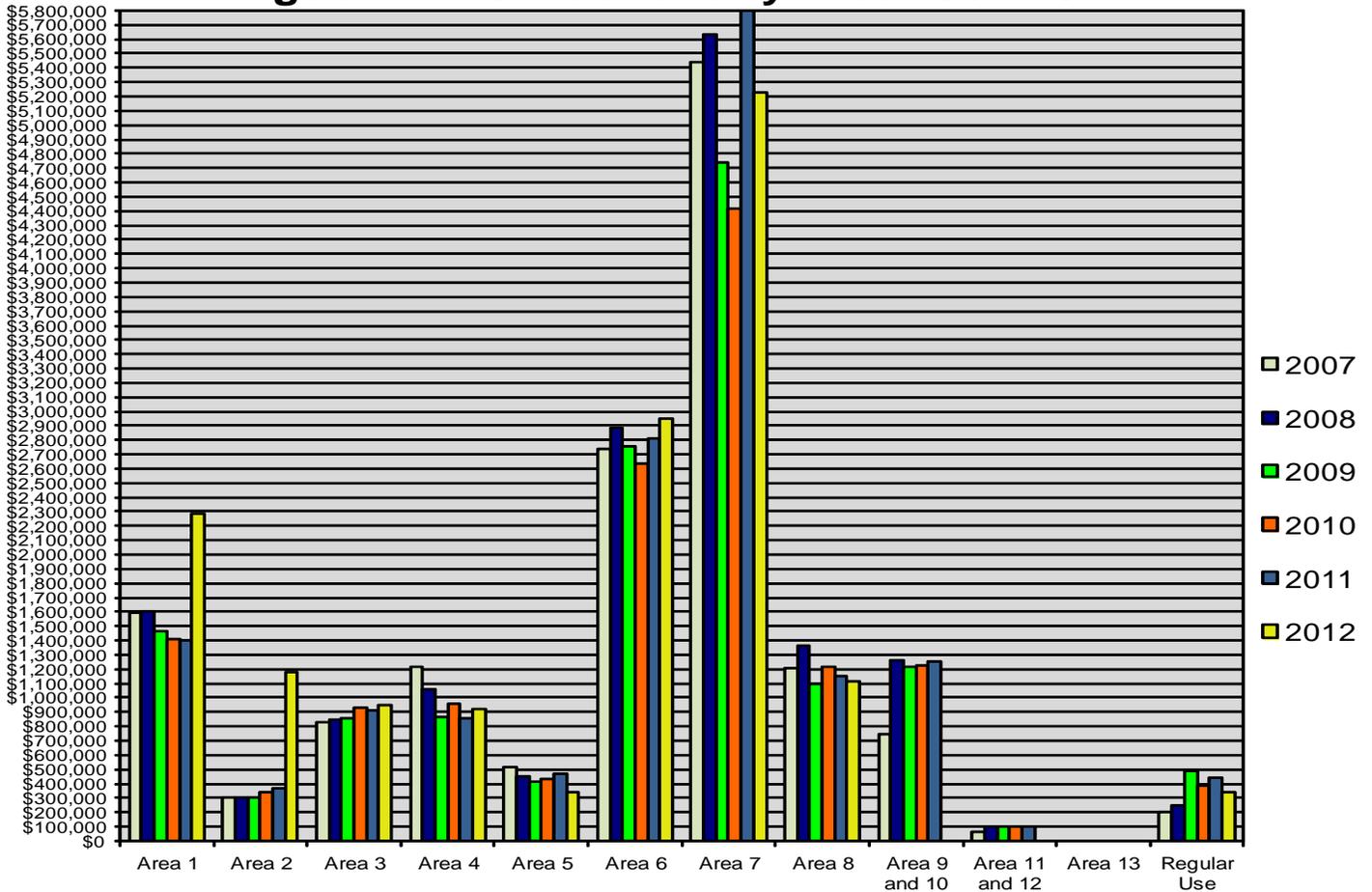
Total Fund Balance	\$ 8,230,601	\$ 10,483,725	\$ 8,705,059	\$ 8,817,685	\$ 8,494,679
Restricted Fund Balance					
-Emergencies (TABOR)	1,150,000	1,150,000	1,150,000	1,150,000	1,150,000
Committed Fund Balance					
-LTAR	2,713,467	2,619,375	2,619,375	2,406,649	2,130,520
-COPS Grant	298,512	298,512	298,512	298,512	298,512
Restricted/Committed	<u>\$ 4,161,979</u>	<u>\$ 4,067,887</u>	<u>\$ 4,067,887</u>	<u>\$ 3,855,161</u>	<u>\$ 3,579,032</u>
Estimated Unassigned Fund Balance	<u>\$ 4,068,622</u>	<u>\$ 6,415,838</u>	<u>\$ 4,637,172</u>	<u>\$ 4,962,524</u>	<u>\$ 4,915,647</u>
As a percentage of projected revenues	10.35%		11.80%	12.95%	13.35%
As a percentage of budgeted revenues	10.40%		11.85%		
Target	3,912,000	-	5,868,000		

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

Cash Basis

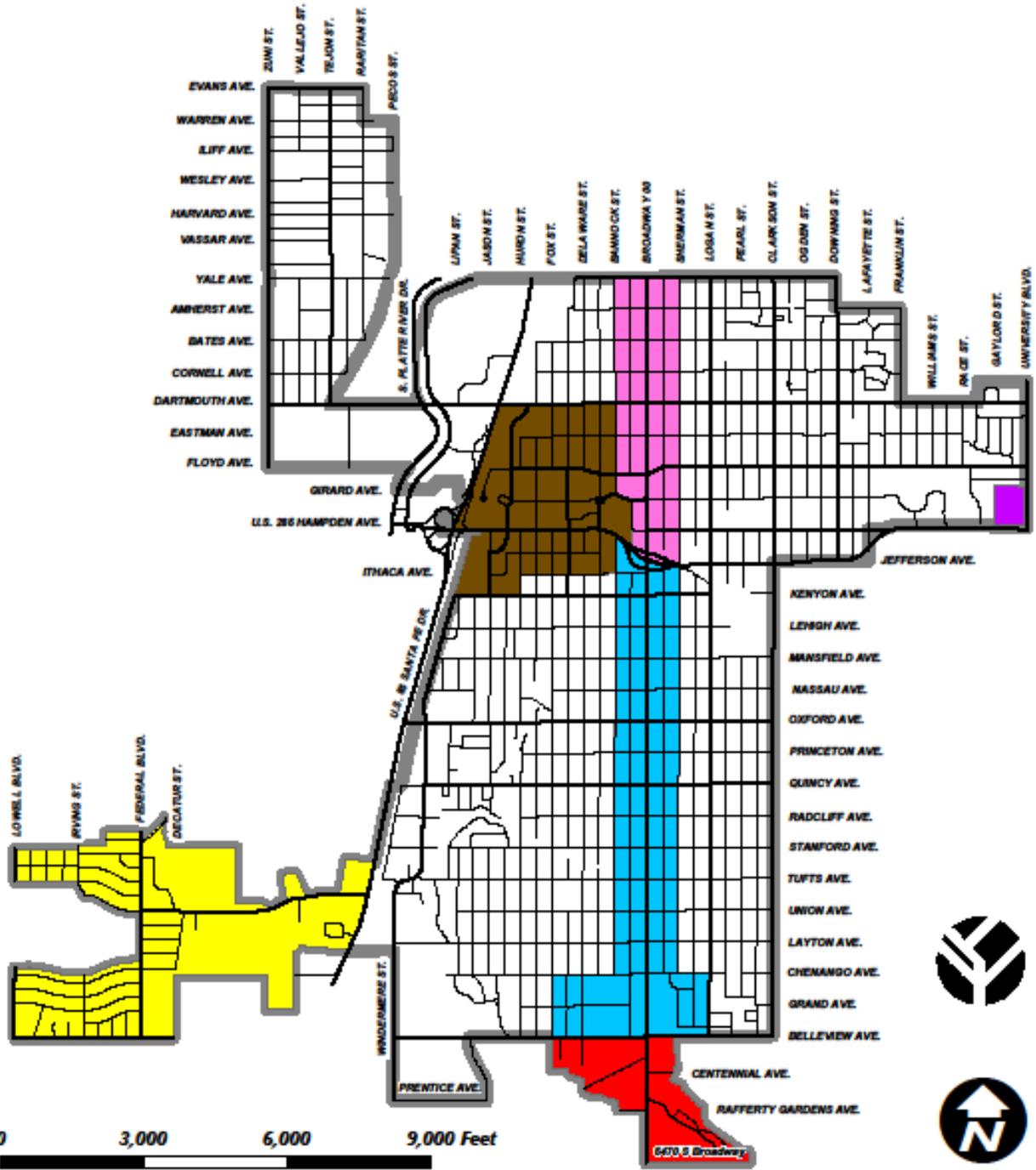
	2007	% Change	2008	% Change	2009	% Change	2010	% Change	2011	% Change	2012	% Change
Area 1	1,593,146	-35.24%	1,599,517	0.40%	1,461,278	-8.28%	1,409,034	-11.91%	1,400,843	-0.58%	2,281,425	62.86%
Area 2	304,312	-23.87%	307,410	1.02%	301,979	-0.77%	337,210	9.69%	371,174	10.07%	1,182,590	218.61%
Area 3	833,088	-27.06%	843,286	1.22%	856,576	2.82%	934,509	10.82%	915,990	-1.98%	950,404	3.76%
Area 4	1,219,209	-28.57%	1,055,174	-13.45%	864,730	-29.07%	955,737	-9.42%	859,505	-10.07%	923,553	7.45%
Area 5	515,834	-23.44%	448,508	-13.05%	411,782	-20.17%	433,124	-3.43%	466,138	7.62%	341,857	-26.66%
Area 6	2,740,962	-31.02%	2,881,524	5.13%	2,752,662	-4.48%	2,638,517	-4.33%	2,814,859	6.68%	2,949,127	4.77%
Area 7	5,439,869	-24.99%	5,636,732	3.62%	4,738,807	-12.89%	4,415,652	-21.66%	5,800,128	31.35%	5,228,301	-9.86%
Area 8	1,203,174	-33.10%	1,365,078	13.46%	1,094,239	-9.05%	1,213,723	-11.09%	1,155,990	-4.76%	1,111,745	-3.83%
Area 9 and 10	744,868	-2.61%	1,261,129	69.31%	1,217,831	-3.43%	1,224,990	0.59%	1,249,050	1.96%	0	-100.00%
Area 11 and 12	61,493	-1.22%	102,751	67.09%	97,754	-4.86%	96,838	-0.94%	98,384	1.60%	0	-100.00%
Area 13									0	0.00%	0	0.00%
Regular Use	199,349	-41.40%	251,502	26.16%	487,346	144.47%	386,254	53.58%	437,383	13.24%	341,529	-21.92%
Total	14,855,304	-27.80%	15,752,611	6.04%	14,284,984	-3.84%	14,045,587	-10.84%	15,569,443	10.85%	15,310,529	-1.66%
Refunds	178,701	-41.84%	480,168	168.70%	72,130	-84.98%	198,429	175.10%	32,392	-83.68%	122,919	279.47%
Audit & Collections Revenue*	379,636	-13.08%	417,209	9.90%	426,220	2.16%	292,845	-31.29%	170,029	-41.94%	101,143	-40.51%
*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	777,749	-8.45%	621,315	-20.11%	214,002	-65.56%	333,881	56.02%	438,725	31.40%	492,765	12.32%
Vehicle Use	941,683	-24.67%	882,492	-6.29%	629,467	-28.67%	606,086	-3.71%	624,014	2.96%	855,418	37.08%

