

**Agenda for the  
Regular Meeting of the  
Englewood City Council  
Monday, October 1, 2012  
7:30 pm**

Englewood Civic Center – Council Chambers  
1000 Englewood Parkway  
Englewood, CO 80110

1. Call to Order.
2. Invocation.
3. Pledge of Allegiance.
4. Roll Call.
5. Consideration of Minutes of Previous Session.
  - a. Minutes from the Regular City Council Meeting of September 17, 2012.
6. Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.)
7. Recognition of Unscheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.)

Council Response to Public Comment
8. Communications, Proclamations, and Appointments.
  - a. A proclamation honoring local members of the 2012 U.S. Paralympic Team and Craig Hospital.

Brief Reception.

Please note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood (303-762-2405) at least 48 hours in advance of when services are needed.
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- b. A proclamation declaring October as Housing America Month.
  - c. A proclamation declaring October as Conflict Resolution Month.
9. Consent Agenda Items.
- a. Approval of Ordinances on First Reading.
  - b. Approval of Ordinances on Second Reading.
  - c. Resolutions and Motions.
10. Public Hearing Items.
- a. A Public Hearing to gather input on Council Bill No. 49, a proposed bill for an ordinance to vacate the 3400 block of South Clarkson Street.
11. Ordinances, Resolutions and Motions
- a. Approval of Ordinances on First Reading.
    - i. Council Bill No. 51 – Recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance establishing the 2012 Mill Levy to be collected in 2013. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**
    - ii. Council Bill No. 52 – Recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance adopting the City of Englewood Budget for Fiscal Year 2013. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**
    - iii. Council Bill No. 53 – Recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance appropriating funds for the City of Englewood for Fiscal Year 2013. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**
    - iv. Council Bill No. 54 – Recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance adopting the Budget for the Littleton/Englewood Wastewater Treatment Plant for Fiscal Year 2013. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**
    - v. Council Bill No. 55 – Recommendation from the Department of Finance and Administrative Services to approve a bill for an ordinance appropriating funds for the Littleton/Englewood Wastewater Treatment Plant for 2013. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**

- b. Approval of Ordinances on Second Reading.
  - i. Council Bill No. 47 – Rezoning the Oxford Station TOD from Light Industrial (I-1) to Planned Unit Development.
- c. Resolutions and Motions.
  - i. Recommendation from the City Manager’s Office to adopt a resolution approving a FASTER transit grant application to the Colorado Department of Transportation for a pedestrian bridge at the Oxford Light Rail Station. **Staff Source: Michael Flaherty, Deputy City Manager.**
  - ii. Recommendation from Department of Finance and Administrative Services to approve a resolution authorizing a transfer of \$48,778 from the Public Improvement Fund to the General Fund for energy conservation measures. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**
  - iii. Recommendation from Department of Finance and Administrative Services to approve a resolution authorizing a transfer of \$100,000 of unused paving project funds from Public Improvement Fund to the General Fund. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**
  - iv. Recommendation from the Utilities Department to approve, by motion, a contract for construction of the Allen Filter Plant Ultraviolet system. Staff recommends awarding the bid to Aslan Construction, the lowest acceptable bidder, in the amount of \$3,952,439. **Staff Source: Stewart Fonda, Director of Utilities.**
- 12. General Discussion.
  - a. Mayor’s Choice.
  - b. Council Members’ Choice.
    - i. Council Bill No. 50 – A bill for an ordinance establishing an Intergovernmental Agreement with Englewood Schools regarding Use Tax
- 13. City Manager’s Report.
- 14. City Attorney’s Report.
- 15. Adjournment.

## PROCLAMATION



WHEREAS, Englewood's Craig Hospital is ranked among the nation's top rehabilitation hospitals, specializing in the rehabilitation and research of patients with spinal cord injury and traumatic brain injury; and

WHEREAS, the therapeutic recreation department of Craig Hospital has been designated an official Paralympic Sports Club, which provides sports and recreational opportunities for people with physical disabilities of all abilities; and

WHEREAS, ten of the 2012 U.S. Paralympic athletes and two of the Paralympic coaches were patients at Craig Hospital; and

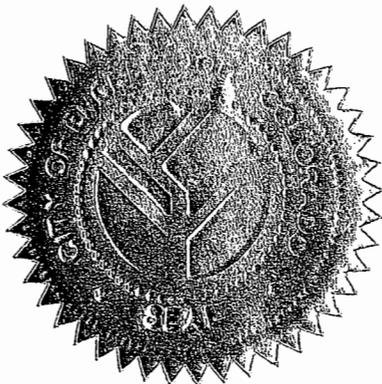
WHEREAS, these athletes and coaches recently represented the United States in the 2012 Paralympic Games in London and won ten medals; and

WHEREAS, the City of Englewood wishes to congratulate the local 2012 Paralympians who competed for Team USA and whose strength and courage serve as an inspiration to the Englewood community, the State of Colorado, and the entire nation; and

WHEREAS, the City of Englewood also wishes to congratulate Craig Hospital and its Paralympic Sports Club for their contributions to these Paralympic athletes and countless others by providing sports and recreational opportunities for people with physical disabilities of all abilities;

NOW, THEREFORE, I, Randy P. Penn, Mayor of the City of Englewood, Colorado, offer Englewood's heartfelt congratulations to local members of the 2012 United States Paralympic Team and to Craig Hospital for their inspiring successes.

GIVEN under my hand and seal this 1<sup>st</sup> day of October, 2012.



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Randy P. Penn, Mayor



## PROCLAMATION

WHEREAS, for more than 70 years it has been the policy of this nation, under the U.S. Housing Act to promote the general welfare of the nation by employing its funds and credit to assist the several states and their political subdivisions to remedy the unsafe and unsanitary housing conditions and the acute shortage of decent, safe and sanitary dwellings for families of lower income; and

WHEREAS, according to the "State of Nation's Housing" report 15.6 million households now pay more than half of their income for housing, and on any given night, there are nearly 750,000 homeless nationwide and up to 3.5 million persons who experience homelessness at some point throughout the year; and

WHEREAS, according to the National Low-Income Housing Coalition's "Out of Reach" report, minimum wage earners are unable to afford even a one-bedroom home anywhere in the country, and 88% of renters in cities live in areas where the fair market rent for a two-bedroom rental is not affordable even with two minimum wage jobs; and

WHEREAS, public housing is home to over 2 million people, more than 40% of whom are children, and currently receives federal funding at less than 82% of need for ongoing operations and faces an estimated \$18 billion - \$20 billion backlog in capital repairs; and

WHEREAS, the City of Englewood, which has, over a period of 34 years, addressed affordable housing and community development needs and has been successful in doing so using a combination of local, state and federal resources hereby endorses the Housing America Campaign, its goals, objectives and purposes and in so doing recommits itself to meeting the affordable housing and community development needs of Englewood; and

WHEREAS, the National Association of Housing and Redevelopment Officials; Mortgage Bankers Association; National Association of Home Builders; National Association of Realtors; National Council of State Housing Agencies; National League of Cities; Public Housing Authorities Directors Association; and U.S. Conference of Mayors are united in an effort to raise public awareness of the importance of affordable housing and community development programs and resources; and

WHEREAS, the aforementioned groups have declared October, Housing America Month, part of a year-long, national campaign to inform the public and decision makers of the critical need to address the nation's housing and community development concerns;

NOW THEREFORE, I, Randy P. Penn, Mayor of the City of Englewood, Colorado, hereby proclaim the **month of October, 2012** as:

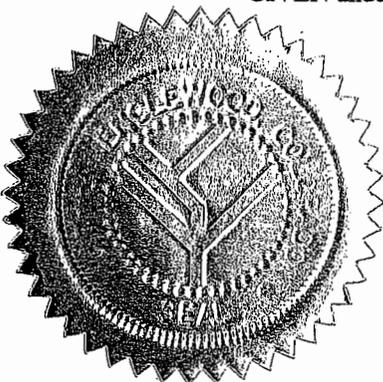
### HOUSING AMERICA MONTH

in the City of Englewood, Colorado. I urge all Englewood citizens to raise their awareness of the importance of affordable housing and community development needs and resources in the City of Englewood.

GIVEN under my hand and seal this 1st day of October, 2012

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Randy P. Penn, Mayor





## PROCLAMATION

WHEREAS, conflict resolution encompasses mediation, arbitration, facilitation, collaborative decision-making, restorative processes, and other responses to differences; and

WHEREAS, the conflict resolution processes empower individuals, families, communities, organizations, and businesses to foster communication and devise solutions that are acceptable to the needs and interests of all parties involved; and

WHEREAS, conflict resolution is taught and practiced by citizens in many school systems, universities, and graduate programs throughout Colorado and the world as a way of solving disputes; and

WHEREAS, community-based programs fairly and equitably resolve neighborhood and community conflicts, thereby strengthening local relationships; and

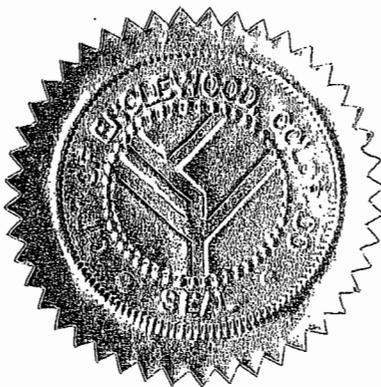
WHEREAS, professional associations of conflict mediators promote peaceful and creative resolutions to disputes;

NOW THEREFORE, I, Randy Penn, Mayor of the City of Englewood, Colorado, hereby proclaim **October 2012**, as

### **CONFLICT RESOLUTION MONTH**

in the City of Englewood, Colorado. I urge all of our residents to join together to support this effort.

GIVEN under my hand and seal this 1st day of October, 2012.




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Randy P. Penn, Mayor

## COUNCIL COMMUNICATION

<b>Date:</b> October 1, 2012	<b>Agenda Item:</b> 10 a	<b>Subject:</b> Ordinance Vacating the 3400 Block of S. Clarkson Street
<b>Initiated By:</b> Community Development		<b>Staff Source:</b> Alan White, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

The potential vacation of S. Clarkson Street was discussed by Craig Hospital representatives at the August 6, 2012 Study Session. At the study session, Council consensus was for Craig to proceed with their expansion plans that include the vacation of Clarkson Street right-of-way. Council also wanted Craig to conduct a neighborhood meeting, a recommendation from the Planning and Zoning Commission, and for Council to conduct a public hearing as part of the ordinance adoption process. Council adopted the Council Bill on first reading on September 17, 2012.

### RECOMMENDED ACTION

Staff recommends that Council conduct a public hearing for the purpose of taking testimony on the Council Bill vacating the 3400 block of S. Clarkson Street.

### PLANNING COMMISSION ACTION

Planning and Zoning Commission discussed this request at a public meeting on August 28, 2012. The Commission recommended approval of the request with the following conditions:

1. The appropriate easement(s) shall be reserved for the benefit of the City and other utility suppliers so that sufficient access to utilities will be provided.
2. The City bicycle route on S. Clarkson Street shall be retained.
3. Craig Hospital representatives will continue to work with City staff to finalize and implement recommended signage, parking and pedestrian crossing improvements agreed to between the City and Craig Hospital.
4. Craig Hospital shall be responsible for costs associated with modifying the art shuttle bus route.
5. That the City work closely with the applicant and a specific and measurable and defined traffic plan be put into place to address both traffic flow and safety and pedestrian crossing issues in the area.

These conditions are contained in the Council Bill.

## **BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED**

Representatives of Craig Hospital approached City staff several months ago about the potential closure of S. Clarkson Street between Girard and Hampden Avenues to accommodate a planned expansion of the hospital. Community Development, Public Works, Utilities, Fire, Police and Building and Safety staff have been involved in meetings concerning this issue.

Craig's proposed expansion meets several needs of the Hospital as explained in the attached letter from RTA, Craig's consulting architects for the expansion. Options for expansion at the current location are limited.

Primary concerns with the vacation and subsequent closure include the impact on emergency vehicle access and response times to Swedish Hospital, impacts on non-emergency traffic and circulation patterns in the area, and how those vehicular impacts may impact pedestrian movements and safety in the area. Craig prepared a traffic study to address these concerns.

The traffic study has been reviewed by Public Works Department and Fire Department staff members who have indicated there are no significant issues with the closure of Clarkson. Traffic impacts are manageable, however, some of the details of the proposed mitigation measures (signage, etc.) require further discussion.

The recently designated S. Clarkson bicycle route will be retained through the closed street. The eastbound art shuttle route will need to be modified to travel north on Emerson (instead of Clarkson), then west on Clarkson to a stop at Craig Hospital. From there, the route remains the same. Craig has committed to absorbing the costs of moving stops and printing new route maps.