August YTD Collections by Area 2007-2012



Area Descriptions

Area 1 - CityCenter (Formerly Cinderella City)	Area 5 - Federal and Bellevue 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 Bellevue between Logan & Delaware	Area 7 - Outside City limits
Area 4 - Broadway and Bellevue (Between Fox and Sherman and south side of Bellevue 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

MEMORANDUM



TO: City Council

THROUGH: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: Ladd Vostry, Traffic Engineer ✓

DATE: September 12, 2012

SUBJECT: 2012 MISCELLANEOUS EQUIPMENT PURCHASE

Every year, local governments are invited to submit applications for miscellaneous traffic signal equipment to Denver Regional Council of Governments (DRCOG), who administers the Miscellaneous Equipment Purchase (MEP) program. The program assists local agencies in upgrading and/or extending traffic signal systems, in order to help to improve the efficiency of traffic signals, relieve congestion, and reduce air pollution. These requests must be consistent with requirements of the current Traffic Signal Improvement Program (TSSIP), adopted in 2010.

All applications are reviewed and scored by DRCOG staff based on previously set criteria. **In the latest (FY12) MEP program, the City of Englewood was awarded up to \$29,000 towards the purchase of traffic signal equipment, which includes a traffic signal cabinet with ASC/3 traffic controller and uninterruptable power supply (UPS) for the Navajo and Oxford intersection; as well as various Ethernet communication equipment for the Dartmouth corridor (west of Santa Fe Drive).**

The MEP program covers the equipment only, with equipment installation being completed by the City. There are no financial obligations for the City other than providing funds up front for equipment purchases, which will be reimbursed after the project is completed. Adequate funds are available in the Transportation System Upgrade PIF account and will be credited back to this account with reimbursement of federal funds by DRCOG.

In past years, staff has applied for, and received, over \$300,000 in federal funds for miscellaneous traffic equipment from DRCOG.

Staff will bring a recommendation to adopt a Bill for an Ordinance to enter into an Intergovernmental Agreement (IGA) with DRCOG for FY12 MEP at a future Council meeting.



CITY OF ENGLEWOOD

September 12, 2012

Ms. Michelle DeLaria
Environmental Protection Specialist
Permits Section
Water Quality Control Division
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246

RE: TARGETED PERMIT QUESTIONNAIRE

Ms. DeLaria:

The City of Englewood would like to express our gratitude for the opportunity to conduct a self review of our MS4 Stormwater Program.

The interpretations and examples of compliant and non-compliant programs provided in the Targeted Permit Questionnaire are appreciated. However, in the future we would like to have interpretations and examples in a stand-alone guidance document, separate from the document certified by the legal contact. Due to the flexible nature of the MS4 Permit, we recognize that all interpretations and examples of compliant and non-compliant programs are not detailed in the Targeted Permit Questionnaire.

As you may be aware, the Colorado Stormwater Council (CSC) consulted outside legal counsel to assist the CSC membership with the Targeted Permit Questionnaire. This was done at the request of the CSC membership pursuant to concerns with interpretation language compared to MS4 Permit language.

Based upon recommendations from legal counsel, and to provide accurate answers, the language in the current Permit was relied upon to complete the Targeted Permit Questionnaire.

Further, a statement was added to the certification page of the Targeted Permit Questionnaire. This statement serves to incorporate reliance on the current permit language within the certified document.

We appreciate working with you and look forward to continuing this collaborative process with the Division on the upcoming MS4 Permit renewal process.

If you have any questions, please contact Yasser Abouaish at 303-762-2652.

Sincerely,

Stewart Fonda
Director of Utilities
City of Englewood

Cc: Targeted Permit Questionnaire

TARGETED PERMIT QUESTIONNAIRE – Due October 15, 2012
Municipal Separate Storm Sewer Systems (MS4s) Permits COR-090000 and COR-080000

COLORADO DEPT. OF PUBLIC HEALTH & ENVIRONMENT
Water Quality Control Division
WQCD-P-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

This form is intended to be filled out electronically and then printed for the signature and submittal. One original copy (no faxes or e-mails) of the completed Targeted Permit Questionnaire, including attachments as appropriate, must be submitted to the Water Quality Control Division by **October 15, 2012**.

This questionnaire targets specific program elements and is not a full audit. The questions are based on the common findings that were identified during permit audits conducted by the Division in 2010 and 2011. The questions will help the Permittee determine compliance with the current permit. Answering “yes” or “no” to a question does not automatically make the Permittee in or out of compliance. The Permittee must carefully read the Required Action section to determine if a notice of noncompliance must be submitted. The Permittee is also welcome to include any additional information that the Division should consider when determining compliance with the permit. All sections of the form must be filled out. Some sections have a Recommended Action sub-section following the Required Action sub-section, to provide the Permittee with compliance assistance.

The Division will notify specific permittees in writing that they do not have to complete this questionnaire based on the occurrence of a recent **Division audit**. The Division recommends that these previously audited permittees review the information provided in this questionnaire.

The question format includes a Summary of the common finding, examples of compliant and non-compliant programs and the Compliance Goal followed by Questions and the Required Actions. By answering the yes/no questions, the Permittee determines compliance for the specific permit element. If the Permittee cannot certify compliance by the response date of **October 15, 2012**, the Permittee must submit a Non-compliance notification with the Targeted Permit Questionnaire response form.

In accordance with Part II.A.8 of the Permit, all MS4 permittees covered under the above referenced MS4 permits must comply with this requirement and, unless excluded in writing as addressed above, submit the completed self-audit report by **October 15, 2012**. All answers must reflect conditions and compliance status on the date of submittal.

Some of the items in Part 3, Program Area Assessment, include the potential for identification and required reporting of permit noncompliance. The Permittee is strongly encouraged to contact the Division prior to formal submittal of this form if it is unclear to the Permittee why the associated conditions are resulting in a condition of noncompliance or how corrections can be implemented to return to compliance.

PART 1: PERMITTEE INFORMATION

Permittee (Agency name):	City of Englewood – Utilities Department
Mailing Address:	1000 Englewood Parkway
City and Zip Code:	Englewood, CO 80110
Permit Certification No:	COR –

PART 2: CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

X

Signature of Permittee (legally responsible person)

Date Signed

PART 3: PROGRAM AREA ASSESSMENT

A. Illicit Discharge Detection and Elimination:

NOTE: The term "Illicit Discharge" as used in this section shall be defined in accordance with the responders MS4 permit and shall NOT include those discharges not required to be prohibited by the MS4 Permittee in accordance with Part I.B.3(a)(5) and (6) of the Permit.

1. Regulatory Mechanism for Enforceability

- a. **Summary:** Part I.B.3(a)(2) of the Permit, requires a regulatory mechanism to prohibit illicit discharges into the storm sewer system and the authority to implement appropriate enforcement procedures and actions. The Permittee may provide a timeframe to eliminate an illicit discharge (i.e., the illicit discharge is no longer occurring and therefore has been effectively prohibited); however the timeframe to eliminate an illicit discharge **cannot be a "grace period" from potential enforcement** for the period it takes to eliminate the illicit discharge. For permit compliance purposes, a "timeframe to eliminate" an illicit discharge is the timeframe that is provided in a regulatory mechanism or at the discretion of the Permittee; and "grace period" is when an illicit discharge is identified and the regulatory mechanism **lacks the authority** for the Permittee to conduct enforcement for the occurrence of the illicit discharge if it is eliminated within a "timeframe to eliminate," thereby allowing a time of non-compliance – or a "grace period" from enforcement. The Permittee's procedures and rules must result in an illicit discharge being subject to enforcement procedures for both the original finding of violation, as well as during any provided timeframe to eliminate the illicit discharge.

Alternatively, the Permittee may require that an illicit discharge be eliminated "immediately" or "without delay," and the Permittee clearly informs the owner or operator responsible for the illicit discharge that the illicit discharge is considered an enforceable violation from the moment it is identified to the moment it is corrected. In such case, no timeframe to eliminate has been authorized and no grace period from potential enforcement has occurred.

The Permittee's procedures for enforcement, as required by Part I.B.3(a)(2) of the Permit, must fully address, and be fully enforceable and defensible in court, for all illicit discharges, from the time the Permittee identifies the illicit discharge regardless of if the violation is corrected within a prescribed timeframe.

Note that the Permit does **not** require that the Permittee actually pursue enforcement for all illicit discharges that occur and are eliminated. The Permit requires that the regulatory mechanism provide the Permittee the **legal ability and authority to pursue** enforcement for all illicit discharges that occur even if they are eliminated; in addition to the legal ability and authority to escalate enforcement for illicit discharges that the owner or operator does not eliminate upon initial notification by the Permittee. Also, note that the Permit does not require, and it is not the Division's intent to imply through this summary, that the enforcement mechanism rely on a per-day-of-violation monetary penalty calculation methodology, as long as all illicit discharges identified by the Permittee are subject to appropriate enforcement procedures and actions mechanisms,

regardless of when or if the illicit discharge is eliminated.

b. Examples of compliant regulatory mechanisms:

- An illicit discharge is documented as beginning on April 1st. The inspector provides a notice of violation to the property owner for the illicit discharge and documents that the illicit discharge must be eliminated by April 11th, which is the 10 days stated in the regulatory mechanism. The inspector also documents that even if the illicit discharge is eliminated by April 11th, the property owner is subject to enforcement for the illicit discharge **and** for the days that the illicit discharge occurred from when it was identified to when the illicit discharge was eliminated. The inspector further clarifies that if the illicit discharge is not corrected by April 11th, that the response to the violation may be escalated and the original date of April 1st can be used as the reference date to mark the start of the violation. The Permittee must have the authority to implement appropriate enforcement procedures and actions, even if the correction occurs within the time-frame to eliminate the illicit discharge.
- An illicit discharge is documented as beginning on April 1st. The inspector provides a notice of violation to the property owner for the illicit discharge and documents that the illicit discharge must be corrected immediately because the illicit discharge condition is a violation that is enforceable from the original date of violation (April 1st). The Permittee may have target timeframes for follow up (e.g., 1 day, 10 days, 2 weeks) to confirm that the illicit discharge has been eliminated or to escalate the enforcement process. The Permittee must have the authority to implement appropriate enforcement procedures and actions, even if the correction occurs within the target time frames to eliminate the illicit discharge.

c. Example of a non-compliant regulatory mechanism:

- An illicit discharge is documented as beginning on April 1st. The permittee informs the owner or operator that the illicit discharge must be eliminated by April 11th. The regulatory mechanism does not allow the permittee to implement appropriate enforcement procedures and actions if the illicit discharge is eliminated prior to April 11th. The regulatory mechanism therefore allows the owner/operator to have an illicit discharge and to continue the illicit discharge until April 11th without enforcement, and therefore permittee has not effectively prohibited that illicit discharge.

d. Information for Counties that rely on the capabilities of C.R.S. 30-28-124.5 to implement permit requirements: C.R.S. 30-28-124.5 does not allow enforcement for findings corrected within 10 days of discovery. This statute does not authorize county rules that would meet the terms of the permit, as discussed above, if implemented as the only mechanism to effectively prohibit an illicit discharge. However, section 35-15-401(11)(a)(I), C.R.S., provides counties with broad authority to adopt stormwater ordinances that “develop, implement, and *enforce* the stormwater management program *required by the permit.*” Under section 35-15-404(11), C.R.S., counties have the authority to adopt ordinances that implement these requirements as well as enforce against and penalize individuals that violate these requirements. To be consistent with MS4 permit terms that are written pursuant to section 61.8(11)(a)(ii), county ordinances must provide the authority to bring enforcement actions and issue penalties upon the discovery of a violation. Therefore, a county relying on C.R.S. 30-28-124.5 must provide additional mechanisms to provide for the authority to prohibit a violation upon discovery, which likely would require the county to adopt new ordinances under C.R.S. 35-15-401, or through an alternative legal mechanism if identified.

e. Compliance Goal: Confirm that the Permittee has a compliant regulatory mechanism that can effectively prohibit all illicit discharges, including those eliminated within a set time period after identification. A Permittee that lacks authority to enforce against identified illicit discharges upon discovery would not be capable of implementing a preventative program to prohibit discharges, and would only have a responsive program.

f. Questions:

Answering 'yes' or 'no' is not automatically associated with compliance or non-compliance.	Mark the response that matches the Permittee's program
1. Does the Permittee's regulatory mechanism prohibit an illicit discharge, as defined in its permit, into the Permittee's MS4?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Does the Permittee's regulatory mechanism used for illicit discharges allow for or require a timeframe to eliminate an illicit discharge? (E.g., the nuisance code is used as the regulatory mechanism and states that an illicit discharge or nuisance violation must be corrected within 10 days, as soon as possible, or similar language.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. If question 2 was answered "Yes": Does the regulatory mechanism allow enforcement for the occurrence of an illicit discharge, even if an illicit discharge is eliminated prior to the end of the timeframe provided in the regulatory mechanism or by the Permittees' program implementation? (I.e., can the enforcement process and potential penalties reference the date that the illicit discharge was identified?) If enforcement can only begin if the illicit discharge is not eliminated within the timeframe to eliminate an illicit discharge provided in the regulatory mechanism or by the Permittees' program implementation, mark "no."	<input type="checkbox"/> Yes <input type="checkbox"/> No

g. Required Submittal:

If question 1 was answered "yes", the Permittee must provide a citation and a link (if available online) to the pertinent section of the Permittee's regulatory mechanism for prohibiting illicit discharges.

h. Required Action: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Questions 1, 2, and 3 answered "yes." This represents a program that prohibits an illicit discharge into the Permittee's MS4 and considers any illicit discharge an enforceable violation from the date that the illicit discharge was identified. The illicit discharge is an enforceable violation during the time it takes to correct the violation.
- ii. Question 1 answered "yes" and Question 2 answered "no." This represents a program that prohibits an illicit discharge into the Permittee's MS4 and considers any illicit discharge an enforceable violation from the date that the illicit discharge was identified and does not provide a timeframe to eliminate an illicit discharge. The regulatory mechanism clearly states that an illicit discharge must be eliminated immediately or without delay.
- iii. Option i. or ii. cannot be accurately checked, but the Permittee has complied with the permit through implementation of a program not addressed in this questionnaire. If this option is checked, the Permittee must still answer the above questions for this Section, and must attach a detailed explanation of how its program meets the permit requirements addressed in this Section, including attaching: (1) All regulations that prohibit illicit discharges and authorize enforcement with direct reference to those applicable sections; (2) All written procedures that address implementation of enforcement relevant to illicit discharges with direct reference to those applicable sections. A permittee checking this Option **must** contact the Division by phone or email by **July 15, 2012**, prior to submitting this form to discuss this conclusion and ensure that the proper information is provided to expedite this process and avoid unnecessary compliance correspondence for both parties.

If option i., ii. or iii cannot be accurately checked, then check iv, and follow the instructions.

iv. _____ **Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i. or ii., above.**

i. **Recommended Action:** Review the program documentation (e.g., illicit discharge manual, Standard Operating Procedure (SOP), Program Description Document, inspection form) to determine if there are inconsistencies. For example, the regulatory mechanism requires an illicit discharge to be eliminated in 7 days, but a procedure states that 10 days is the timeframe provided to eliminate an illicit discharge?

2. Regulatory Mechanism Process

a. **Summary:** Part I.B.3(a)(2) of the Permit, requires a regulatory mechanism to prohibit illicit discharges into the storm sewer system and to implement appropriate enforcement procedures and actions. The Division observed during program audits that some permittees have a regulatory mechanism (e.g., code or ordinance language) regarding the enforcement process that does not match the enforcement process detailed in the Permittee's program documents (e.g., Program description document, IDDE manual, SOPs, inspector training documents). To be clear, the Permit does not require that the regulatory mechanism include the exact enforcement steps. However, the Division noted during audits that some ordinances provided exact enforcement steps that must be followed in a specific order (e.g., written notice to the owner/operator, administrative citation, court summons) but the Permittee's internal program documents and/or implementation did not follow the process stated in the ordinance. Other programs listed enforcement tools that may be used by the Permittee to gain compliance.

b. Examples of compliant regulatory mechanisms:

- The regulatory mechanism lists several enforcement tools that CAN BE used when responding to an illicit discharge. The permittee's SOPs for responding to an illicit discharge include the option for issuing a verbal warning if the illicit discharge does not pose any immediate harm to life or the environment.
- The regulatory mechanism states that all responses to an illicit discharge MUST include a written notice of violation to the owner/operator. The permittee's SOPs for responding to an illicit discharge are consistent with the regulatory mechanism and all illicit discharges are responded to with a written notice of violation.

c. Examples of a non-compliant regulatory mechanism:

- **Permittee has procedures in both the regulatory mechanism AND in separate written procedures (e.g., SOPs) that conflict:** The regulatory mechanism states that all responses to an illicit discharge MUST include a written notice of violation to the owner. The permittee's procedure for responding to an illicit discharge allows for issuing a verbal warning without a written notification being issued, therefore the two procedures conflict.
- **Permittee has procedures that are not being followed:** The regulatory mechanism and/or written procedures state that all responses to an illicit discharge MUST include a written notice of violation to the owner. All illicit discharges meeting the conditions in the procedures are NOT responded to with a written notice of violation.

d. **Compliance Goal:** Confirm that enforcement aspect of the regulatory mechanism, program documents, written procedures and implementation do not conflict and are being implemented. Conflicts in procedures could result in lack of enforceability, confusion, and failure to implement procedures.

e. Questions:

Answering 'yes' or 'no' is not automatically associated with compliance or non-compliance.	Mark the response that matches the Permittee's program
1. Does the Permittee's regulatory mechanism specify any exact enforcement process(es) or step(s) that must be followed by the Permittee for violations? E.g., code requires a written notice to the owner/operator, administrative citation, and/or court summons. If yes, answer question 2. If no, skip to question 3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Do the Permittee's program documents (e.g., Program description document, IDDE manual, SOPs, inspector training documents) include the exact required enforcement process(es) or step(s) specified in the Permittee's regulatory mechanism?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Are all enforcement process(es) or step(s) in the Permittee's program documents authorized in the Permittee's regulatory mechanism? (The Permittee must have the authority to implement all of the enforcement procedures and tools.)	<input type="checkbox"/> Yes <input type="checkbox"/> No

f. **Required Action:** Check the following that best represents your program status at the time of the October 15, 2012 response date:

- i. Questions 2 was answered yes, or skipped in accordance with the directions, AND Question 3 was answered yes.

If option i. cannot be accurately checked, then check ii, and follow the instructions.

- ii. Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i. or ii., above.