Craig Hospital and Swedish Medical Center are co-applicants for the vacation request. If approved by Council, ownership of the right-of-way would revert to the adjacent owners, Craig and Swedish, with the necessary utility easement(s) reserved to the City and other utility providers. Access would still be available to the Swedish parking garage on Clarkson. The City would no longer be responsible for maintenance.

Rather than a blanket easement being reserved for utilities and emergency access, Craig is proposing to reserve specific easements to utility providers in order to provide areas for future plantings in the vacated right-of-way. Many utility companies will not allow the placement of trees in easements and trees are an important element of the proposed park area to be developed in the vacated right-of-way. These easements will be dedicated by separate deed after the right-of-way is vacated.

The Englewood Municipal Code contains no formal process for vacating rights-of-way, only for the disposition of City property. Other than for park property, disposition of property requires approval of an ordinance by City Council. Council requested that Craig conduct a neighborhood meeting and also requested a recommendation be forwarded from the Planning and Zoning Commission.

A neighborhood meeting was held on August 25, 2012 at Craig Hospital. Notes of that meeting are included as an attachment to this communication.

## **FINANCIAL IMPACT**

If the vacation is approved, the cost of maintaining the one block of right-of-way will no longer be borne by the City. These costs include periodic repairs, sweeping and snow plowing. Craig and Swedish would be responsible for whatever maintenance occurs. Because the property would revert to private ownership, it would be combined with the adjacent parcels on the tax rolls and would be subject to property taxes.

Vacation of the right-of-way will facilitate expansion of Craig Hospital at its current location. If constructed, the City would collect one-time revenues of building use tax; furniture, fixtures and equipment use tax; and building permit fees on the estimated \$70 million project.

Craig has committed to absorbing the costs of moving stops and printing new route maps associated with the modification to the art shuttle route.

Future improvements, such as pedestrian lights, benches, street trees and other amenities within the vacated right-of-way would be paid for by the landowners.

Employment at Craig Hospital is approximately 576 full time equivalent employees and 200 part-time and on-call staff. In addition to staff, family and visitors of patients undoubtedly visit restaurants and businesses in the area, resulting in a positive economic impact to the City.

## **LIST OF ATTACHMENTS**

Letter from RTA  
Draft Campus Site Plan  
Neighborhood Meeting Notes  
Responses to Concerns Expressed in Neighborhood Meeting Notes  
Planning and Zoning Commission Memorandum  
Planning and Zoning Commission Minutes  
Memorandum from Fire Chief Pattarozzi  
Memorandum From Public Works Concerning Accidents  
Letters and Emails from Residents  
Proposed Council Bill



## ***Vacation of Clarkson R.O.W. for Craig Hospital***

August 10, 2012

### **History of Craig:**

Since 1956, Craig has treated nearly 29,000 patients with SCI and TBI, and has treated more patients with SCI than any other single facility in the U.S. At any given time Craig has approximately 55 inpatients with SCI and 30 patients with TBI, for a total of approximately 450 inpatients per year, and 3,000 outpatient discharges per year. Craig is regarded as a premier national center of excellence in the marketplace and each year patients and families come to Craig from 47-48 states. Craig has been ranked by *U.S. News and World Report* for 23 consecutive years. Craig is accredited by Joint Commission on Accreditation of Healthcare Organizations (JCAHO), and has twice received the prestigious Magnet® Recognition- in 2005 and 2010.

The Craig campus consists of two inpatient hospital buildings with 93 licensed beds, an outpatient clinic program, a PEAK Center Wellness and Fitness Center, a 47-unit Family Housing and Outpatient Housing facility, and a 3 story parking garage. Craig has approximately 576 full time equivalent staff, and approximately 200 additional part-time and on-call staff.

### **Craig Hospital – Expansion Project Scope:**

The purpose of this major project is to ensure Craig Hospital remains a top level care provider with cutting edge facility capabilities and amenities for Patients and Family members. Craig is recognized as a World Class Care Rehabilitation Center of Excellence which requires ongoing development and upgrades to stay competitive in the national and international markets. That said, adding more beds is not the goal or outcome for this project. Instead, moving to all Single Occupancy Rooms, rearranging organizational relationships throughout the facility, increasing the program space for Outpatient Therapies, PEAK rehabilitation, and allowing all departments to expand staff and work areas are the focus. These revisions and additions will allow the staff, patients and family members to experience even better care, more controlled facility environments and accommodations that help remove the stress of serious rehabilitation.

Existing – 85 bed, 215,000 SF facility  
New Addition – 91 bed, 300,000 SF facility  
Remodel 110,000 SF as part of this project

**R.T.A., Inc.**  
19 S. Tejon Street, Suite 300  
Colorado Springs, CO 80903

ph 719-471-7566  
fx 719-471-1174

[www.rtaarchitects.com](http://www.rtaarchitects.com)

## **Request for Vacation of the Clarkson Right of Way between Girard and Old Hampden Avenue**

### **Justification for Vacation Request:**

1. Patient, Family and Staff pedestrian safety –
  - a. Extremely high number of Disabled pedestrian/Vehicle conflicts daily
    - i. 647 vehicles at AM/PM peak times (Mid-block)
    - ii. 153 pedestrians crossings at AM/PM peak times  
many in wheelchairs (Mid-block)
2. Unification of Craig Hospital Campus
  - a. Severely reduces hospital organizational efficiency
  - b. Divides this major hospital campus in half
3. Strengthening of the New Medical District Boundaries
  - a. Unify Swedish 600 stall parking garage with main campus
  - b. Plenty of off street parking for all so no impact to neighborhoods
  - c. Reduces overall Pedestrian/Vehicle exposure for entire district.
  - d. Eliminates casual traffic through the Medical district.

### **Potential Mitigation of Closure impact on Emergency Vehicle Routes:**

We have had and will continue to have Swedish Leadership and Emergency department, Englewood Fire Department and EMT services all heavily involved in design decisions relevant to this closure. These meetings have resulted in the following potential mitigation action items which will be further evaluated by staff and Craig representatives.

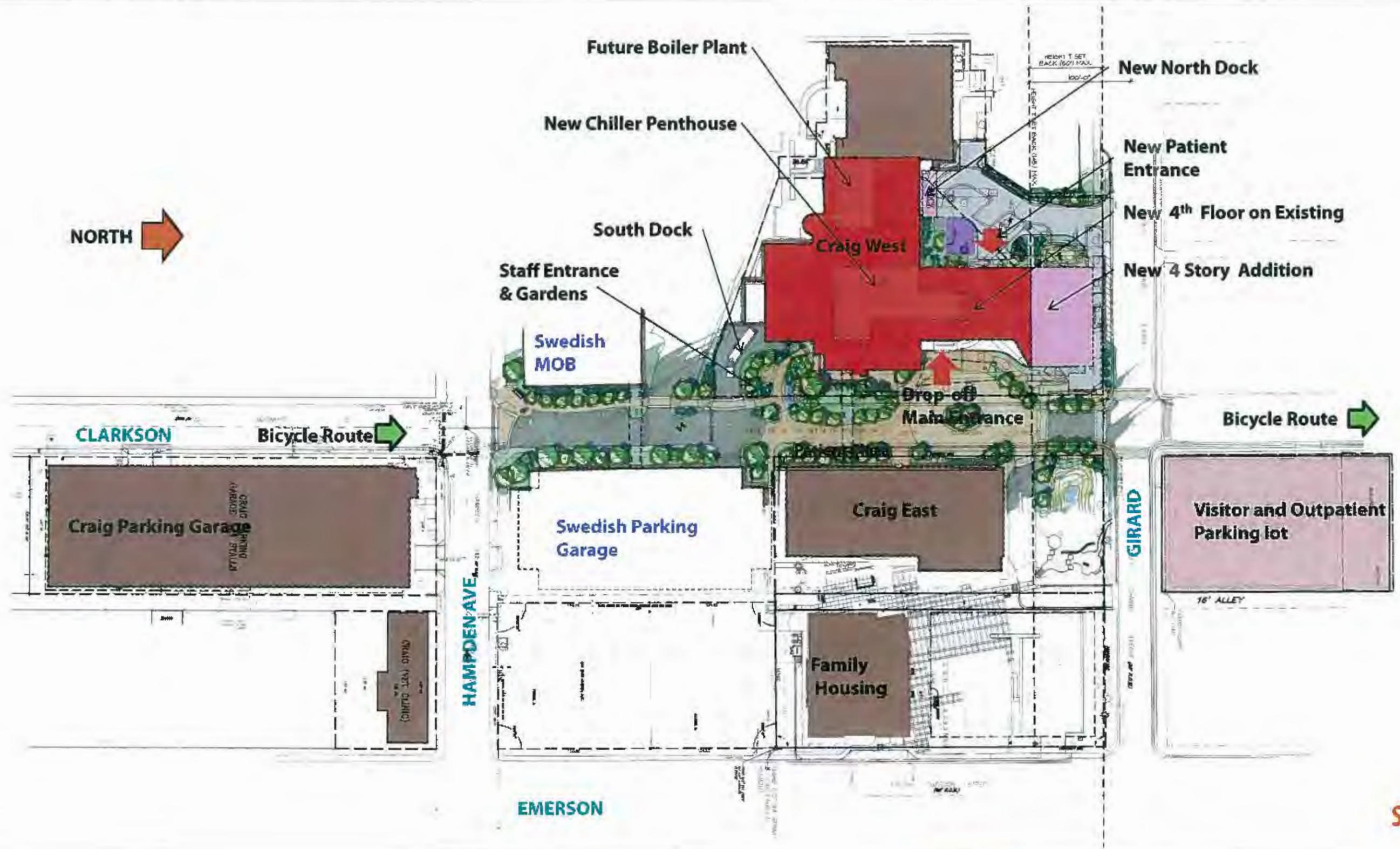
1. Eliminate parking on West side of Emerson between Girard and Old Hampden Avenue
2. Eliminate parking on South side of Girard between Emerson and Swedish Central Utility Plant
3. Provide control/camera Fiber Conduit from Broadway to the intersection of Old Hampden Avenue and Logan
4. Improve the 3 pedestrian crossings on Old Hampden Avenue between Clarkson and Logan with lighted pedestrian crossing signage.
5. Add emergency vehicle remote control of intersection lighting at Girard and Clarkson
6. Reduce the intersection width at Clarkson and Girard to reduce Pedestrian crosswalk distance
7. Provide revised signage at Emerson/Old Hampden Avenue, Clarkson/Old Hampden Avenue, Clarkson/Girard, Emerson/Girard to provide clear wayfinding to the Swedish Hospital Emergency Entrance.

**R.T.A., Inc.**  
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# Craig Hospital: CRAIG EXPANSION PLAN



Site Plan

**Meeting Notes**  
**Craig Neighborhood Meeting**  
**August 25, 2012**

**Request: Vacation of 3400 Block of S. Clarkson Street Right-of-Way**

30-35 residents of the area were in attendance.

Issues and concerns raised at the meeting were:

1. Alternatives for hospital expansion if Clarkson isn't closed. Vacant parking lots in the area east of Craig's current buildings could be used.
2. Instead of closing Clarkson, use the overpass with elevators or provide a tunnel for travel between the two buildings. Look at the possibility of providing a mid-block pedestrian crossing with a pedestrian-activated signal like at the Malley Center. It was mentioned this was explored in the past with the City.
3. Concern expressed about emergency and non-emergency access to Swedish.
4. Clarkson is a snow route. What happens to this designation if Clarkson is closed?
5. Clarkson is one of a few north/south streets providing access to Hampden. Logan, Downing, and Broadway are other north/south streets, but are avoided because of traffic levels. Clarkson is an important connection for the neighborhood. Cutting off another street in this area of Englewood will add to the maze that has been created.
6. Concern about the impacts to other streets in the area. 647 cars using Clarkson in the peak hour will go somewhere. Old Hampden can't handle current traffic, let alone an increase.
7. There is a parking problem with vendors and staff parking on neighborhood streets, particularly Emerson. Neighbors wanted to know the process for instituting permit parking in a neighborhood.
8. Craig should expand on vacant parking lots to the east. Maybe Craig has outgrown the area and should look elsewhere for expansion.
9. Questions about the changes or improvements being proposed on neighboring streets to mitigate the impacts of dispersing the Clarkson traffic.
10. Discussion about what the City receives in return for closing the street.
11. Residents wanted to know about the City's plans for side streets in the area and the traffic plan for the entire area. Comments were made that further study is needed.
12. Craig should look at other alternatives to closing Clarkson, such as closing Girard.

**Responses to Concerns Expressed in  
Neighborhood Meeting Notes  
Craig Neighborhood Meeting  
August 25, 2012**

**Request: Vacation of 3400 Block of S. Clarkson Street Right-of-Way**

30-35 residents of the area were in attendance.