3. **Categories of Non-stormwater discharges**

- a. **Summary:** In accordance with the Colorado Water Quality Control Act, consistent with the federal Clean Water Act, requires that no person shall discharge any pollutant into any state water from a point-source without first having obtained a permit from the Division. However, the Division has developed the Low Risk Policy, WQP-27, to address discharges with the lowest potential risk to water quality and additional permit language to provide a mechanism for the Permittee to assess the potential for certain discharges to contain pollutants. Discharges associated with Snow melting, swimming pools, potable water, uncontaminated groundwater to land, and surface cosmetic power washing operations to land are currently addressed by guidance under the Division's Low Risk Discharges.
<http://www.cdphc.state.co.us/wq/PermitsUnit/guidanceandpolicynewpage.html>

Part I.B.3(a)(5) of the Permit provides the following categories of non-stormwater discharges that the Permittee must address only if the Permittee identifies them as significant contributors of pollutants to the Permittee's MS4: landscape irrigation, lawn watering, diverted stream flows, irrigation return flow, rising ground waters, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), uncontaminated pumped ground water, springs, flows from riparian habitats and wetlands, water line flushing, discharges from potable water sources, foundation drains, air conditioning condensation, water from crawl space pumps, footing drains, individual residential car washing, dechlorinated swimming pool discharges, and water incidental to street sweeping (including associated sidewalks and medians) and that is not associated with construction. Part I.B.3(a)(6) of the Permit also excludes the Permittee from having to address discharges resulting from emergency fire fighting activities and discharges specifically authorized by a separate CDPS permit.

The Permit allows the Permittee to add other occasional, incidental non-stormwater discharges to this list if the Permittee has determined that additional non-stormwater discharges are not reasonably expected (based on information available to the permittee) to be significant sources of pollutants to the MS4, because of either the

nature of the discharges or conditions the Permittee has established for allowing these discharges to the MS4. The Division has specifically authorized all MS4 permittees to include those discharges covered by guidance under the Low Risk Discharge Policy, WQP-27.

b. Example of a non-compliant regulatory mechanism:

During permit audits, Division staff have noted that the wording and resulting definition of some categories listed in Part I.B.3(a)(5) of the Permit have been altered and other categories of discharges have been added to the permittee's regulatory mechanism. In many of these cases, the discharges addressed by these modified and new allowances do not meet the standard of not being reasonably expected to be significant sources of pollutants to the MS4 and the permittees have not documented local controls or conditions placed on the discharges, as required by Part I.B.3(a)(5) of the Permit.

Examples of such discharges include:

- Discharges to protect life and property
- Any discharge allowed by the city manager (or designee)
- Discharges from activities conducted by fire department other than emergency fire fighting, or discharges directly listed in I.B.3(a)(5) or covered by a Low Risk Policy guidance

c. Compliance Goal: To determine if the Permittee's illicit discharges program consistently allows or prohibits those discharges addressed by Part I.B.3(a)(5) of the Permit, Part I.B.3(a)(6) of the Permit, and the Division's Low Risk Discharges.

Note that the Permittee is not required to authorize all discharges allowed for by the permit and Low Risk Policy guidance; however what is authorized in the Permittees' regulatory mechanism must be consistent by what is authorized by the Permittees' procedures and implementation. For example, if the Permittee chooses not to authorize certain discharges, then the Permittee must respond to the unauthorized discharges according to the Permittee's IDDE program requirements.

d. Questions:

Answering 'yes' or 'no' is not automatically associated with compliance or non-compliance.	Mark the response that matches the Permittee's program
1. Does the Permittee's regulatory mechanism authorize discharges to the MS4 of all of the "allowable non-stormwater discharges" that are directly listed in Parts I.B.3(a)(5) and (6) of the Permit? If the answer is yes, skip to question 3.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. If question 1 was answered "No": For any of the "allowable non-stormwater discharges" that are directly listed in Part I.B.3(a)(5) and (6) of the Permit that are not authorized to be discharged to the MS4 in the Permittee's regulatory mechanism, does the Permittee's program documentation and implementation effectively prohibit the discharge(s)? E.g., if the Permittee's ordinance does not authorize "dechlorinated swimming pool discharges", is the Permittee's program documentation and implementation consistent in not allowing this discharge(s)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3. Has the Permittee developed a list of occasional incidental non-stormwater discharges, in addition to the list provided in Part I.B.3(a)(5) and (6) of the Permit, which are authorized to discharge to the MS4 and not addressed as an illicit discharge? If the answer is no, skip to question 5.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Does the Permittee's regulatory mechanism authorize discharges to the MS4 of all the discharges addressed in the Division's Low Risk Policy guidance documents (e.g., Low Risk Discharges of Potable Water)? If the answer is yes, skip to Part e.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. If Question 3 was answered "No": For any of the discharges addressed in the Division's Low Risk Policy that are not authorized to be discharged to the MS4 in the Permittee's regulatory mechanism, does the Permittee's program documentation and implementation effectively prohibit the discharge(s)? E.g., If the Permittee's ordinance	<input type="checkbox"/> Yes <input type="checkbox"/> No

does not exclude discharges of potable water that are in accordance with the Low Risk Policy guidance from prohibitions on illicit discharges, is the Permittee's program documentation and implementation consistent in not allowing the discharge(s)?	
---	--

e. Required Submittals:

1. List as a separate attachment, all non-stormwater discharges for which the Permittee is not effectively prohibiting through regulatory mechanism(s). Provide the exact language used to identify the discharge in the regulatory mechanism(s).
2. Provide the following information as a separate attachment for any discharges that the Permittee's regulatory mechanism does not address as illicit discharges (i.e., are authorized to discharge to the MS4) and that are not specifically listed in Part I.B.3(a)(5) or (6).
 - a. Any information used by the Permittee to evaluate or document that the discharge is not a significant source of pollutants to the MS4, because of either the nature of the discharges or conditions the Permittee has established for allowing these discharges to the MS4 (e.g., a charity car wash with appropriate controls on frequency, proximity to sensitive waterbodies, BMPs, etc.).
 - b. All documentation included in the Permittee's program documentation or regulatory mechanism that identifies the local controls or conditions placed on the discharges.

Note that the goal of Part e.2, above, is to collect information on the Permittee's decision making process. The Division is not necessarily collecting all information that may be needed to fully evaluate if any added discharges meet the standard of not being reasonably expected to be significant sources of pollutants to the MS4. Following the Division review of responses provided by Permittees, such evaluation and determination may occur in the future consistent with the third paragraph of Part I.B.3(a)(5) of the Permit or through the public process during permit renewal.

f. Required Actions: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Questions 2 and 5 were either answered "yes", or did not require a response (i.e., the questions were skipped in accordance with the directions).

If option i. cannot be accurately checked, then check ii. and follow the instructions.

- ii. **Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match the compliant option represented by i., above.**

4. Emergency Fire fighting Discharges

- a. **Summary:** Part I.B.3(a)(6)(i) of the Permit allows discharges from emergency fire fighting activities to be excluded from the prohibitions against non-stormwater discharges. The Division has observed during program audits that permittees may not have the word "emergency" included with firefighting discharges. If not limited to "emergency firefighting" the definition of "firefighting" may include maintenance of fire suppression systems, and training, which may be reasonably expected to be significant sources of pollutants to the MS4.
- b. **Compliance Goal:** Determine if only "emergency" fire fighting discharges are excluded from the prohibitions against non-stormwater discharges and to collect information on any other fire fighting related discharges for Division to fully evaluate if any added discharges meet the standard of not being reasonably expected to be significant sources of pollutants to the MS4.

c. Questions:

	Mark the response that matches the Permittee's program
<p>1. Does the Permittee's regulatory language authorize discharges to the MS4 from firefighting activities that are not from "emergency firefighting?" Note that the exact language used to identify the discharge in the regulatory mechanism(s) must be provided with the Required Submittal in A.3.e.1, and if the authorization is not limited to "emergency firefighting." If the answer is "No," skip the Required Submittal section below and proceed to Part B, Construction Sites Program.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

d. Required Submittal:

If the answer to question 1, above, was yes, the following information must be provided as a separate attachment. Note that this information is in addition to the information required in Part A.3.e.2 of this questionnaire. The Permittee must provide documentation or further study of any category of fire-fighting related discharges that are not directly associated with "emergency firefighting" that provide a reasonable basis for allowing the non-stormwater discharge. The Division will evaluate the information to determine if the discharge must be required to be prohibited, in accordance with the third paragraph of Part I.B.3(a)(5) of the Permit. Specifically, the Permittee must submit information for the discharges that would meet the standard of not being reasonably expected to be significant sources of pollutants to the MS4.

B. Construction Sites Program

1. Waivers, exemptions, exclusions from construction site program requirements

- a. Summary:** Part I.B.4(a)(1) of the Permit requires the Permittee to develop, implement and enforce a program to reduce pollutants in stormwater runoff to the MS4 from construction activities that disturb one or more acres; or less than one acre if part of a larger common plan of development. The Division has observed during program audits that specific construction activities are listed in the Permittee's program documentation (e.g., codes, ordinance, program manuals) as exempt from the Permittee's construction site program. Specific activities have been listed without considering or referencing the area of disturbance. Some activities have been listed with the goal of allowing the applicant to avoid obtaining multiple permits, however the language was not made clear that if a construction activity is exempted from local permit requirements, it is still covered by the Permittee's construction sites program for any site plan, inspection and enforcement requirements.
- b. Projects on State land:** In accordance with the MS4 regulations and permits, if an MS4 permittee does not have the authority under State or local law to require a facility operating on State land to comply with the conditions of its Construction Sites ordinances, then the MS4 permittee is not liable under the permit to do so.
- c. Examples of a compliant program:**
 - The permittee's regulatory mechanism and program documentation includes all construction activities that disturb one or more acres; or less than one acre if part of a larger common plan of development in its Construction sites Program.
 - The permittee's construction sites program requires a review of the construction site's stormwater management plan for single family development and issuance of a local stormwater permit. For types of projects that are not issued a local stormwater permit (e.g., utility work), the permittee implements procedures for compliance assessment and compliance assurance so that all construction activities that disturb one or more acres; or less than one acre if part of a larger common plan of development are in the permittee's Construction Sites Program.
- d. Example of a non-compliant program:**

The permittee's regulatory mechanism correctly states that all construction activities that disturb one or

more acres; or less than one acre if part of a larger common plan of development are covered by its Construction sites Program. However the program documentation (e.g., program manual) or separate sections of the permittee's rules allows for waivers, exemptions, or exclusions from program requirements for projects such as:

- Utility work
- Driveways
- Single family lots
- Activities exempted by the public works director based on site considerations