The Craig Hospital design team has responded to each of the neighborhood concerns in the *italicized* text that follows:

- 1. Alternatives for hospital expansion if Clarkson isn't closed. Vacant parking lots in the area east of Craig's current buildings could be used.**

*The hospital expansion must occur on the west side of Clarkson. Our connection to Swedish through the underground tunnel for emergency and imaging services is critical to our operation.*

- 2. Instead of closing Clarkson, use the overpass with elevators or provide a tunnel for travel between the two buildings. Look at the possibility of providing a mid-block pedestrian crossing with a pedestrian-activated signal like at the Malley Center. It was mentioned this was explored in the past with the City.**

*We currently use the connection overpasses on 2<sup>nd</sup> and 3<sup>rd</sup> floor for in-patient, staff and family connection to therapy and food services. A key to our program is to not mix the first floor Out-patient population through the upper floors with In-patient units and therapy spaces to access the bridge. 1<sup>st</sup> level Out-patient links between both buildings is critical for services and therapies and these volumes will increase 25% by project completion. However we have no direct connection between the 1<sup>st</sup> floors of the buildings without crossing Clarkson. Even with a light system, there will continue to be critical visibility issues at the top of the hill resulting in continued traffic/pedestrian conflicts. And we cannot truly establish an outdoor area common to both halves of our campus. The Clarkson ROW is the only opportunity for a common green area accessible and strategically located with emergency support immediately available for our patients. We need this safe, accessible connection to enhance our services to our patients, families and staff which helps give us a true future on this site.*

- 3. Concern expressed about emergency and non-emergency access to Swedish. We have analyzed access to Swedish as part of our conversations with Swedish.**

*They support our request and do not feel the closing of Clarkson will limit or impede traffic to their ER or for normal visitor services.*

- 4. Clarkson is a snow route. What happens to this designation if Clarkson is closed?**

*We would work with the City to identify an alternate snow route. It is likely that Clarkson would remain a snow route north of Girard, and that Girard and Emerson would be identified as the new snow routes around the hospital. To support this change we will eliminate street parking on the west side of Emerson and south side of Girard adjacent to the Craig property. Additionally this will improve the safety of these street drive widths for emergency services.*

- 5. Clarkson is one of a few north/south streets providing access to Hampden. Logan, Downing, and Broadway are other north/south streets, but are avoided because of traffic levels. Clarkson is an important connection for the neighborhood. Cutting off another street in this area of Englewood will add to the maze that has been created.**

We will assist the city in updating the traffic control links to several intersections so they can be monitored by video from the City offices, and the signal timing can be adjusted to ensure they work as efficiently as possible. By making the traffic flow more efficient and responsive we can encourage the commuter traffic to use the streets designed to handle the volume, rather than use neighborhood residential streets as cut-through routes.

**6. Concern about the impacts to other streets in the area. 647 cars using Clarkson in the peak hour will go somewhere. Old Hampden can't handle current traffic, let alone an increase.**

The traffic study included a traffic operations assessment of Old Hampden, Clarkson, Logan and Girard during both peak hours under current conditions and with the traffic shifts that would occur if Clarkson was closed. The analysis indicated that while there would be a minor increase in westbound queuing at the Hampden/Logan intersection (one additional vehicle), all the roads surrounding the hospitals would still operate well within their capacity with the closure in place, and all of the intersections would continue to perform at the same levels of service with the closure as without.

As noted in the previous response, the upgraded traffic control at the intersections surrounding the hospital will ensure that the neighborhood traffic that shifts to Logan will encounter minimal delays on that new route. We will also work with the City and Swedish Hospital to implement new wayfinding signage to ensure that the hospital-related traffic will also be routed to their destination with minimal delay and out-of-direction travel. Both of these improvements will ensure that the neighborhood experiences minimal traffic impacts due to the closure.

Finally, to clarify the traffic volume levels and types of traffic using the affected section of Clarkson:

In the morning peak hour there is a total of 247 vehicles travelling in both directions on Clarkson at the mid-block point of the hospital (123 southbound, 124 northbound). Of these, 57 vehicles are coming south from north of Girard and continuing south to US 285, while 30 trips are coming from south of Old Hampden and continuing further north on Clarkson beyond Girard. These latter volumes represent the neighborhood-related traffic affected by the closure (i.e., traffic with an origin or destination within the neighborhood, or traffic that currently uses Clarkson through the neighborhood as a part of their commute). The remaining traffic on that segment is either accessing the Swedish Hospital parking garage or are coming from/heading to Girard or Old Hampden (i.e. hospital-related traffic).

In the afternoon peak hour there are 338 total trips in both direction at the mid-point of the hospital (134 southbound and 204 northbound), of which 64 southbound trips and 61 northbound trips are neighborhood-related traffic affected by the closure. So in general terms, the closure will affect roughly 60 neighborhood trips in each direction (or one trip a minute) during each peak hour.

**7. There is a parking problem with vendors and staff parking on neighborhood streets, particularly Emerson. Neighbors wanted to know the process for instituting permit parking in a neighborhood.**

The neighbors simply need to petition the city for permit parking on their streets with justification. Additionally, Craig employees and vendors have been notified about parking in the neighborhood. We have designed onsite vendor stalls in our new dock entrance to give them direct access to new elevators within the addition.

**8. Craig should expand on vacant parking lots to the east. Maybe Craig has outgrown the area and should look elsewhere for expansion.**

The vacant lot areas to the east are functionally too far from a common connection with emergency assistance available and easy patient access. We have looked elsewhere in case this campus cannot continue to support our growth and services.

**9. Questions about the changes or improvements being proposed on neighboring streets to mitigate the impacts of dispersing the Clarkson traffic.**

We have already monitored the traffic on the north adjacent streets to establish a baseline traffic flow to begin the process. With the city we will periodically monitor the traffic flow to determine if a warrant for traffic mitigation is required.

**10. Discussion about what the City receives in return for closing the street.**

If this project moves forward, the city will receive over \$1m dollars in fees for permits and services. Craig will assume long-term maintenance of the ROW reducing the City's cost for street repairs and snow removal.

**11. Residents wanted to know about the City's plans for side streets in the area and the traffic plan for the entire area. Comments were made that further study is needed.**

At this point we are not proposing any formal actions for the side streets because we are confident that the measures we are undertaking at the signals on Clarkson, Hampden, Logan and Girard will accommodate traffic shifts and minimize neighborhood impacts. However, in anticipation of the closure, we collected additional traffic counts on Washington, Emerson and Corona north of the hospital to provide a baseline traffic condition on those local streets in the area. These volumes range from 220 vehicles per day (vpd) on Washington, to 260 vpd on Emerson, to 270 vpd on Corona and represent traffic levels that are at the low end of what would be anticipated on a neighborhood residential street. We also collected traffic counts on Downing, and the traffic there (7,200 vpd) was well within the capacity of a minor arterial street (15,000 vpd), so we are confident that both Logan and Downing can function well with any additional neighborhood traffic that shifts away from Clarkson.

After Clarkson is closed, we will conduct a second set of counts on those same streets to measure the actual traffic volume changes, and then work with the City to determine if additional measures need to be undertaken to minimize cut-through traffic through the neighborhood. These measures could include low-cost, easily implementable measures such as signage (i.e., Local Traffic Only signs), or more extensive measures such as speed humps, chicanes or partial street closures.

**12. Craig should look at other alternatives to closing Clarkson, such as closing Girard.**

Closing Girard at any point north of the Craig property would seriously impede emergency traffic flow to Swedish Emergency services and push more emergency traffic into the north neighborhood. We do not believe that Swedish would support the closing of Girard.



# M E M O R A N D U M

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

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TO: Planning and Zoning Commission Members

FROM: Alan White, Community Development Director

DATE: August 28, 2012

SUBJECT: S. Clarkson Street Vacation of ROW Request

Representatives of Craig Hospital approached City staff several months ago about the potential closure of Clarkson Street to accommodate a planned expansion of the hospital. Community Development, Public Works, Utilities, Fire, Police and Building and Safety staff have been involved in meetings concerning this issue.

Craig's proposed expansion meets several needs of the Hospital as explained in the attached letter from RTA Architects, Craig's consultant for the expansion. Vacating the right-of-way to accommodate the expansion of the Hospital benefits the City as well. Expanding the current campus retains this nationally renowned hospital and the associated employment within the City of Englewood. One-time building use tax on the expansion is a considerable source of revenue for the City.

Primary concerns with the vacation and subsequent closure include the impact on emergency vehicle access and response times to Swedish Hospital, impacts on non-emergency traffic and circulation patterns in the area, and how those vehicular impacts may impact pedestrian movements and safety in the area. Craig prepared a traffic study to address these concerns.

The traffic study has been reviewed by Public Works Department and Fire Department staff members who have indicated there are no significant issues with the closure of Clarkson. Traffic impacts are manageable, however, some of the details of the proposed mitigation measures (signage, etc.) require further discussion.

A formal application to vacate the Clarkson right-of-way between Girard and Hampden Avenues has been received. Craig and Swedish are co-applicants. If approved by Council, ownership of the right-of-way would revert to the adjacent owners, Craig and Swedish, with the necessary utility easement(s) reserved to the City and other utility providers. Access would still be available to the Swedish parking garage on Clarkson. The City would no longer be responsible for maintenance.

The recently designated S. Clarkson bicycle route will be retained through the closed street. The eastbound art shuttle route will need to be modified to travel north on Emerson (instead of Clarkson), then west on Clarkson to a stop at Craig Hospital. From there, the route remains the

same. Craig has committed to absorbing the costs of moving stops and printing new route maps.

The Englewood Municipal Code contains no formal process for vacating rights-of-way, only for the disposition of City property. Other than for park property, disposition of property requires approval of an ordinance by City Council.

While Craig is still in the early phases of design and fund raising, pursuing the vacation of the right-of-way adds certainty to their planning and fund raising efforts. At their study session on August 6th, Council consensus was for Craig to proceed with their expansion plans that include the vacation of Clarkson Street right-of-way. Council also wanted Craig to conduct a neighborhood meeting (scheduled for August 25<sup>th</sup>), a recommendation from the Planning and Zoning Commission (not at a public hearing), and for Council to conduct a public hearing as part of the ordinance adoption process.

Staff is seeking a recommendation from the Commission concerning the right-of-way vacation request submitted by Craig and Swedish.

**Staff Recommendation:**

Staff recommends forwarding a recommendation to City Council to approve the vacation of the S. Clarkson Street right-of-way between Girard and Hampden Avenues with the following conditions:

1. The appropriate easement(s) shall be reserved for the benefit of the City and other utility suppliers so that sufficient access to utilities will be provided.
2. The City bicycle route on S. Clarkson Street shall be retained.
3. Craig Hospital representatives will continue to work with City staff to finalize and implement recommended signage, parking and pedestrian crossing improvements agreed to between the City and Craig Hospital.
4. Craig Hospital shall be responsible for costs associated with modifying the art shuttle bus route.

Attachments:

Letter from RTA Architects  
Memorandum from Fire Chief Pattarozzi  
Memorandum From Public Works Concerning Accidents  
Draft of Campus Site Plan  
Email from Brays  
Letter from Beckers  
Letter from Buthman

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION  
SPECIAL MEETING  
August 28, 2012**

**Minutes and audio are available at:**  
<http://www.englewoodgov.org/Index.aspx?page=152>

**I. CALL TO ORDER**



The special meeting of the City Planning and Zoning Commission was called to order at 7:08 p.m. in the Englewood City Council Chambers of the Englewood Civic Center, Chair Brick presiding.

Present: Bleile, Roth, King, Fish, Brick, Kinton, Townley  
Freemire (alternate)

Absent: Knoth, Welker

Staff: Alan White, Community Development Director

**II. CASE #2012-006**



**PUBLIC MEETING**

Recommendation concerning the S Clarkson St Vacation of Right-Of-Way

Director White briefly outlined the agenda for the meeting. He stated representatives of Craig Hospital approached City staff several months ago about the potential closure of Clarkson Street to accommodate a planned expansion of the hospital. Community Development, Public Works, Utilities, Fire, Police and Building and Safety staff have been involved in meetings concerning this issue. Expanding the current campus retains this nationally renowned hospital and the associated employment within the City of Englewood. One-time building use tax on the expansion is a considerable source of revenue for the City. A formal application has been received and Craig and Swedish are co-applicants.

At the August 6, 2012 study session Council consensus was for Craig to proceed with their expansion plans that include the vacation of the Clarkson Street right-of-way. Council requested Craig Hospital conduct a neighborhood meeting, which was held on August 25<sup>th</sup>, asked for a recommendation from the Planning and Zoning Commission and for Council to conduct a public hearing as part of the ordinance adoption process.

At this time the applicant presented the case.



Mr. Mike Fordyce, President and CEO of Craig Hospital, introduced himself. He stated this petition is all about safety. Craig Hospital has been in Englewood for over 50 years. There are three buildings on the site; two are for patients and one is housing for families of patients as 50% of patients come from outside of Colorado. The hospital does rehabilitation for people with spinal cord injuries and people with traumatic brain injury. There are approximately 245 in-patients per year and they serve over 2500 out-patients a year.

The patient buildings are located on the east and west sides of Clarkson Street. Patients and staff go from east to west hundreds of times a day. There have been two pedestrian accidents in the last 90 days; there is an on-going concern for safety.

He stated over 1000 invitations were sent out inviting citizens to the neighborhood meeting on August 25<sup>th</sup>; about 30 people attended.

Mr. Randy Thorne, of RTA Architects, presented a PowerPoint slide show of the proposed expansion. He said during the two peak times of day approximately 647 vehicles are passing by at mid-block along with 153 pedestrians crossing at the same time. He stated the hospital has an indoor link, but no outdoor link between the two buildings. Other points of discussion included:

- The hospital needs a more functional front door
- Access to the Swedish parking garage and parking area for staff and to the Craig Hospital food service dock will remain open
- From Girard to mid-block of Clarkson is an 8.5 foot rise; very difficult for wheelchairs to maneuver
- Buildings need to be connected at grade
- Patients need to be close to staff and Swedish in an emergency
- There will be fire access
- A new vendor parking area and dock will be located behind the west building
- Current bike route will be kept open
- Signage will be installed to inform the public Clarkson is not a through street
- Construction time frame is 42 months; Feb/Mar 2013 start
- Goal is not to add beds; it is to update and increase the size of the therapy areas and provide single occupancy rooms
- Tunnel that links Craig to Swedish will remain

Mr. Jeff Ream of Felsburg, Holt and Ullevig spoke next. His company provided a traffic analysis for the site. He stated there is a lot of pedestrian traffic on both Clarkson and Old Hampden. Traffic counts were collected at four signalized intersections: Girard, Hampden and the two on Logan. Pedestrian counts were collected mid-block on Clarkson and at all of the crossings on Old Hampden on the south side of the Craig campus. Daily traffic

counts were also done on several surrounding streets. This was all done to see how the current system is operating. There is a significant amount of pedestrian traffic due to the fact there are several parking garages in the area. The study showed approximately 4700 cars a day travel this section of Clarkson. About 800 of those cars are going into and out of the Swedish garage, which leaves about 3900 cars going elsewhere. Half of that is traveling north of Girard. Through traffic is less than half of the total traffic. He focused on the impacts right around the campus area. Points discussed included:

- Most people coming to Craig come from the south and the east
- It is proposed to remove street parking on the west side of Emerson and the south side of Girard
- Suggest a 4-way stop at Clarkson and Girard, removing the signal
- Change signage at Clarkson and Hampden and other areas to direct people
- Flashing pedestrian signs at Pearl and Hampden and several other locations
- Trying to keep traffic from routing onto residential streets
- Clarkson is not a true north/south route; it dead ends into a park at Harvard Gulch
- End result of analysis was that shifting traffic to other roadways does not impact levels of service
- Several recommendations have been made to the City's traffic division
- A map of neighborhood traffic control was viewed and discussed
- Questions about mass evacuation were addressed

The Commission asked Mr. Fordyce what the general feel of the public meeting on August 25<sup>th</sup> was. He again noted 1000 invitations were sent out and about 18 households attend. There was concern about what the traffic is going to look like on my street, why are Craig employees parking in front of my house and comments about the City needing to do a better job because people are speeding on our streets. He said he felt the meeting ended up very positively. The people thanked him for the opportunity to voice their concerns. He told them their concerns would be addressed and Craig would work with the City to see if we can help mitigate some of the issues like parking or speeding. He stated he sent an email to all his staff asking them to be good neighbors and to park in the hospital's parking garage.

He stated for him at the end of day it really gets down to safety. He stated as he walked down the hill today to go to his car he saw an ambulance and somebody laying in the middle of the road it really comes home for me. He said we don't have patients at Craig Hospital, we have residents. People that come to Craig are there 45 days to 6 months with their families; they live in Englewood. They also come back to Englewood for the rest of their life for their care. Please consider their safety and the fact that they are part of this community.

Chair Brick noted this is not a public hearing; the Commission has been asked to give a recommendation to Council.



Commission discussion points included:

- This is a great idea
- Don't believe the change will impact that many people
- There is more pedestrian traffic at risk than anything else
- The area should be pedestrian friendly given the focus of the hospital
- Minimal impact to the surrounding neighbors and over time people will find alternate routes that will work out just fine
- Problem needs to be addressed and applicant has done a great job
- When the Commission was working on the Small Area Medical Plan we committed to building a first class area for the medical profession. This is the first step in that process; would like to see more
- In favor of project because of the tremendous potential that it offers
- No doubt there is a safety issue
- Expansion of hospital is the primary driver of request
- Need to be sure the traffic plan is done correctly to deal with the safety issue
- In conformance with a number of the Medical District objectives in the Comprehensive Plan
- Positives greatly outweigh the negatives
- Have the pedestrian crossing lights cycle longer to accommodate people who need more time to cross the streets
- Look into better access from the south to the front door of the hospital

Mr. Fish moved:

Mr. King seconded: TO APPROVE THE VACATION OF THE S. CLARKSON STREET RIGHT-OF-WAY BETWEEN GIRARD AND HAMPDEN AVENUES WITH THE FOLLOWING:

1. The appropriate easement(s) shall be reserved for the benefit of the City and other utility suppliers so that sufficient access to utilities will be provided.
2. The City bicycle route on S. Clarkson Street shall be retained.
3. Craig Hospital representatives will continue to work with City staff to finalize and implement recommended signage, parking and pedestrian crossing improvements agreed to between the City and Craig Hospital.

4. Craig Hospital shall be responsible for costs associated with modifying the art shuttle bus route.
5. That the City work closely with the applicant and a specific and measurable and defined traffic plan be put into place to address both traffic flow and safety and pedestrian crossing issues in the area.

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

Motion carried.

### **III. PUBLIC FORUM**



There was no public in attendance.

### **IV. ATTORNEY'S CHOICE**



There was no attorney present.

### **V. STAFF'S CHOICE**



Director White stated a process is needed for a vacation of right-of-way. He suggested it be discussed at a future study session. Future meetings include:

September 5:	Study session to discuss distilleries and breweries
September 18:	Flood Middle School Public Hearing

He reminded the Commission the DRCOG training session will be held on September 15<sup>th</sup>; registration deadline is September 8<sup>th</sup>.

He noted the meeting packet for the September 5<sup>th</sup> meeting will go out tomorrow and will not include the minutes from tonight's meeting. The recording secretary will email the minutes to the Commission later this week for review and approval at the September 5<sup>th</sup> meeting.

### **VI. COMMISSIONER'S CHOICE**



Mr. Kinton asked that Staff push to establish a process for vacation of right-of-way.

Several members welcomed Mr. Freemire to the Commission.

Mr. Bleile had questions regarding road repair in the City.

Mr. Freemire stated there may be Department of Transportation funds available for work at Oxford Station. He offered to do some research into the matter.

The meeting adjourned at 9:09 p.m.

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Barbara Krecklow, Recording Secretary



CITY OF ENGLEWOOD  
FIRE DEPARTMENT

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**MEMORANDUM**

**TO:** Gary Sears, City Manager  
**FROM:** Michael Pattarozzi, Fire Chief  
**DATE:** August 1, 2012  
**SUBJECT:** Meeting with Representative of Craig Hospital

On July 24, 2012, members of the Fire Department staff, along with Public Works Traffic Engineer Ladd Vostry met with Mr. Lee Means from Craig Hospital to discuss the closure of the 3400 block of South Clarkson St. The closure is associated with the proposed expansion of Craig Hospital.

Mr. Means explained the planned expansion of the facility including the street vacation. Fire Department staff made recommendations regarding responses to the facility itself and the emergency department at Swedish Medical Center. Mr. Means agreed with our recommendations and will continue to work with us to resolve any issues.

The Fire Department staff agreed that the proposed vacation of the 3400 block of South Clarkson would not pose any obstacles that cannot be overcome, and would minimize the potential for auto-pedestrian accidents associated with the present configuration of the campus.

# MEMORANDUM



TO: City Council

THROUGH: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works ✓

FROM: Ladd Vostry, Traffic Engineer ✓

DATE: August 9, 2012

SUBJECT: CLARKSON/GIRARD ACCIDENT HISTORY  
COUNCIL REQUEST NO. 12-148

City Council requested information regarding accident statistics at the intersection of Clarkson and Girard, as well as on Clarkson adjacent to the Craig Hospital entrance (3400 block). Both Clarkson and Girard are classified as collector streets; the average traffic volume on Clarkson is approximately 4,700 vehicles per day (vpd), Girard carries about 3,500 vpd.

Staff looked at accident data at these locations from 2007 to date. Our records show that a total of seven crashes were reported at the Clarkson and Girard intersection and a total of six crashes in the 3400 block of Clarkson during that time (please see summary below).

<u>Year</u>	<u>Intersection related crashes</u>	<u>3400 S. block crashes</u>
2007	1	2
2008	2	1
2009	1	2
2010	1	1(*)
2011	2	0
2012 (to date)	0	0
<b>Total of crashes</b>	<b>7</b>	<b>6</b>

Note: (\*) an injury type accident

There was only one rear-end with injury accident in this study area (in 2010). The accident data also indicates that a majority of crashes in the 3400 block of South Clarkson involved either parked vehicles or vehicles making parking maneuvers.

Please note that even though there is a history of "close calls" related to pedestrian/vehicle conflicts in this area, no pedestrian type crashes were reported over this period of time.

/lt

**Alan White**

---

**From:** Ladd Vostry  
**Sent:** Friday, August 17, 2012 1:58 PM  
**To:** Alan White  
**Subject:** FW: south clarkson st closure

FYI

**From:**  
**Sent:** Thursday, August 16, 2012 6:28 PM  
**To:** administration@craighospital.org  
**Cc:** Ladd Vostry  
**Subject:** south clarkson st closure

Dear Administrator at Craig Hospital,

As an owner of a property on South Clarkson Street, and two other properties nearby, we would like to let you know that we wholeheartedly endorse your plan to close the section of South Clarkson around Craig Hospital. We think it is a great idea. We see cars speeding quickly up and down South Clarkson Street every day and people struggle to cross the street around the hospital. We think that this sort of innovative thinking will improve neighborhood and hospital safety and it will enhance the neighborhood as a whole.

A few years ago, we consulted with the City of Englewood about doing some urban landscaping on South Clarkson Street to slow down traffic and we received endorsement to come up with some possible plans. With local and national economic troubles, we put our ideas on hold, but your proposals perhaps will energize us to initiate some planning if we can find other interested neighbors.

Thank You --

The Brays  
2890 South Clarkson Street  
Englewood, CO 80113

August 20, 2012

Randy Penn, Mayor  
City of Englewood

**SUBJECT: CRAIG HOSPITAL PROPOSAL TO CLOSE SOUTH CLARKSON**

Dear Mayor Penn:

We are surprised that Council is even considering the potential of closing South Clarkson per the request of Craig Hospital. Our home is located east of Broadway and north of Craig Hospital. As we count the number of Englewood streets east of Broadway that provide direct access across the creek, we find Lincoln, Logan, and Clarkson - three. (And, we find that Lincoln provides only cumbersome access across the creek.) To consider permanent closure of one-third of these streets is unthinkable.

Is there some undisclosed plan to build a traffic tunnel under the Craig Hospital-desired green space? Where do the city traffic engineers think that traffic re-routed from Clarkson will need to travel?

Clearly, we think this is an extremely poor plan, and that Craig Hospital must be encouraged to seek some other solution to their issues.

Sincerely,

Marjorie L. Becker  
Lawrence T. Becker

644 East Yale Place  
Englewood, CO 80113

623 East Amherst Place  
Englewood, CO 80113  
August 20, 2012

Mr. Mike Fordyce, President and CEO  
Craig Hospital  
3425 South Clarkson Street  
Englewood, Colorado 80113  
Copy to Community Development Department, City of Englewood

Dear Mr. Fordyce,

This is in response to your letter of August 13, 2012 in which you propose closing the 3400 block South Clarkson Street.

With all due respect to the quality of care provided by your medical institution, it is my firm opinion that your plan would introduce considerable inconvenience and further street congestion for the citizens of Englewood and surrounding areas.

For my personal address, as well as my neighbors', Clarkson is the most direct way to access our street, East Amherst Place, which does not extend west through to Logan, an already heavily used arterial.