Note that no Program Descriptions submitted by permittees during the 2008 MS4 permit renewal process acknowledged the existence of waivers, exemptions or exclusions that have been subsequently found during program audits.

e. Compliance Goal: To have the Permittee confirm the presence or absence of waiver language. If waiver language is included, then the Permittee must have documentation to explain and limit how the waiver can be applied, as necessary to ensure that the waiver will not be applied in a manner that allows a construction site that disturbs one or more acres or less than one acre when part of a larger common plan of development to not be subject to the Permittee's construction sites program for the required site plan review, inspection and enforcement. Note it is not a violation to have a waiver as long as it is clear that the construction site will receive the required oversight.

f. Questions:

Answering 'yes' or 'no' is not automatically associated with compliance or non-compliance.	Mark the response that matches the Permittee's program
<p>1. Are there any waivers, exemptions, exclusions, or similar allowances in program regulations, code, or policies regarding the following elements of the Permittee's construction sites oversight program for any sites that disturb one or more acres or less than one acre when part of a larger common plan of development (excluding sites that qualify for a R-Factor waiver)?</p> <ul style="list-style-type: none"> • Requirements to implement appropriate erosion and sediment control BMPs • Requirements to implement appropriate waste control BMPs • Compliance assessment procedures • Enforcement procedures 	<p style="text-align: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </p>
<p>2. If any subpart(s) of question 1 were answered "Yes": Is the program documentation clear or is there supplemental program documentation (e.g., SOP) to define the Permittee's program implementation for the activity and to clarify that the waivers cannot be applied in a manner that would avoid all BMP requirements and oversight (site inspection and/or enforcement) for any construction sites that disturb one or more acres; or less than one acre if part of a larger common plan of development (excluding sites that qualify for a R-Factor waiver)? E.g., there may be a waiver from local fees and/or permitting, while clearly stating the mechanism and procedures for the required construction site BMP requirements and oversight.</p>	<p style="text-align: right;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>

g. Required Submittal:

1. If the answer to any subpart(s) in Question 1, above, was "yes," provide as an attachment the specific waiver language, including a reference to where the waiver is located (e.g., cite the section of code or the document).
2. If the answer to Question 2, above, was "yes," provide the program documentation language that clarifies the waiver implementation, including a reference to where it is located (e.g., cite the section of code or the document).

h. Required Actions: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. All subparts of Question 1 were answered "No"
- ii. Any subpart(s) of Question 1 was answered "Yes" and Question 2 was answered "yes"

If option i. or ii. cannot be accurately checked, then check iii. and follow the instructions.

- iii. Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i. or ii., above.

i. Recommended Actions:

- The Division recommends that permittees conduct a word search in program documentation for "waivers", "exemptions", and "exclusions" to determine if these potentially non-compliant elements exist.
- Permittees permitted under the COR-080000 general permit are encouraged to review the additional requirements detailed in Part I.B.4(a)(3) of the Permit and compare the requirements to the Permittee's program documentation and implementation of the construction sites program for Cherry Creek Reservoir Basin discharges.

2. Construction Stages Oversight

a. Summary: Part I.B.4(a)(2)(i)(A) of the Permit requires that the Permittee have the regulatory mechanism to ensure compliance, and follow an oversight process to manage construction site erosion and sediment control for all stages of construction, including individual lot construction regardless of who owns the lot, to final stabilization. The Division observed during program audits and construction site screenings that some permittees are not implementing the construction sites oversight program for all stages of construction. In some jurisdictions, the regulatory mechanism did not clearly state that construction sites oversight is required for sites that disturb one or more acres or less than one acre when part of a larger common plan of development. In some jurisdictions, the regulatory mechanism limited construction sites oversight to the overlot grading and public improvement stages and did not require oversight of individual lots in a subdivision once the lots were sold to builders.

b. Examples of compliant regulatory mechanisms:

- The permittee has one working group and set of rules that covers all construction activities that disturb one or more acres or less than one acre when part of a larger common plan of development from the time activities begin until the site is finally stabilized.
- The permittee has two different departments that manage construction sites—the engineering department manages the public improvements, and the building department manages individual lot construction. Both departments have developed, implemented, and documented procedures for compliance assessment and assurance.
- The permittee's construction sites program manages the public improvement and development stages of construction; and the illicit discharge detection and elimination program would provide compliance assessment and assurance for lot level construction.

c. Example of a non-compliant regulatory mechanism:

- The permittee has a program for site assessment and assurance for the public improvement and development stage of construction, but has no oversight of the lot-level construction.

d. Compliance Goal: Confirm that the regulatory mechanism and the program documentation clearly require the Permittee to implement an oversight process to manage construction site erosion and sediment control for all stages of construction, including individual lot construction regardless of who owns the lot, to final stabilization.

e. Questions:

	Mark the response that matches the Permittee's program
1. Does the Permittee have the regulatory mechanism and program documentation to implement the construction sites program for all stages of construction from the time activities begin until final stabilization for projects that disturb one or more acres; or less than one acre if part of a larger common plan of development? Oversight can be provided by either the construction sites program or the IDDE program. However the IDDE program implementation must still meet the compliance oversight and assurance requirements for construction activities in Parts I.B.4(a)(2)(ii) and (iii) of the Permit.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Confirm that the following specific activities are covered by the requirements addressed in Question 1:	
a. Site grading	a. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Public improvements	b. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Individual lots (developer owned)	c. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
d. Individual lots (builder owned)	d. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. Individual lots (homeowner owned)	e. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
f. Bank/FDIC owned property	f. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

f. Required Action: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Questions 1 and all subparts of Question 2 were answered "yes."

If option i. cannot be accurately checked, then check ii. and follow the instructions.

- ii. Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match the compliant option represented by i. above.

3. Construction Site Erosion, Sediment and Waste Control requirements

a. Summary: Parts I.B.4(a)(2)(i)(B) and (C) of the Permit require the Permittee develop, implement and document requirements for construction site operators to implement appropriate erosion, sediment and waste control BMPs. The Division has observed during program audits that some permittees have lacked the regulatory mechanism and/or or program documentation to indicate that waste control BMPs were required on construction sites and compliance assurance elements to address pollutant discharges associated with waste.

b. Examples of a compliant program:

- The permittee's regulatory mechanism states that erosion, sediment and waste control BMPs are required to be documented on site plans and implemented.
- The permittee's program documentation states that erosion, sediment and waste control BMPs are required to be implemented and the inspection form includes categories of these required BMPs for inspectors to document during compliance assessment activities.

c. Example of a non-compliant program:

- The permittee's program documentation (regulatory mechanism, program manual, inspection form, approved site plans) provide no, or inadequate, record of waste control BMPs being required on construction sites.

d. Compliance Goal: Confirm that the Permittee has developed, implemented, and documented requirements and compliance assurance for erosion, sediment and waste control BMPs on construction sites.

e. Questions:

	Mark the response that matches the Permittee's program
1. Does the Permittee's regulatory mechanism and program documentation clearly require erosion and sediment control BMPs to be implemented on construction sites?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Does the Permittee's regulatory mechanism and program documentation clearly require waste control BMPs to be implemented on construction sites?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Do the Permittee's compliance assessment procedures (site plan review and inspection) include sediment and erosion control BMPs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Do the Permittee's compliance assessment procedures (site plan review and inspection) include waste control BMPs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Do the Permittee's compliance assurance procedures allow processes and sanctions to address noncompliance with sediment and erosion control BMP requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Do the Permittee's compliance assurance procedures allow processes and sanctions to address noncompliance with waste control BMP requirements?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

f. Required Action: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Questions 1 through 6 were answered "Yes."

If option i. cannot be accurately checked, then check ii. and follow the instructions.

- ii. Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i. above.

g. Recommended Actions: The Division recommends that the Permittee review program documents (e.g., construction site manual, inspector manual, site plan checklist, inspection form) and training information to confirm that information and procedures are consistent. The Division has often discovered during audits that internal documentation and procedures are not consistent and this has resulted in audit findings. Examples include:

- A construction site program manual may provide a list of the elements or a checklist of items that are required for a site plan submittal; and the permittee does not consistently confirm that the required site plan elements are submitted and reviewed.

- A site inspection frequency is referenced in a manual or SOP, and inspections records indicate that construction sites are not inspected according to the frequency documented in the Program Description.
- Program documentation states that site plans will be reviewed and approved and any changes require approval of the public works engineer. Yet in practice, the site inspector allows changes to the approved plan. The Division recommends differentiating between how major and minor modifications to the approved plan will be approved by the permittee and classify the types of changes that are considered minor and major modifications, such as equivalent or improved BMP changes versus changes in hydrology. The Division recommends that the permittee consider and define the “Approved Site Plan” as the initial plan that is approved by the permittee including changes to the approved plan that are made within the parameters of Minor Modifications. Minor modifications can be defined as BMP substitutions that are equivalent in performance or more suitable to the specific site conditions. Major modifications can consist of changes in hydrology to the approved plan, which require reapproval. This process allows minor modifications to be made during the operation of the site, and avoids an administrative burden for minor site plan modifications.

4. Regulatory Mechanism for Enforceability

- a. **Summary:** Part I.B.4(a)(2) of the Permit requires the Permittee to develop and implement a program to assure adequate design, implementation and maintenance of BMPs at construction sites. The Division observed that construction site operators are often provided a time frame to maintain, repair or modify BMPs (i.e., correct a “BMP violation”). The Permittee may provide a timeframe to correct a BMP violation; and have procedures to further escalate enforcement when it is determined that corrections to noncompliance are not made immediately. However, the timeframe to correct a BMP violation **cannot be a “grace period” from potential enforcement** for the period it takes to correct the deficiency. For permit compliance purposes, a “timeframe” to maintain, repair or modify a BMP is the timeframe that is provided in a regulatory mechanism or at the discretion of the Permittee; and “grace period” is when a BMP violation is identified and the regulatory mechanism **lacks the authority** for the Permittee to conduct enforcement for the occurrence of the BMP violation if corrected within a “timeframe to correct” period, and thereby allowing a time of non-compliance – or a “grace period” from enforcement. The Permittee’s procedures and rules must result in a BMP violation being subject to enforcement procedures for both the original finding of the violation, as well as during any provided timeframe to correct the violation.