It would seem preferable that your needs be addressed by increasing use of the existing crossover bridge and that if further access is needed, you consider adding another crossover bridge or an underground tunnel rather than closing an important automobile access route to the Swedish Medical Complex and other nearby places of need.

It is my sincere hope that you will pursue all other possibilities for satisfying your needs rather than to close the 3400 block of South Clarkson Street.

Thank you for your consideration.

Very truly yours,

Virgene H. Buthman

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012

COUNCIL BILL NO. 49  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE VACATING THE 3400 BLOCK OF SOUTH CLARKSON STREET BETWEEN GIRARD AND HAMPDEN AVENUES IN THE CITY OF ENGLEWOOD, COLORADO BUT RESERVING UTILITY EASEMENTS AND CITY BICYCLE ROUTE ON SOUTH CLARKSON.

WHEREAS, Craig Hospital and Swedish Hospital, as co-applicants submitted application for the vacation of South Clarkson Street between Girard and Hampden Avenues to accommodate a planned expansion of Craig Hospital; and

WHEREAS, the City's concerns with the vacation and subsequent closure have been met with respect to the impact on emergency vehicle access and response times to Swedish Hospital, impacts on non-emergency traffic and circulation patterns in the area and how those closures may impact pedestrian movements and safety in the area; and

WHEREAS, appropriate easements shall be retained for the benefit of the City and other utility suppliers so that sufficient access to utilities is provided; and

WHEREAS, the City of Englewood Bicycle Route on South Clarkson Street shall be retained through the closed street; and

WHEREAS, the eastbound Art Shuttle route will need to be modified to travel north on Emerson instead of Clarkson, then West on Clarkson to a stop at Craig Hospital, the remaining Art Shuttle route remains the same; and

WHEREAS, Craig has committed to the costs of moving stops and printing new route maps associated with the modification to the Art Shuttle routes; and

WHEREAS; future improvements, such as pedestrian lights, benches, street trees and other amenities within the vacated Right-of-Way would be paid for by the landowners; and

WHEREAS, the Planning and Zoning Commission reviewed this vacation request at a public meeting on August 28, 2012 and recommended approval with conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The City Council of the City of Englewood, Colorado, hereby authorizes vacation of the 3400 Block of South Clarkson as shown on Exhibit A, with the following conditions:

1. City shall retain a Transportation and Utility Easement for utilities over the vacated Right-of-Way
2. A ten foot (10') wide bicycle route on South Clarkson Street shall be retained.
3. Craig Hospital representatives will continue to work with the City to finalize and implement recommended signage, parking and pedestrian crossing improvements agreed to between the City and Craig Hospital.
4. Craig Hospital shall be responsible for costs associated with modifying the Art Shuttle bus route.
5. That the City work closely with the applicant and a specific, measurable and defined traffic plan be put into place to address both traffic flow and safety and pedestrian crossing issues in the area.
6. Craig Hospital shall maintain and be responsible for the Bike Path and the sidewalks.

Introduced, read in full, and passed on first reading on the 17th day of September, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 21st day of September, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 19th day of September, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 17th day of September, 2012.

---

Loucrishia A. Ellis

## EXHIBIT "A"

Clarkson Street Right-of-way, being a part of the southwest  $\frac{1}{4}$  (SW  $\frac{1}{4}$ ) of Section 35 and the southeast  $\frac{1}{4}$  (SE  $\frac{1}{4}$ ) of Section 34, Township 4 South, Range 68 West of the Sixth Principal Meridian, City of Englewood, County of Arapahoe, State of Colorado more particularly described as follows:

Commencing at the Northwest corner of Section 2, Township 5 South, Range 68 West, from which the East quarter corner of Section 34, Township 4 South, Range 68 West bears N00°06'23"W a distance of 2688.88 feet;

Thence N00°06'23"W along said section line a distance of 30.00 feet to the northerly right-of-way of Hampden Avenue to the **Point of Beginning**;

Thence S89°33'04"W along said northerly right-of-way line a distance of 30.00 feet to a point on the westerly right-of-way line of Clarkson Street;

Thence N00°06'28"W along said westerly right-of-way line a distance of 599.50 feet to a point on the southerly right-of-way line of Girard Avenue;

Thence N89°58'21"E along said southerly right-of-way line a distance of 60.00 feet to a point on the easterly right-of-way line of Clarkson Street;

Thence S00°06'28"E along said easterly right-of-way line a distance of 599.06 feet to a point on said northerly right-of-way line of Hampden Avenue;

Thence S89°33'04"W along said northerly right-of-way line a distance of 30.00 feet to the **Point of Beginning**;

Said parcel contains 35,966 square feet, (0.8257 acre) more or less, retaining a transportation and utility easement.

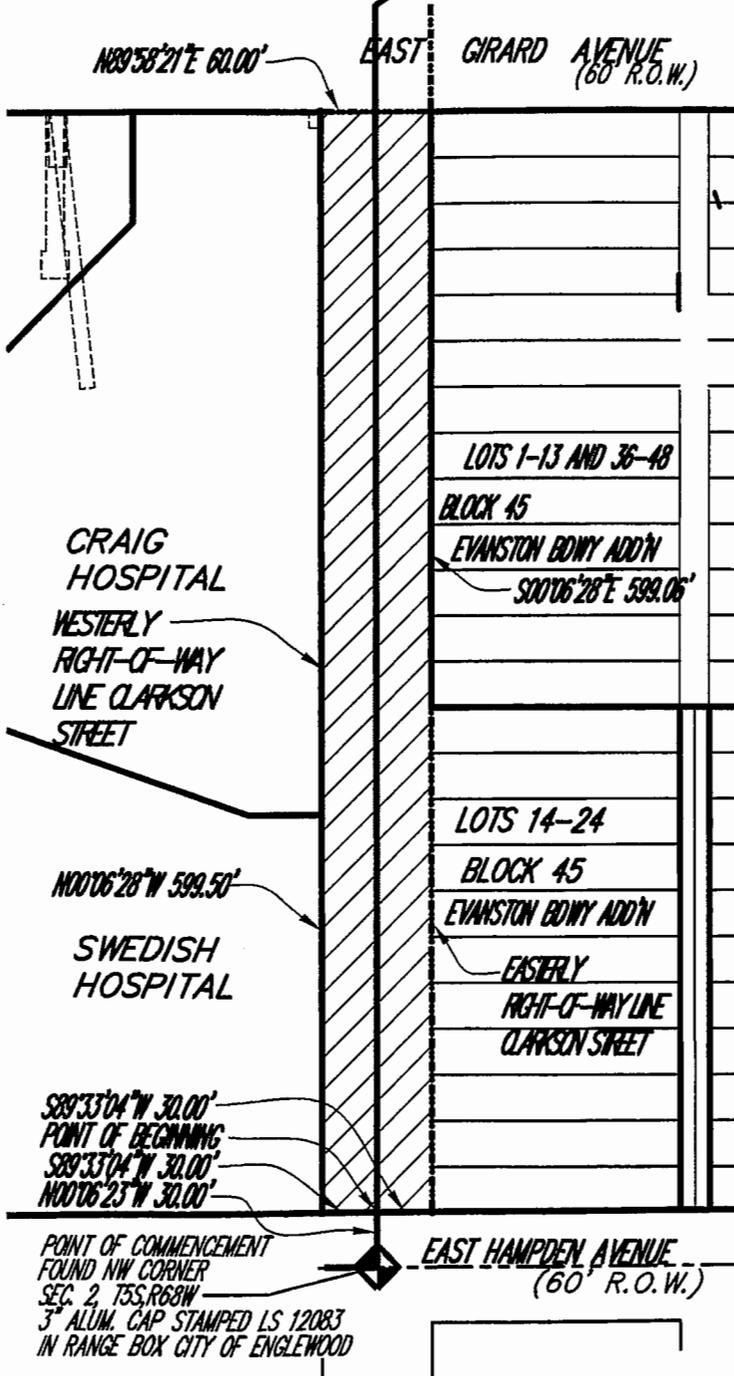
Prepared By:

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James V. Hastings, Colorado Registered P.L.S. NO. 22917  
Anderson and Hastings Consultants, Inc.  
12596 West Bayaud Ave., Suite 350  
Lakewood, CO 80228  
(303) 433-8486

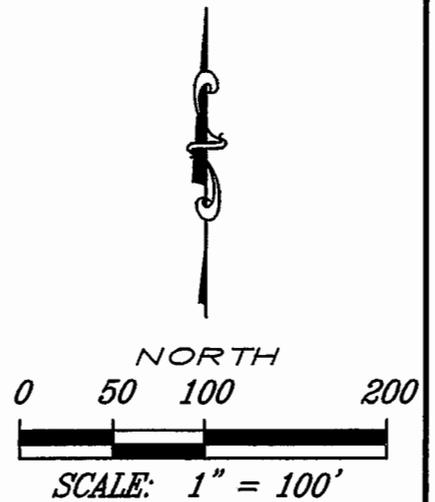
# EXHIBIT A

E 1/4 COR., SEC. 34, T 4 S, R 68 W,  
(FOUND AXLE IN A RANGE BOX)



 **CLARKSON STREET  
RIGHT-OF-WAY VACATION**  
CONTAINS 35,966 SQ. FT. (0.8257 ACRES)

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.



## ANDERSON & HASTINGS

## 60' RIGHT-OF-WAY VACATION

DRAFT BY: BMC	SCALE: 1" = 100'	
CHECKED BY: JVH	DATE: 12 SEP 2012	JOB NO.: 999-12-1681

A PARCEL OF LAND BEING A PORTION OF THE SW 1/4 SECTION 35, T.4S., R.68W., 6TH P.M.

## COUNCIL COMMUNICATION

<b>Date</b> October 1, 2012	<b>Agenda Item</b> 11 a i	<b>Subject</b> Bill For An Ordinance Establishing The 2012 Mill Levy Collected in 2013
<b>Initiated By</b> Department Of Finance and Administrative Services		<b>Staff Source</b> Frank Gryglewicz, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council and staff began the 2013 budget process with a review of the Five Year Forecast at the April 16, 2012 Study Session. A preliminary discussion on the 2013 Budget was held at the May 21, 2012 Study Session. On August 13, 2012 Council and staff met again at the Study Session to discuss 2012 estimated revenue and expenditure as well as the initial 2013 revenue and expenditure forecasts. City Council provided feedback and requested staff prepare the Proposed 2013 Budget for publication. The 2013 Proposed Budget was printed and distributed on September 4, 2012 and was made available online. A public hearing regarding the proposed budget was held September 17, 2012 and a follow-up Budget Workshop was held at the Study Session on September 24, 2012.

### RECOMMENDED ACTION

Staff recommends Council approve this bill for an ordinance establishing the 2012 mill levy to be collected in 2013.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The City of Englewood assesses property tax for the general operations of the government and for the General Obligation Bonds Debt Service Fund. TABOR restricts the City from raising the mill levy without a vote of the citizens. The City's mill levy has been unchanged since 1992. This year's General Fund mill levy remains unchanged at 5.880 mills. The 2012 levy is certified to Arapahoe County by December 15, 2012 for collection in 2013. The General Obligation Bond debt service mill levy is 1.914 mills for 2012 for collection in 2013.

### FINANCIAL IMPACT

Based on the assessed valuation for the City of Englewood as certified by the Arapahoe County Assessor, the *estimated* net assessed value of all properties in Englewood for 2012 is \$496,781,880 compared to \$493,306,930 for 2012. The 2013 mill for General Fund operations is 5.880 mills and 1.914 mills for the General Obligation Bonds Debt Service Fund. The total mill levy is 7.794 for 2012 collected in 2013. The total amount budgeted for the General Fund is \$2,898,000 (net of uncollectibles, abatements, etc.).

The amount budgeted for the General Obligation Bonds Debt Service Fund is \$940,000 (net of uncollectibles, abatements, etc.).

A homeowner with a \$200,000 dollar home in Englewood would pay the following to the City of Englewood:

Market Value	\$200,000
Assessment Ratio	7.96%
Assessed Value	\$15,920
General Operations Mill Levy	5.880
<b>Taxes Paid For General Fund Operations</b>	<b>\$93.61</b>

Market Value	\$200,000
Assessment Ratio	7.96%
Assessed Value	\$15,920
Community Center Bond Fund Mill Levy	1.914
<b>Taxes Paid For General Obligation Bonds</b>	<b>\$30.47</b>

Market Value	\$200,000
Assessment Ratio	7.96%
Assessed Value	\$15,920
Total Mill Levy	7.794
<b>Total Taxes Paid To City Of Englewood</b>	<b>\$124.08</b>

**LIST OF ATTACHMENTS**

Proposed bill for an ordinance

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012 \_\_\_\_\_

COUNCIL BILL NO. 51  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE FIXING THE TAX LEVY IN MILLS UPON EACH DOLLAR OF THE ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, it is the duty of the City Council of the City of Englewood, Colorado, under the Englewood Home Rule Charter and Colorado Revised Statutes, to make the annual property levy for City purposes; and

WHEREAS, the City Council has duly considered the estimated valuation of all the taxable property within the City and the needs of the City and of each of said levies and has determined that the levies as hereinafter set forth, are proper and wise; and

WHEREAS, the following levies are permitted under Article X, Section 20 of the Colorado Constitution without a vote by the citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. That there be and hereby is levied for the year of 2012, due and payable as required by statute in the year 2013, a tax of 5.880 mills on the dollar for the General Fund of the City of Englewood, Colorado, and 1.914 mills on the dollar for the General Obligation Bond Debt Service Fund of the City of Englewood, Colorado.