Alternatively, the Permittee may require that a BMP violation be corrected “immediately” or “without delay,” and clearly informs the owner or operator responsible for the BMP violation that the BMP violation is considered an enforceable violation from the moment it is identified to the moment it is corrected. In such case, no “timeframe to correct” has been authorized and no “grace period” from potential enforcement has occurred.

Note that the Permit does **not** require that the Permittee actually pursue enforcement for all BMP violations that occur and are corrected. The Permit requires that the regulatory mechanism provide the Permittee the **legal ability and authority to pursue** enforcement for all BMP violations that occur even if they are corrected; in addition to the legal ability and authority to escalate enforcement for BMP violations that the owner or operator does not correct upon initial notification by the Permittee. Also, note that the Permit does not require, and it is not the Division’s intent to imply through this summary, that the enforcement mechanism rely on a per-day-of-violation monetary penalty calculation methodology, as long as all BMP violations identified by the Permittee are subject to procedures for enforcement of control measures, regardless of when or if the BMP violation is eliminated.

b. **Examples of compliant regulatory mechanisms:**

- A construction site BMP violation is documented as beginning on April 1st. The inspector notifies the owner/operator and documents that the BMP violation must be corrected by April 11th, which is the 10 days stated in the regulatory mechanism. The inspector also documents that even if the BMP violation is corrected (e.g., BMP is fixed or installed) by April 11th, the property owner is subject to enforcement for the BMP violation and for the days that the BMP violation occurred from when it was identified to

when the BMP violation was corrected. The inspector further clarifies that if the BMP is not maintained by April 11th, that the response to the violation may be escalated and the original date of April 1st can be used as the reference date to mark the start of the violation. The Permittee must have the authority to implement appropriate enforcement procedures and actions, and can determine if such actions will be pursued in accordance with the permittee's procedures, even if the correction occurs within the time frame to correct the BMP violation.

- A BMP violation is documented as beginning on April 1st. The inspector provides notification to the owner/operator and documents that the BMP violation must be corrected **immediately** because the BMP violation is enforceable from the original date of violation (April 1st). The Permittee may have target timeframes for follow up (e.g., 1 day, 10 days, 2 weeks) to confirm that the BMP has been maintained or to escalate the enforcement process. The Permittee must have the authority to implement appropriate enforcement procedures and actions, and can determine if such actions will be pursued in accordance with the permittee's procedures, even if the correction occurs within the target time frames to eliminate the BMP violation.

c. Example of a non-compliant regulatory mechanism:

- A BMP violation is documented as beginning on April 1st. The permittee informs the owner or operator that the BMP must be maintained by April 11th. The regulatory mechanism does not allow the permittee to implement procedures for enforcement of control measures if the BMP violation is corrected prior to April 11th. The regulatory mechanism therefore allows the owner/operator to have a BMP violation and to continue the BMP violation until April 11th without enforcement, and therefore Permittee has not effectively prohibited that BMP violation.

d. Information for Counties that rely on the capabilities of C.R.S. 30-28-124.5 to implement permit requirements: C.R.S. 30-28-124.5 provides a prohibition from enforcement for findings corrected within 10 days, which does not authorize county rules that would meet the terms of the permit as discussed above if implemented as the only mechanism to effectively prohibit a BMP violation. However, section 35-15-401(11)(a)(I), C.R.S., provides counties with broad authority to adopt stormwater ordinances that "develop, implement, and enforce the stormwater management program required by the permit." Under section 35-15-404(11), C.R.S., counties have the authority to adopt ordinances that implement these requirements as well as enforce against and penalize individuals that violate these requirements. To be consistent with MS4 permit terms that are written pursuant to section 61.8(11)(a)(ii), county ordinances must provide the authority to bring enforcement actions and issue penalties upon the discovery of a violation. Therefore, a county relying on C.R.S. 30-28-124.5 must provide additional mechanisms to provide for the authority to prohibit a violation upon discovery, which likely would require the county to adopt new ordinances under C.R.S. 35-15-401, or through an alternative legal mechanism if identified.

g. Compliance Goal: Confirm that the Permittee has a compliant regulatory mechanism that can effectively prohibit all BMP violations, including those corrected within a set time period after identification. A Permittee that lacks authority to enforce against identified BMP violations upon discovery would not be capable of implementing a preventative program to prohibit BMP violations, and would only have a responsive program. **Note that the Division is confirming the capabilities of the regulatory mechanism, not the actual inspection and enforcement implementation.**

h. Questions:

Answering 'yes' or 'no' is not automatically associated with compliance or non-compliance.	Mark the response that matches the Permittee's program
1. Does the Permittee's regulatory mechanism clearly require that construction site BMPs be implemented and maintained in operable condition?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Does the Permittee's regulatory mechanism used for BMP design, implementation, and maintenance requirements allow for or require a timeframe to correct the failure to	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

implement or maintain a BMP in operational condition? E.g., a permittee's Stormwater ordinance states that BMP violations are considered nuisances and will be enforced through the Nuisance ordinance; and the Nuisance ordinance states that a nuisance must be corrected within 10 days, as soon as possible, or similar language?	
3. If question 2 was answered "Yes": Does the Permittee's regulatory mechanism allow enforcement to occur even if a failure to adequately design, implement, or maintain a BMP in operational condition is corrected prior to the end of the timeframe provided in the regulatory mechanism or by the Permittee's program implementation? (I.e., can enforcement/penalties begin on the date that the Permittee has evidence that the failure to implement or maintain a BMP in operational condition began?) If enforcement can only begin if the BMP violation is not corrected within the timeframe to correct a BMP violation provided in the regulatory mechanism or by the Permittee's program implementation, mark "no."	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

i. Required Submittal:

If question 1 was answered "yes", the Permittee must provide a citation and a link (if available online) to the pertinent section of the Permittee's regulatory mechanism that requires construction site BMPs to be implemented and maintained in operable condition.

j. Required Action: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Questions 1, 2 and 3 were answered "Yes."
- ii. Question 1 is answered "yes," question 2 is "No." This represents a program that prohibits a BMP violation and considers any BMP violation an enforceable violation from the date that the BMP violation began and does not provide a timeframe to eliminate a BMP violation. The regulatory mechanism clearly states that BMP violation must be eliminated immediately or without delay.
- iii. Option i. or ii. cannot be accurately checked, but the Permittee has complied with the Permit through implementation of a program not addressed in this questionnaire. If this option is checked, the Permittee must still answer the above questions for this Section, and must attach a detailed explanation of how its program meets the permit requirements addressed in this Section, including attaching: (1) All regulations that prohibit BMP violation and authorize enforcement with direct reference to those applicable sections; (2) All written procedures that address implementation of enforcement relevant to BMP violations with direct reference to those applicable sections. A permittee checking this Option **must** contact the Division by **July 15, 2012** prior to submittal of this form to discuss this conclusion and ensure that the proper information is provided to expedite this process and avoid unnecessary compliance correspondence for both parties.

If option i., ii. or iii. cannot be accurately checked, then check iv. and follow the instructions.

- iv. **Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part LE.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i., ii. or iii., above.**

C. Post Construction

1. Regulatory Mechanism

- a. **Summary:** Part I.B.5(a) of the Permit requires the Permittee to ensure that controls are in place to prevent or minimize water quality impacts from stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger

common plan of development or sale, that discharge into the MS4. The Division has observed during permit audits that some permittees do not have the required regulatory mechanism.

b. Example of compliant regulatory mechanisms:

- The permittee's regulatory mechanism clearly states that new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale are required to have permanent water quality BMPs.
- The permittee's regulatory mechanism requires all new development and redevelopment projects to comply with a design standards manual for stormwater drainage. The referenced design standards manual requires new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, are required to have permanent water quality BMPs

c. Examples of non-compliant regulatory mechanisms:

- The permittee requires that a permanent water quality BMP must be maintained by the property owner, however there is no companion requirement to construct the permanent water quality BMP.
- The permittee provides a flow chart based on types of development activities and provides an exclusion from permanent water quality BMPs for redevelopment projects that decrease existing impervious area.

d. Compliance Goal: To confirm that Permittee's have the required regulatory authority to implement the post construction water quality BMP program.

e. Question:

	Mark the response that matches the Permittee's program
1. Does the Permittee's regulatory mechanism clearly convey that permanent water quality BMPs are required for new or redevelopment projects (that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<i>Note that the response to this question does not need to address roadway projects described on the Division memo dated 1/20/12.</i>	

f. Required Submittal

If the answer to Question 1 above was "yes," provide the regulatory language and reference section in applicable rule addressed in Question 1. If the rule references other sections or manuals which contain the permanent water quality BMP requirements, include the applicable language and references from those documents.

g. Required Action: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Question 1 was answered "Yes."

If option i. cannot be accurately checked, then check ii. and follow the instructions.

- ii. Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i., above.

2. Water Quality Strategy

a. Summary: Part I.B.5(a)(1) of the Permit requires a strategy for permanent water quality water quality BMPs. A design standard (e.g., UDFCD Volume 3 – Water Quality Capture Volume) is an example of a water quality strategy.

b. Example of a compliant program:

- The permittee’s program manual states that water quality capture volume (WQCV) and structural BMPs from UDFCD Technical Criteria manual have been adopted as a design standard for all development projects.
- The permittee’s program manual states that water quality capture volume and structural BMPs from UDFCD Technical Criteria manual have been adopted as a design standard for new development projects; and states that structural and non structural BMPs will be implemented for redevelopment projects to achieve 80% TSS removal. The permittee’s program documentation includes performance documentation of the nonstructural BMPs details how the permittee determines if the requirements for permanent water quality BMPs have been met.

c. Example of a non-compliant program:

- The permittee’s program manual states that water quality capture volume and structural BMPs from UDFCD Technical Criteria manual have been adopted as a design standard. However redevelopment projects are provided waivers from implementing water quality BMPs designed in accordance UDFCD Volume 3.
- The permittee’s program has not established a design standard or water quality strategy.

d. Compliance Goal: The Division would like to confirm the Permittee’s strategy for permanent water quality water quality BMPs.

e. Question:

	Mark the response that matches the Permittee’s program
1. Does the Permittee’s water quality strategy for permanent water quality BMPs submitted in the Program Description Document include a design standard (e.g., Volume 3 WQCV) for permanent water quality BMPs implemented for all required projects?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

f. Required Submittal:

<p>1. Provide the following information as a separate attachment.</p> <p>a. If the Answer to Question 1, above was “yes,” provide a copy of the design standard addressed by Question 1, or cite a third party design standard(s) (e.g., UDFCD Vol. 3 or CDOT).</p> <p>b. If the Answer to Question 1, above was “no,” provide:</p> <p style="margin-left: 20px;">i. A summary of the water quality strategy for permanent water quality BMPs</p> <p style="margin-left: 20px;">ii. A discussion of the standard or process for how the Permittee determines if the requirements for permanent water quality BMPs have been met. The discussion must address how this determination is enforceable by the Permittee if it is determined the requirements were not met.</p>
--

g. Required Action: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Question 1 was answered “yes.”
- ii. Question 1 was answered “no,” and the supporting documentation required by Required Submittal 1.b. identifies the strategy and how the strategy is enforceable, as required by Parts

I.B.5(a)(1) and (5).

If option i. or ii. cannot be accurately checked, then check iii. and follow the instructions.

iii. _____ Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i. or ii., above.

3. Waivers, exemptions, exclusions from post-construction site program requirements

a. **Summary:** Part I.B.5(a) of the Permit requires the Permittee to develop, implement and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb one or more acres; or less than one acre if part of a larger common plan of development. The Division has observed during program audits that specific projects are listed in the Permittee's program documentation (e.g., codes, ordinance, program manuals) as exempt from the Permittee's post-construction site program.

b. **Projects on State land:** In accordance with the MS4 regulations and permits, if an MS4 permittee does not have the authority under State or local law to require a facility operating on State land to comply with the conditions of its New-Development/Redevelopment ordinances, then the MS4 permittee is not liable under the permit to do so

c. **Example of a compliant program:**

- The permittee's regulatory mechanism and program documentation states that permanent water quality BMPs designed in accordance with UDFCD Volume 3, or other adopted specifications, are required for projects that disturb one or more acres; or less than one acre if part of a larger common plan of development.

d. **Example of a non-compliant program:**

- The permittee's program manual lists activities that are not required to implement permanent water quality BMPs without considering or referencing the area of disturbance. Examples of waivers, exemptions, exclusions include:
 - Single family lots
 - Project exempted by the public works director
 - Projects exempted based on geologic conditions
 - Redevelopment projects that decrease impervious area

Note that no Program Descriptions submitted by permittees during the 2008 MS4 permit renewal process acknowledged the existence of waivers, exemptions or exclusions that have been subsequently found during program audits.

e. **Compliance Goal:** To have the Permittee confirm the presence or absence of waiver language. If waiver language is included, then the Permittee must have additional documentation to explain how the waiver can be applied and that the waiver will not be applied in a manner that allows a project that disturbs one or more acres or less than one acre when part of a larger common plan of development to avoid implementing a permanent water quality BMP and being part of the Permittee's post-construction sites program for the required site plan review, inspection and enforcement. Note it is not a violation to have a waiver as long as it is clear that the waiver will not be applied in a manner that will result in failure to implement BMPs, as required by the Permit or meet other Permit conditions.

f. **Questions:**

Answering 'yes' or 'no' is not automatically associated with compliance or non-compliance.	Mark the response that matches the Permittee's program
1. Are there any waivers, exemptions, exclusions, or similar allowances in program regulations, code, or policies from requirements to implement permanent water	___ Yes ___ <input checked="" type="checkbox"/> No

<p>quality BMPs? (E.g., redevelopment projects that decrease impervious area are exempt from water quality BMPs.) Note that the response to this question does not need to address roadway projects described on the Division memo dated 1/20/12.</p>	
<p>2. If question 1 was answered "Yes": Is there program documentation (e.g., in the regulatory mechanism or in separate procedures) to clarify that the waivers cannot be applied in a manner that would avoid implementing water quality BMPs for a new development or redevelopment project that meets the Permittee's stated water quality standard for any site that disturbs one or more acres; or less than one acre if part of a larger common plan of development?</p>	<p>___ Yes ___ No</p>

g. Required Submittal:

<p>1. If the answer to Question 1, above, was "yes," provide as an attachment the specific waiver language, including a reference to where the waiver is located (e.g., cite the section of code or the document).</p> <p>2. If the answer to Question 2, above, was "yes," provide the program documentation language that clarifies the waiver implementation, including a reference to where it is located (e.g., cite the section of code or the document).</p>

h. Required Action: Check the following that best represents your program status at the time of the October 15, 2012 response date.

- i. Question 1 was answered "no."
- ii. Question 1 was answered "yes," and Question 2 was answered "yes."

If option i. or ii. cannot be accurately checked, then check iii. and follow the instructions.

- iii. **Submit a Non-compliance notification and a program modification according to Part II.B.1(a)(1-3) and Part I.E.2(a) of the Permit detailing how the Permittee's program will be modified to match one of the compliant options represented by i. or ii. above.**

i. Recommended Action:

- The Division recommends that permittees conduct a word search in program documentation for "waivers", "exemptions", and "exclusions" to determine if these potentially non-compliant elements exist. Permittees permitted under the COR-080000 general permit are encouraged to review the additional requirements detailed in part LB.5.b and compare the requirements to the Permittee's program documentation and implementation of the post-construction sites program for the part of the Permittee's MS4 that drains into the Cherry Creek Reservoir Basin. The Permittee is encouraged to contact the Division prior to submittal of this form, if there is uncertain compliance with this element.

MEMORANDUM



TO: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: Dave Henderson, Engineering/Capital Projects Administrator ✓

DATE: September 12, 2012

SUBJECT: XCEL ENERGY GAS SERVICE LINE REPLACEMENT

Xcel Energy will be replacing gas service lines to many of their Englewood customers over the next 14-18 months. The service lines being replaced were installed between 1955 and the mid 1960's and are nearing the end of their useful life. Xcel is replacing the old Cellulose Acetate Butyrate (CAB) pipe with a modern high quality plastic pipe to provide continued reliable service to their customers. Xcel is still in the process of identifying the number and location of services requiring replacement. It will undoubtedly number in the hundreds. Xcel expects to provide us with an estimated number around the middle of next week.

Staff has met with Xcel representatives to discuss logistics and notification to our residents. At our request, Xcel will work with us to schedule work in an orderly fashion, i.e. work on one street at a time from north to south, then moving to the next street. Xcel has agreed to provide notification via mail and door hangers. Attached are draft notification materials that will be revised to accommodate Englewood requirements.

Public Works staff will attend the September 17th Study Session to discuss this Xcel Energy project.

/lt

c: Lindsay Von Colditz
attach: Draft notification materials



5050 E. 58TH Ave. • Commerce City, CO • 80022 • 303-227-0630

IMPORTANT NOTICE

Dear Xcel Energy Customer,

Over the next several years, Xcel Energy is replacing nearly 22,000 gas service lines in the Denver metro area. These replacements will result in continued reliable gas service for current and new customers.

Xcel Energy has contracted with our company, NPL Construction Company, to replace gas services in your area. Work is scheduled to start in late August, although inclement weather and permitting issues may cause delays during the project.

We anticipate that our permit from the city will allow us to work from 7:00 a.m. to 3:30 p.m. Monday through Friday with the possibility of some weekend work. Traffic control devices and "NO PARKING" signs will be placed on streets before work starts. Driveways may need to be blocked for short periods of time, and we apologize in advance for any inconvenience this may cause. By law, "NO PARKING" signs must be set out two working days before construction starts, and if vehicles are still parked in the no parking area 24 hours prior to construction, they will be towed by the Police Department.

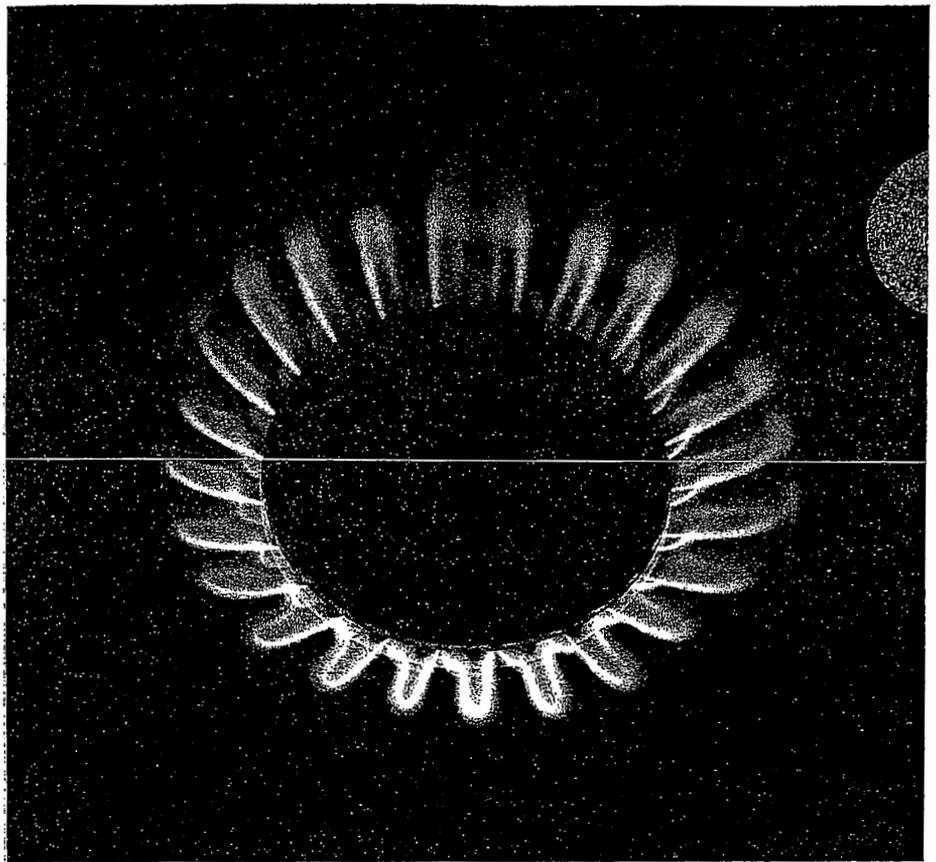
Please read the accompanying brochure that outlines what you can expect during this project. If your gas meter needs to be relocated, Xcel Energy, NPL or one of our contractors will contact you to set up an appointment. All Xcel Energy employees and contractors carry company ID badges, and we encourage you to ask them for identification before you provide them – or anyone else – access into your home.