That the levy hereinabove set forth shall be levied upon each dollar of the assessed valuation of all taxable property within the corporate limits of the City of Englewood, Colorado, and the said levy shall be certified by law.

Introduced, read in full, and passed on first reading on the 1st day of October, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 5th day of October, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 3rd day of October, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 1st day of October, 2012.

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Loucrishia A. Ellis

## COUNCIL COMMUNICATION

Date	Agenda Item	Subject
October 1, 2012	11 a ii	Bill For An Ordinance Adopting the Budget For Fiscal Year 2013
Initiated By		Staff Source
Department Of Finance and Administrative Services		Frank Gryglewicz, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council and staff began the 2013 budget process with a review of the Five Year Forecast at the April 16, 2012 Study Session. A preliminary discussion on the 2013 Budget was held at the May 21, 2012 Study Session. On August 13, 2012 Council and staff met again at the Study Session to discuss 2012 estimated revenue and expenditure as well as the initial 2013 revenue and expenditure forecasts. City Council provided feedback and requested staff prepare the Proposed 2013 Budget for publication. The 2013 Proposed Budget was printed and distributed on September 4, 2012 and was made available online. A public hearing regarding the proposed budget was held September 17, 2012 and a follow-up Budget Workshop was held at the Study Session on September 24, 2012.

### RECOMMENDED ACTION

Staff recommends Council approve the proposed bill for an ordinance adopting the 2013 Budget for the City of Englewood.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Charter of the City of Englewood requires the City Council to adopt next year's Budget and Appropriation Ordinances no later than thirty days prior to the first day of the next fiscal year to insure there is legal authority to expend funds.

Due to little or no growth in most revenue sources available to the City, the 2013 Budget has little increase from 2012. Most City employees have sacrificed in the past to make this budget work by not cashing out personal leave, limiting pay increases, taking on additional duties, and taking furlough days (to help maintain reserves).

City staff and Council worked together to identify fund transfers, expenditure cuts, freezing and/or delay hiring vacant positions, and eliminating some vacant positions during the various budget meetings and at the September 24, 2012 Budget Workshop. Total ending 2013 reserves are estimated at \$7,706,035 and the Unassigned Fund Balance is estimated at 9.3 percent of revenues.

### FINANCIAL IMPACT

The General Fund is budgeting total sources of funds of \$40,189,673 and total uses of funds of \$41,110,026 leaving a total reserve of \$7,706,035 and an Unassigned Fund Balance of 9.3 percent. The total General Fund appropriation is \$41,110,026 for 2013.

### LIST OF ATTACHMENTS

Proposed bill for an ordinance



Total Revenues	\$ 39,050,099
Other Financing Sources	<u>1,139,574</u>
Total Sources of Funds	\$ 40,189,673

	<u>Expenditures</u>
Legislation	330,436
City Manager's Office	679,653
City Attorney's Office	783,147
Municipal Court	962,993
Human Resources	481,392
Finance and Administrative Services	1,583,684
Information Technology	1,340,211
Community Development	1,324,774
Public Works	5,308,257
Police	11,250,771
Fire	7,889,065
Library Services	1,251,293
Parks and Recreation Services	5,711,776
Contingencies	150,000
Debt Service	<u>2,062,574</u>
Total Uses of Funds	\$ 41,110,026
 Total Fund Balance, December 31, 2013	 \$ 7,706,035

Section 3. SPECIAL REVENUE FUNDS

Conservation Trust Fund

Fund Balance, January 1, 2013	\$ 10,075
Revenues	\$ 310,000
 Expenditures	 \$ 309,500
Fund Balance, December 31, 2013	\$ 10,575

Community Development Fund

Fund Balance, January 1, 2013	\$ -0-
Revenues	\$ 350,000
 Expenditures	 \$ 350,000
Fund Balance, December 31, 2013	\$ -0-

<u>Donors Fund</u>	
Fund Balance, January 1, 2013	\$ 420,122
Revenues	\$ 92,500
Expenditures	\$ 393,780
Fund Balance, December 31, 2013	\$ 118,842
<u>Parks and Recreation Trust Fund</u>	
Fund Balance, January 1, 2013	\$ 446,714
Revenues	\$ 15,000
Expenditures	\$ 320,000
Fund Balance, December 31, 2013	\$ 141,714
<u>Malley Center Trust Fund</u>	
Fund Balance, January 1, 2013	\$ 264,538
Revenues	\$ 5,500
Expenditures	\$ 20,000
Fund Balance, December 31, 2013	\$ 250,038
<u>Open Space Fund</u>	
Fund Balance, January 1, 2013	\$ 106,003
Revenues	\$ 675,000
Expenditures	\$ 780,000
Fund Balance, December 31, 2013	\$ 1,003
<u>Neighborhood Stabilization Program Fund</u>	
Fund Balance, January 1, 2013	\$ 351,983
Revenues	\$ 1,170,000
Expenditures	\$ 1,521,983
Fund Balance, December 31, 2013	\$ -0-

Section 4. DEBT SERVICE FUND

<u>General Obligation Bond Fund</u>	
Fund Balance, January 1, 2013	\$ 48,967
Revenues	\$ 942,000
Expenditures	\$ 958,913
Fund Balance, December 31, 2013	\$ 32,054

Section 5. CAPITAL PROJECT FUNDS

Public Improvement Fund

Fund Balance, January 1, 2013	\$ 681,163
Revenues	\$ 3,275,475
Expenditures and Transfers	\$ 2,894,574
Fund Balance, December 31, 2013	\$ 1,062,064

Capital Projects Fund

Fund Balance, January 1, 2013	\$ 19,391
Revenues and Transfers In	\$ 653,000
Expenditures	\$ 641,617
Fund Balance, December 31, 2013	\$ 30,774

Section 6. ENTERPRISE FUNDS

Water Fund

Fund Balance, January 1, 2013	\$ 10,930,946
Revenues	\$ 8,710,010
Expenditures	\$ 11,813,124
Fund Balance, December 31, 2013	\$ 7,827,832

Sewer Fund

Fund Balance, January 1, 2013	\$ 1,395,840
Revenues	\$ 16,722,730
Expenditures	\$ 16,822,185
Fund Balance, December 31, 2013	\$ 1,296,385

Storm Drainage Fund

Fund Balance, January 1, 2013	\$ 842,611
Revenues	\$ 331,685
Expenditures	\$ 316,636
Fund Balance, December 31, 2013	\$ 857,660

Golf Course Fund

Fund Balance, January 1, 2013	\$ 404,916
Revenues	\$ 2,101,584
Expenditures	\$ 2,186,485
Fund Balance, December 31, 2013	\$ 320,015

Concrete Utility Fund

Fund Balance, January 1, 2013	\$ 351,786
Revenues	\$ 884,200

Expenditures	\$ 875,369
Fund Balance, December 31, 2013	\$ 360,617
 <u>Housing Rehabilitation Fund</u>	
Fund Balance, January 1, 2013	\$ 797,685
Revenues	\$ 1,000,000
Expenditures	\$ 1,000,000
Fund Balance, December 31, 2013	\$ 797,685

Section 7. INTERNAL SERVICE FUNDS

<u>Central Services Fund</u>	
Fund Balance, January 1, 2013	\$ 154,874
Revenues	\$ 353,400
Expenditures and Transfers	\$ 395,324
Fund Balance, December 31, 2013	\$ 112,950
 <u>Servicenter Fund</u>	
Fund Balance, January 1, 2013	\$ 988,526
Revenues	\$ 2,372,807
Expenditures and Transfers	\$ 2,399,162
Fund Balance, December 31, 2013	\$ 962,171
 <u>Capital Equipment Replacement Fund</u>	
Fund Balance, January 1, 2013	\$ 1,435,526
Revenues and Transfers In	\$ 973,994
Expenditures	\$ 1,516,135
Fund Balance, December 31, 2013	\$ 893,385
 <u>Risk Management Fund</u>	
Fund Balance, January 1, 2013	\$ 91,980
Revenues	\$ 1,215,910
Expenditures	\$ 1,200,095
Fund Balance, December 31, 2013	\$ 107,795
 <u>Employee Benefits Fund</u>	
Fund Balance, January 1, 2013	\$ 1,279
Revenues	\$ 5,679,969
Expenditures	\$ 5,680,194
Fund Balance, December 31, 2013	\$ 1,054

Section 8. That the said budget shall be a public record in the office of the City Clerk and shall be open to public inspection. Sufficient copies thereof shall be made available for the use of the City Council and the public, the number of copies to be determined by the City Manager.

Introduced, read in full, and passed on first reading on the 1st day of October, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 5th day of October, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 3<sup>rd</sup> day of October, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 1st day of October, 2012.

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Loucrishia A. Ellis

## COUNCIL COMMUNICATION

<b>Date</b> October 1, 2012	<b>Agenda Item</b> 11 a iii	<b>Subject</b> Bill For An Ordinance Appropriating Funds For Fiscal Year 2013
<b>Initiated By</b> Department of Finance and Administrative Services		<b>Staff Source</b> Frank Gryglewicz, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council and staff began the 2013 budget process with a review of the Five Year Forecast at the April 16, 2012 Study Session. A preliminary discussion on the 2013 Budget was held at the May 21, 2012 Study Session. On August 13, 2012 Council and staff met again at the Study Session to discuss 2012 estimated revenue and expenditure as well as the initial 2013 revenue and expenditure forecasts. City Council provided feedback and requested staff prepare the Proposed 2013 Budget for publication. The 2013 Proposed Budget was printed and distributed on September 4, 2012 and was made available online. A public hearing regarding the proposed budget was held September 17, 2012 and a follow-up Budget

### RECOMMENDED ACTION

Staff recommends Council approve the proposed bill for an ordinance appropriating funds for the City of Englewood's 2013 Budget.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Charter of the City of Englewood requires the City Council to adopt next year's Budget and Appropriation Ordinances no later than thirty days prior to the first day of the next fiscal year to insure there is legal authority to expend funds.

Due to little or no growth in most revenue sources available to the City, the 2013 Budget has little increase from 2012. Most City employees have sacrificed in the past to make this budget work by not cashing out personal leave, limiting pay increases, taking on additional duties, and taking furlough days (to help maintain reserves).

City staff and Council worked together to identify fund transfers, expenditure cuts, freezing and/or delay hiring vacant positions, and eliminating some vacant positions during the various budget meetings and at the September 24, 2012 Budget Workshops. Total ending 2013 reserves are estimated at \$7,706,035 and the Unassigned Fund Balance is estimated at 9.3 percent.

### FINANCIAL IMPACT

The General Fund is budgeting total sources of funds of \$40,189,673 and total uses of funds of \$41,110,026 leaving a total reserve of \$7,706,035 and an Unassigned Fund Balance of 9.3 percent. The total General Fund appropriation is \$41,110,026 for 2013.

### LIST OF ATTACHMENTS

Proposed bill for an ordinance

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012 \_\_\_\_\_

COUNCIL BILL NO. 53  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE APPROPRIATING MONIES FOR ALL MUNICIPAL PURPOSES IN THE CITY OF ENGLEWOOD, COLORADO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR THE FISCAL YEAR 2013.

WHEREAS, a public hearing on the Proposed 2013 Budget was held September 17, 2012; and

WHEREAS, the operating budgets and Multiple Year Capital Plan for all City departments and funds were reviewed at a budget workshop held on September 24, 2012; and

WHEREAS, the Charter of the City of Englewood requires the City Council to adopt bills for ordinances adopting the Budget and Appropriation Ordinance no later than thirty days prior to the first day of the next fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. That there be and there hereby is appropriated from the revenue derived from taxation in the City of Englewood, Colorado, from collection of license fees and from all other sources of revenue including available fund balances during the year beginning January 1, 2013, and ending December 31, 2013, the amounts hereinafter set forth for the object and purpose specified and set opposite thereto, specifically as follows:

**GENERAL FUND**

Legislation	\$	330,436
City Manager's Office		679,653
City Attorney's Office		783,147
Municipal Court		962,993
Human Resources		481,392
Finance and Administrative Services		1,583,684
Information Technology		1,340,211
Community Development		1,324,774
Public Works		5,308,257
Police		11,250,771
Fire		7,889,065
Library Services		1,251,293
Parks and Recreation Services		5,711,776

Contingencies		150,000
Debt Service – Civic Center		1,573,000
Debt Service – Other		<u>489,574</u>

Total General Fund	\$	41,110,026
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CONSERVATION TRUST FUND

Total Conservation Trust Fund	\$	309,500
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COMMUNITY DEVELOPMENT FUND

Total Community Development Fund	\$	350,000
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DONORS FUND

Total Donors Fund	\$	393,780
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PARKS AND RECREATION TRUST FUND

Total Parks and Recreation Trust Fund	\$	320,000
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MALLEY CENTER TRUST FUND

Total Malley Center Trust Fund	\$	20,000
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OPEN SPACE FUND

Total Open Space Fund	\$	780,000
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NEIGHBORHOOD STABILIZATION PROGRAM FUND

Total Neighborhood Stabilization Program Fund	\$	1,521,983
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GENERAL OBLIGATION BOND FUND

Total General Obligation Bond Fund	\$	958,913
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PUBLIC IMPROVEMENT FUND

Total Public Improvement Fund	\$	2,894,574
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CAPITAL PROJECTS FUND

Total Capital Projects Fund \$ 641,617

WATER FUND

Total Water Fund \$ 11,813,124

SEWER FUND

Total Sewer Fund \$ 16,822,185

STORM DRAINAGE FUND

Total Storm Drainage Fund \$ 316,636

GOLF COURSE FUND

Total Golf Course Fund \$ 2,186,485

CONCRETE UTILITY FUND

Total Concrete Utility Fund \$ 875,369

HOUSING REHABILITATION FUND

Total Housing Rehabilitation Fund \$ 1,000,000

CENTRAL SERVICES FUND

Total Central Services Fund \$ 395,324

SERVICENTER FUND

Total ServiCenter Fund \$ 2,399,162

CAPITAL EQUIPMENT REPLACEMENT FUND

Total Capital Equipment Replacement Fund \$ 1,516,135

RISK MANAGEMENT FUND

Total Risk Management Fund \$ 1,200,095

EMPLOYEE BENEFITS FUND

Total Employee Benefits Fund \$ 5,680,194

Section 2. The foregoing appropriations shall be considered to be appropriations to groups within a program or department within the fund indicated but shall not be construed to be appropriated to line items within any groups, even though such line items may be set forth as the adopted budget for the fiscal year 2013.

Section 3. All monies in the hands of the Director of Finance and Administrative Services, or to come into the Director's hands for the fiscal year 2013, may be applied on the outstanding claims now due or to become due in the said fiscal year of 2013.

Section 4. All unappropriated monies that may come into the hands of the Director of Finance and Administrative Services during the year 2013, may be so distributed among the respective funds herein as the City Council may deem best under such control as is provided by law.

Section 5. During or at the close of the fiscal year of 2012, any surplus money in any of the respective funds, after all claims for 2012 against the same have been paid, may be distributed to any other fund or funds at the discretion of the City Council.

Introduced, read in full, and passed on first reading on the 1st day of October, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 5th day of October, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 3rd day of October, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 1st day of October, 2012.

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Loucrishia A. Ellis

## COUNCIL COMMUNICATION

Date	Agenda Item	Subject
October 1, 2012	11 a iv	Bill For An Ordinance Adopting The Budget For The Littleton/Englewood Wastewater Treatment Plant For Fiscal Year 2013
<b>Initiated By</b> Department of Finance and Administrative Services		<b>Staff Source</b> Frank Gryglewicz, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council and staff began the 2013 budget process with a review of the Five Year Forecast at the April 16, 2012 Study Session. A preliminary discussion on the 2013 Budget was held at the May 21, 2012 Study Session. On August 13, 2012 Council and staff met again at the Study Session to discuss 2012 estimated revenues and expenditures as well as the initial 2013 revenue and expenditure forecast. City Council provided feedback and requested staff prepare the Proposed 2013 Budget for publication. The 2013 Proposed Budget was printed and distributed on September 4, 2012 and was made available online. A public hearing regarding the proposed budget was held September 17, 2012 and a follow-up Budget Workshop was held at the Study Session on September 24, 2012.

### RECOMMENDED ACTION

Staff recommends Council approve the proposed bill for an ordinance adopting the budget for the Littleton/Englewood Wastewater Treatment Plant for fiscal year 2013.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The City Council of the City of Englewood acts as administering authority for the Littleton/Englewood Wastewater Treatment Plant, a part of the duties include adopting bills for ordinances for the 2013 Budget and Appropriation Ordinance no later than thirty days prior to the first day of the next fiscal year.

### FINANCIAL IMPACT

The 2013 Littleton/Englewood Wastewater Treatment Plant Budget indicates a beginning funds available balance of \$115,674, total sources of funds of \$16,262,817 and total uses of funds of at \$16,262,817 leaving the ending funds available balance at \$115,674.

The total appropriation (use of funds) for 2013 is \$16,262,817.

### LIST OF ATTACHMENTS

Proposed bill for ordinance

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012

COUNCIL BILL NO. 54  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE ADOPTING THE BUDGET FOR THE LITTLETON/  
ENGLEWOOD WASTEWATER TREATMENT PLANT FOR THE FISCAL  
YEAR 2013.

WHEREAS, a public hearing on said budget was held by the City Council within three weeks after its submission on September 4, 2012. The hearing was held at the meeting of City Council on September 17, 2012, regular notice of the time and place of said hearing having been published within seven days after the submission of the budget in the manner provided in the Charter for the publication of an ordinance; and

WHEREAS, pursuant to the provisions of an agreement between the City of Littleton, Colorado, and the City of Englewood, Colorado, a budget for the fiscal year 2013 was reviewed by the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee and recommended it be submitted to the City Council at their meeting; held on August 7, 2012; and

WHEREAS, the City Council of the City of Englewood, as the administering authority for the Littleton/Englewood Wastewater Treatment Plant, has studied the budget on numerous occasions; and

WHEREAS, it is the intent of the City Council to adopt the 2013 budget for the Littleton/Englewood Wastewater Treatment Plant as now submitted.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. That the budget of the Littleton/Englewood Wastewater Treatment Plant for the fiscal year 2013, as submitted by the Littleton/Englewood Wastewater Treatment Plant Supervisory Committee and duly considered by the City Council after public hearing, is hereby adopted as the budget for the Littleton/Englewood Wastewater Treatment Plant for the fiscal year 2013, as follows:

Littleton/Englewood Wastewater Treatment Plant

Fund Balance – January 1, 2013	\$	115,674
Revenues	\$	16,262,817
Expenditures	\$	16,262,817
Fund Balance – December 31, 2013	\$	115,674

Section 2. That the said budget as accepted shall be a public record in the Office of the City Clerk and shall be open to public inspection. Sufficient copies thereof shall be made available for the use of the City Council and the public, the number of copies to be determined by the City Manager.

Introduced, read in full, and passed on first reading on the 1st day of October, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 5th day of October, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 3rd day of October, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 1st day of October, 2012.

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Loucrishia A. Ellis

## COUNCIL COMMUNICATION

<b>Date</b> October 1, 2012	<b>Agenda Item</b> 11 a v	<b>Subject</b> Bill For An Ordinance Appropriating Funds For The Littleton/Englewood Wastewater Treatment Plant For Fiscal Year 2013
<b>Initiated By</b> Department of Finance and Administrative Services		<b>Staff Source</b> Frank Gryglewicz, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council and staff began the 2013 budget process with a review of the Five Year Forecast at the April 16, 2012 Study Session. A preliminary discussion on the 2013 Budget was held at the May 21, 2012 Study Session. On August 13, 2012 Council and staff met again at the Study Session to discuss 2012 estimated revenues and expenditures as well as the initial 2013 revenue and expenditure forecast. City Council provided feedback and requested staff prepare the Proposed 2013 Budget for publication. The 2013 Proposed Budget was printed and distributed on September 4, 2012 and was made available online. A public hearing regarding the proposed budget was held September 17, 2012 and a follow-up Budget Workshop was held at the Study Session on September 24, 2012.

### RECOMMENDED ACTION

Staff recommends Council approve the proposed bill for an ordinance appropriating funds for the Littleton/Englewood Wastewater Treatment Plant budget for fiscal year 2013.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The City Council of the City of Englewood acts as administering authority for the Littleton/Englewood Wastewater Treatment Plant, a part of the duties include adopting bills for ordinances for the 2013 Budget and Appropriation Ordinance no later than thirty days prior to the first day of the next fiscal year.

### FINANCIAL IMPACT

The 2012 Littleton/Englewood Wastewater Treatment Plant Budget indicates a beginning funds available balance of \$115,674, total sources of funds of \$16,262,817 and total uses of funds of at \$16,262,817 leaving the ending funds available balance at \$115,674.

The total appropriation (use of funds) for 2013 is \$16,262,817.

### LIST OF ATTACHMENTS

Proposed bill for ordinance

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012

COUNCIL BILL NO. 55  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE APPROPRIATING MONIES FOR THE LITTLETON/ENGLEWOOD WASTEWATER TREATMENT PLANT PURPOSES IN THE FISCAL YEAR BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013, CONSTITUTING WHAT IS TERMED THE ANNUAL APPROPRIATION BILL FOR THE FISCAL YEAR 2013.

WHEREAS, the Cities of Englewood and Littleton entered into a contract to build, maintain, and operate a joint Wastewater Treatment Plant facility; and

WHEREAS, the operations, including budget matters, of this joint facility are overseen by the Supervisory Committee; and

WHEREAS, the City of Englewood operates the Littleton/Englewood Wastewater Treatment Plant under the control of the Supervisory Committee; and

WHEREAS, the Littleton/Englewood Wastewater Treatment Plant has its own fund for operations and maintenance; and

WHEREAS, the Supervisory Committee recommended the submission of the following as the 2012 appropriations at their meeting held on August 7, 2012.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. That pursuant to the Littleton/Englewood Wastewater Treatment Plant agreement, there be and hereby is appropriated from the revenue derived from operation of the Littleton/Englewood Wastewater Treatment Plant in the City of Englewood, Colorado, and from all other sources of revenue in the Littleton/Englewood Wastewater Treatment Plant Fund including available fund balance during the year beginning January 1, 2013, and ending December 31, 2013, the amounts hereinafter set forth for the object and purpose specified as follows:

Total Littleton/Englewood Wastewater Treatment Plant Fund	\$ 16,262,817
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Introduced, read in full, and passed on first reading on the 1st day of October, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 5th day of October, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 3rd day of October, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 1st day of October, 2012.

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Loucrishia A. Ellis

## BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
 SERIES OF 2012

COUNCIL BILL NO. 47  
 INTRODUCED BY COUNCIL  
 MEMBER GILLIT

AN ORDINANCE APPROVING THE OXFORD STATION TOD PLANNED UNIT DEVELOPMENT (PUD), BY CAPITAL PARTNERS LOCATED AT OXFORD AVENUE AND SOUTH NAVAJO STREET, IN THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, LCP OXFORD LLC owners of the property at Oxford Avenue and South Navajo Street, Englewood, Colorado, submitted an application to rezone the property from I-1 (Light Industrial to Planned Unit Development (PUD) to allow residential and commercial uses; and

WHEREAS, this property has been occupied by Martin Plastics since 1920 and has been zoned I-1 Light Industrial since being annexed into the City of Englewood in 1970; and

WHEREAS, the Oxford Station TOD is a 3.504 acre site with the proposed mixed-use development of residential and commercial uses; and

WHEREAS, the Oxford Station TOD PUD will change the Permitted Principal Use to allow multiple unit residential, commercial and public uses; and

WHEREAS, the Oxford Station TOD PUD proposes for-lease apartments, associated parking and recreational facilities in a development designed to benefit from the adjacent transit facilities; and

WHEREAS, the Planning and Zoning Commission held Public Hearing on August 7, 2012; and

WHEREAS, the Planning and Zoning Commission found that the proposed rezoning is consistent with the Comprehensive Plan; and

WHEREAS, the Oxford TOD PUD has been modified to include the maximum height limitation of 100 feet as recommended by the Planning and Zoning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The Oxford Station TOD Planned Unit Development (PUD), for property located at Oxford Avenue and South Navajo Street, in the City of Englewood, Colorado, attached hereto as Exhibit A and the PUD Site Plan attached hereto as Exhibit B, are hereby approved.

Introduced, read in full, and passed on first reading on the 4th day of September, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 7th day of September, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 5th day of September, 2012 for thirty (30) days.

A Public Hearing was held on September 17, 2012.

Read by title and passed on final reading on the 1st day of October, 2012.