Care will be taken to repair and/or replace any landscaping, concrete and/or asphalt that is disturbed during our work on your property. Because we are replacing an entire section of gas pipeline, we will make temporary repairs to streets and sidewalks until the new pipeline is pressure tested and all natural gas service is transferred from the old pipe. Then permanent sidewalk, street and other permanent repairs will be made.

As NPL Construction Company's project coordinator, you can reach me or one of my colleagues during normal business hours at 303-591-7539 to discuss any concerns or to ask any questions you may have about this project. Xcel Energy also is available at all times at 1-800-895-2999. If you have questions, comments or concerns, send them to

Thank you in advance for your cooperation and patience during this work.

Sincerely,
Brent Erps
Superintendent
NPL Construction Company
Contact Phone No. 303-591-7539



Xcel Energy's
**Residential Gas Service
Replacement
Program**

Background on Residential Gas Service Replacement Program

Over the next several years, Xcel Energy is replacing 22,000 gas service lines in the Denver metro area. These replacements will result in continued reliable gas service for current and new customers.

Soon we will start replacing gas line in your neighborhood. You will receive a letter from the project manager performing the work that will include a 24/7 phone number specific to that project.

What to Expect

In the following weeks, this is what you can expect to see and what kind of work is happening in your neighborhood:

- Workers and equipment. All Xcel Energy and contractors working on the project carry ID badges.
- Mapping of existing underground gas line locations with yellow "Buried Gas Line" flags and yellow spray paint on streets and sidewalks.
- Marking of other existing utilities with the appropriate colored flags and/or paints: red = electric; blue = water; orange = communication; and green = sewer.
- Trenches and/or holes in streets and sidewalks so new, polyethylene (PE) or steel pipe can be placed next to old pipe.
- Moving gas meters, regulators and shut off valves from inside homes to outside to meet Department of Transportation (DOT) Gas Standards.
- Replacing pipe running from some homes to the gas line.
- Testing to ensure new pipe system is operating correctly.
- Transferring service from old pipe to new pipe.

Every night, trenches and holes will be plated or covered over, and all construction equipment will be stored behind barricades. As the project progresses, temporary repairs to roads and sidewalks will be made until full service is transferred to the new pipeline and permanent road and sidewalk repairs can be made.

During work on side streets, there will be "No Parking" during assigned work hours. If your gas meter needs to be moved, Xcel Energy or a contractor will contact you to set up an appointment. All Xcel Energy employees and contractors carry company ID badges, and we encourage you to ask them for identification before you provide them — or anyone — access into your home.

Available 24/7

For this project, you can reach someone 24 hours a day, seven days a week by calling 1-800-895-4999.

Important Safety Information – Know the Smell of Natural Gas

During this project we are taking every safety precaution by first laying the pipe, and then testing the system according to DOT Gas Standards before switching our gas service to the new pipeline.

Because natural gas has no odor, we add the harmless chemical mercaptan to our gas. The purpose of adding this odorant is to help you smell a leak; its odor is best described as rotten eggs or sulfur-like.

IF YOU SUSPECT A NATURAL GAS LEAK

(inside or outside using your senses: smell, sight and sound)

- Immediately leave your home or the area of the suspected leak.
- Never use a phone or cell phone inside, or near the outside suspected leak. Only when you are a safe distance away should you call us at **1-800-895-2999**; or **911** in an emergency.
- If inside, never use any electrical switches, including lights and garage door openers, before you leave.
- Never light a match or smoke.
- Never use anything that may create static or a spark.
- Warn others and stay clear until we, or emergency officials, tell you it's safe to return.

Depending on the location and size of the leak, any of the following can indicate a gas leak:

SMELL (mercaptan)

SIGHT

- blowing dust, soil or debris
- a fire or dead or discolored vegetation
- bubbling in ponds or pools of water

SOUND

- slight hissing to a much louder blowing sound

If you suspect a natural gas leak, by smell, sight or sound, report it quickly, once safely away, by contacting Xcel Energy at 1-800-895-2999 or 911 in an emergency.



Memorandum

City Manager's Office

TO: Mayor Penn and Members of City Council

THROUGH: Gary Sears, City Manager
Michael Flaherty, Deputy City Manager
Alan White, Community Development Director

FROM: Darren Hollingsworth, Economic Development Manager ✕

DATE: September 12, 2012

SUBJECT: Business Summit Discussion

City Council will discuss the 2013 Business Summit at its September 17 study session and provide staff with feedback and input on the upcoming event. The Business Summit is scheduled for Thursday, February 21, 2013. The proposed agenda is as follows:

Working Agenda

7:15 – Networking and Continental Breakfast
7:45 - Opening Remarks – Mayor Penn
8:00 – Tom Clark, Metro Denver Economic Development Corporation – Economic Development “our place in the big picture” **(Confirmed)**
8:45 – Patty Silverstein, Development Research Partners – “Economic Outlook 2013” **(Confirmed)**
9:30 – 10:15 – break
10:15 to 11:00 - Breakout 1: **(To Be Determined)**
10:15 to 11:00 - Breakout 2: Social Media and Marketing – Panel discussion “What businesses need to know”
11:00-11:45 - Business Forum – business Owner Q&A with Council (facilitated discussion)

Space for the event is limited to approximately 150 attendees; therefore, we will utilize on-line registration for participants. Staff is seeking input and direction about the format of the event and the breakout sessions. Based on Council's feedback and input from members of the business community in addition to social media, other breakout session topic suggestions are as follows:

- Energy Efficiency – Tax credits / funds for business energy efficiency
- Funding options for small businesses
- Health Care Law – what this means for your business

ACE has been asked to provide feedback on the proposed breakout sessions and concurrence on the proposed agenda. This information will be provided to Council verbally at the September 17 study session.

Involvement of Outside Organizations

The Greater Englewood Chamber of Commerce (GECC) has been approached to be a part of this event. The Chamber, BID and members of Englewood's business community will be sent invitations to attend the free event about 1 week before the event is marketed outside of Englewood. As the event becomes solidified, the GECC and BID will be involved in promoting the event to their respective members.

The South Metro Denver Chamber of Commerce (SMDCC) has also agreed to assist in marketing the event and in identifying speakers for the topics that Council deems appropriate for Englewood's Business Summit. The attached Strategic Interaction Plan names a specific goal of assisting the City of Englewood in planning and consulting to support the Business Summit, both with the business forum and other business related matters.

The first portion of the summit involves two high profile speakers: Tom Clark, Metro Denver Economic Development Corporation and Patty Silverstein, Development Research Partners. Because these speakers have the potential to be a 'draw' for the event, this might be an opportunity for Englewood to invite council members from neighboring jurisdictions to hear the presentation.

Marketing the Event

The event will be marketed through the Citizen Newsletter, City website, Greater Englewood Chamber of Commerce, and South Metro Denver Chamber of Commerce. The first round of marketing efforts will focus on Englewood businesses. We recognize that this could draw the attention and participation from businesses outside the community, who will be invited to participate on a space available basis.

Attachment: South Metro Denver Chamber of Commerce Strategic Interaction Plan for the City of Englewood

Strategic Interaction Plan For The:



City of Englewood

The South Metro Denver Chamber:

- Is the ONLY Chamber the in the State of Colorado who develops a customized strategic interaction plan for each and every one of our unique investors.
- Is a regional Chamber that reaches across geographic lines to connect people and create opportunities throughout the Metro Denver Region – including Arapahoe, Denver, Douglas, and Jefferson Counties.
- Currently partners with over 1500 businesses, representing over 100,000 employees in our community.

The City of Englewood:

Englewood is a full-service City that prides itself on providing residents and businesses with quality municipal services. Centrally located within the Denver Metropolitan area, Englewood is ideally situated for citizens, business people, and visitors. Englewood offers a small town atmosphere with all the benefits of a larger metropolitan area.

Specific Goals and Objectives of the City of Englewood's Strategic Interaction Plan at the \$5,000 MVP Level of Investment:

- The Chamber and its Economic Development Group (EDG) will partner and support the business outreach and economic development activities of the City of Englewood.
- The EDG will report, as requested, business retention data gathered from our Business Retention and Expansion (BRE) Ambassador Program to Staff, City Council, and/or Community Stakeholders. In addition, the EDG will directly engage the City of Englewood elected officials/staff in BRE interviews with primary and major employers within the City and in the South Metro Denver Region as a whole.
- The EDG and Chamber will assist with event planning and consulting for the "Englewood Business Summit" planned for Winter/Spring 2013.
- Membership on the recently initiated "EDG Board of Directors."

Additional MVP Investment Opportunities provided for the City of Englewood:

- **All inclusive Membership in the South Metro Denver Chamber**
- **Membership in the Chamber's Economic Development Group**
The Economic Development Group is comprised of corporate and governmental members in the medical, banking, real estate, and development industries. This group commonly influences business retention, job creation, corporate relocations, and legislation affecting the business community.
- **One Table for 10 at 2 of our Major Annual Chamber Events (and 4 tickets to remaining Major Annual Chamber Events)**
Economic Forecast Breakfast (Winter), Small Business Leadership Awards (Spring), Real Estate Breakfast (Summer), and Annual Meeting and Volunteer Awards Luncheon (Fall).
- **MVP Executive Roundtables - Host Up to 4 per Year at Your Location**
The Chamber's Executive Roundtables are constructive meetings between ten to twelve C Level executives of small, medium, and large companies to discuss focused and defined issues important to the business community. Each executive is able to share his or her own unique knowledge which enhances the discussion and allows all involved to learn more about the specific topic. This event will only be available through our exclusive South Metro Denver Chamber MVP Meet Up site, thus attracting an executive level of clientele to the event.
- **Exclusive MVP Event Invitations**
MVP Events Organized and Coordinated by John Brackney, President and CEO of the Chamber, focused on highlighting special clients/events via the MVP Meet Up platform.
- **¼ Page Full Color Advertisement in Chamber quarterly magazine**
The South Metro Denver Chamber Quarterly Magazine is one of many ways that we communicate to our current investors and prospective clients about how our business partners are contributing to the community, economic development, and upcoming events in the South Metro Denver region.