Published by title in the City's official newspaper as Ordinance No. \_\_\_\_, Series of 2012, on the 5th day of October, 2012.

Published by title on the City's official website beginning on the 3rd day of October, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by title as Ordinance No. \_\_\_\_, Series of 2012.

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Loucrishia A. Ellis



# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS PLANNED UNIT DEVELOPMENT

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO

## INTENT OF PLANNED UNIT DEVELOPMENT

The purpose of this Oxford Transit Oriented Development (TOD) Planned Unit Development is to change the current zoning "I-1" (Light Industrial zone district) to a Planned Unit Development (PUD).

The intent is to create a unique zone district that offers the City of Englewood a development that is not possible within the current zone district of I-1 (Light Industrial) and whose qualities and forms are not described in other existing zone districts definitions.

This PUD zone district will include its own list of permitted and conditional uses, and will identify what development standards shall apply.

The PUD zone district created will generally conform with the 2003 City of Englewood Comprehensive Plan and the Englewood Municipal Code of Ordinances, Title 16 Unified Development Code, and will use as its basis the uses and standards described therein. This Code may hereafter be referred to as UDC. Recognizing that the UDC is amended over time, this PUD refers to the version in place at the time of PUD approval, without future amendments, alterations and/or revisions.

This development is intended to serve as a model for the surrounding industrial neighborhood and for the City of Englewood for how to encourage vital residential and mixed use communities along the transit corridor that has historically been designated as a good fit only for industrial uses.

## RELATIONSHIP TO THE CITY OF ENGLEWOOD'S UNIFIED DEVELOPMENT CODE

The provisions of this Oxford TOD PUD shall generally comply with all applicable use, development and design standards set forth in the Unified Development Code of the City of Englewood that are not otherwise modified or waived according to this rezoning approval.

Where items in this PUD conflict with the UDC, the conditions of the PUD shall prevail.

The proposed rezoning meets the following criteria: the proposed development will meet or exceed the development quality standards, levels of public amenities, or levels of design innovation otherwise applicable under the Unified Development Code of the City of Englewood, and would not be possible or practicable under a standard zone district with conditional uses or with a reasonable number of Zoning Variances or Administrative Adjustments.

The approved PUD rezoning shall not lapse, but shall remain in effect until superseded by a subsequent revision of the approved PUD document.

Should any part of these regulations and stipulations be declared invalid or unenforceable by a court or competent jurisdiction, such decision shall not affect the validity of enforcement of the remaining provisions of these regulations.

## RELATIONSHIP OF THE PUD TO THE PUD SITE PLAN

The provisions of this PUD will establish zone district standards whose details of development will be delineated in the PUD Site Plan application.

## MODIFICATION AND AMENDMENT OF THE PUD SITE PLAN

The PUD Site Plan may be modified or amended as provided in this subsection or entirely withdrawn by the landowner.

The City Manager or designee may approve, or approve with conditions, an administrative modification to this approved PUD Site Plan without notice to the public, if the proposed change does not produce any of the following conditions:

1. An increase in ground coverage of structures of twenty percent (20%).
2. An increase in external effects concerning traffic, safety, noise, or provision of utilities which have a significantly adverse impact on the surrounding residential neighborhoods.
3. A reduction or increase in building setbacks that would violate the requirements of the PUD standards by more than twenty percent (20%).
4. A reduction in the amount of required off-street parking by more than 10%.

Any proposed amendment that does not qualify for review and approval as an administrative modification to the PUD Site Plan shall be reviewed and approved in the same manner as an application for a new PUD Site Plan, and shall be subject to the same approval criteria and appeal as a new application for a PUD Site Plan.

An application for administrative modifications to this PUD Site Plan shall be subject to the administrative rules and regulations established by the City Manager or designee. Any proposed amendment shall comply with the current regulations and standards set forth in the approved PUD zone district.

## USE REGULATIONS (PER CHAPTER 5, UDC)

### TABLE OF ALLOWED USES\*\*

Residential Uses	Group Living	Group living facility, large/special Group living facility, small Small Treatment Center	Permitted Permitted Conditional
Household living	Live/Work Dwelling Multi-Unit Dwelling Boarding or Rooming House		Permitted Permitted Conditional
Public/Institutional Uses	Emergency Temporary Shelter Library Museum/Cultural Parks and Open Space	Housing/food shelter Public All Uses Community Garden Park	Conditional Permitted Permitted Permitted
Religious Assembly	Religious Assembly	Religious Institutions and accessories	Permitted
School	Education Institution	Education Institution	Permitted
Telecommunication Facility	Antenna Tower Structure	Alternative Tower Structure	Permitted Permitted
Transportation Facility	RTD Maintenance Facility Transit Center Ride Sharing Facility	RTD Maintenance Facility Transit Center Ride Sharing Facility	Permitted Permitted Permitted
Commercial Uses	Animal Sales and Service	Kennel/Day Care Pet Store (live animal sales) Small Animal Vet or Clinic	Permitted Permitted Permitted
Assembly	Assembly	Assembly Hall or Auditorium Membership organization Less than 24 hr care, any age	Permitted Permitted Conditional Permitted
Dependent Care	Entertainment/ Conditional Amusement (Indoor)	Amusement Establishment	Permitted
Financial Institution	Physical Fitness Center/Spa Theater and Performance/ Concert Venue	Physical Fitness Center/Spa Theater and Performance/ Concert Venue	Permitted Permitted
Food and Beverage Service	Financial Institution with or without Drive-Through Service Brewpub Caterer Microbrewery	Financial Institution with or without Drive-Through Service Brewpub Caterer Microbrewery	Permitted Permitted Permitted Permitted
Medical/Scientific Service	Restaurant, Bar, Tavern Clinic Laboratory	Restaurant, Bar, Tavern Clinic Laboratory	Permitted Permitted Permitted
Office	Type 1 (General) Type 2 (Limited)	Type 1 (General) Type 2 (Limited)	Permitted Permitted
Retail Sales and Service	Dry Cleaner, Drop-Off Site Only Instructional Service Massage Therapy Facility Personal Care Service (e.g. Photography Studio, Photo Lab, Upholstery, Printer, Locksmith, Tailor)	Dry Cleaner, Drop-Off Site Only Instructional Service Massage Therapy Facility Personal Care Service (e.g. Photography Studio, Photo Lab, Upholstery, Printer, Locksmith, Tailor)	Permitted Permitted Permitted Permitted Permitted
	Repair Shop (not including auto) Antique Store Art Gallery Convenience Store Grocery/Specialty Food Store Liquor Store Retail Sales, General Merchandise	Repair Shop (not including auto) Antique Store Art Gallery Convenience Store Grocery/Specialty Food Store Liquor Store Retail Sales, General Merchandise	Permitted Permitted Permitted Permitted Permitted Permitted
School	Trade or Business School	Trade or Business School	Permitted
Vehicle and Equipment	Parking Facility, principle use Parking area, surface, operational	Parking Facility, principle use Parking area, surface, operational	Conditional Conditional
Visitor Accommodation	Bed and Breakfast Hotel Hotel, extended stay	Bed and Breakfast Hotel Hotel, extended stay	Permitted Permitted Permitted

\*\* Conditional uses are allowed only if reviewed and approved as a conditional use subject to a public hearing, in accordance with the Conditional Use Review Procedures of Section 16-2-12 EMC.

## DIMENSIONAL REQUIREMENTS

Summary table of Dimensional Requirements for Principal Uses and Structures. All principal structures and uses shall be subject to the intensity and dimensional standards set forth in the following table.

SUMMARY OF DIMENSIONAL REQUIREMENTS FOR PRINCIPAL STRUCTURES	MAX FAR	MAX LOT COVERAGE	MAX HEIGHT	MINIMUM SETBACKS (FT)			
				FRONT (NAVAJO)	NORTH	SOUTH	REAR
ALL ALLOWED USES	NONE	75%	100'-0"	-AT LEAST 50% OF THE BUILDING SHALL BE BETWEEN 5'-0" - 15'-0" -UP TO 25% OF BLDG MAY BE 0'-0"	0'-0"	10'-0"	0'-0"

Building height definition, per UDC: Building or structure height is the vertical distance of a building or structure, as measured from the average elevation of the finished grade at the corners of the building or structure base, to the highest point of the building or structure.

Permitted Projection into Setbacks/Yards: All items listed in City of Englewood, UDC, Section 16-6-1.F.5 may project into required setbacks provided that they do not extend beyond the property line.

## STREETS AND VEHICLE ACCESS CIRCULATION

Within the PUD, the vehicle access and circulation system shall accommodate the safe, efficient, and convenient movement of vehicles, bicycles, pedestrians, and transit through the development as well as to and from adjacent Rights of Way. Streets within the PUD shall be private streets.

## OFF-STREET PARKING AND LOADING REQUIREMENTS

The purpose of this Section is to prevent or alleviate the congestion of parking areas and drive aisles within the PUD, to minimize any detrimental effects of parking and loading areas on adjacent properties, to enhance parking areas with landscape elements, and to promote the safety and welfare of the public.

The Oxford Station PUD is a mixed-use, transit oriented development. The adjacency to public transportation and the mix of proposed uses warrant a parking environment based on ratios customary to a Transit Oriented Development of this type.

Amount of Off-Street Vehicle parking required in the PUD is set forth in the following table:

MINIMUM OFF STREET VEHICLE PARKING REQUIREMENTS	OFF STREET PARKING STANDARDS
USE	
DWELLING UNITS	1 SPACE PER DWELLING UNIT + VISITOR: 1 SPACE FOR EVERY 5 UNITS
PARKING REDUCTIONS:	
1) TOD - REQUIRED NUMBER OF PARKING SPACES MAY BE REDUCED BY 25% IF BUILDING IS LOCATED WITHIN 1/4 MILE OF APPROVED MASS TRANSIT STATION.	
2) MIXED USE - REQUIRED NUMBER OF PARKING SPACES MAY BE REDUCED BY 10% IF MIXED USE OCCUPANTS PARTICIPATE IN A SHARED PARKING AGREEMENT BETWEEN RESIDENTIAL AND COMMERCIAL OCCUPANCIES.	
FOR EVERY OTHER ALLOWED USE REFER TO CITY OF ENGLEWOOD UDC TABLE 16-6-4.1 TO DETERMINE PARKING REQUIRED.	

Minimum Parking Space and Aisle Dimensions in the PUD are set forth in the following table.

MINIMAL DIMENSIONAL AREAS - PARKING	STALL WIDTH STANDARD	LENGTH OF STALL	AISLE WIDTH *** 1 WAY 2 WAY	FIRE DEPT. ACCESS DRIVE WIDTH
90 DEGRESS	8'-6"*	18'-0" **	22'-0" 24'-0"	26'-0"

\* SIZE OF ACCESSIBLE PARKING SPACES SHALL COMPLY WITH IBC 2009 SECTION 1106 UNLESS OTHERWISE NOTED.  
\*\*16'-0" WITH WHEEL STOP OR WHEN FRONT OF CAR OVERHANGS LANDSCAPED AREA OR SIDEWALK GREATER THAN OR EQUAL TO 8'-0" WIDE  
\*\*\* 13'-0" EACH WAY AT SECURITY GATES

REFER TO CITY OF ENGLEWOOD UDC TABLE 16-6-4.2 FOR ALL CONDITIONS NOT STATED IN THE ABOVE TABLE.

## Bicycle Parking:

Parking for Bicycles shall be provided as follows:  
One (1) common area bicycle parking space per each 10 dwelling units.

## PEDESTRIAN AND BICYCLE ACCESS AND CONNECTIVITY

These standards provide for a safe and convenient system of well-connected pedestrian ways and bikeways that link developments with shopping, employment centers, recreational facilities, open spaces, parks, transit stops, and schools. Within the PUD, these standards require safe and convenient pedestrian and bikeway systems that directly link buildings, parking areas, open space, transit stops, services, and other areas of interest. In addition, these standards encourage convenient access to transit services, including linking transit access to on-site pedestrian and bicycle systems.

Development shall be designed to provide pedestrian access to nearby public transportation, and to provide bicycle access to Navajo Street.

## FENCES AND RETAINING WALLS

The following provisions establish standards to regulate the design and location of fences and retaining walls in a manner that ensures the following:

1. An attractive environment of safe, desirable character;
2. Reduced potential for pedestrian or traffic conflicts;
3. Protection and security for the owner and adjacent parcels.

Auto access security gates are allowed provided they meet Fire Department standards.

Fences and retaining walls shall be subject to requirements of the TSA zone district as outlined in UDC Table 16-6-6.3.

## LANDSCAPE AND SCREENING

Required landscape area for this PUD is 10% of total net site area. The required landscape area and plant quantities are the total required for the property and may be satisfied using the landscape requirements as defined in the Englewood Landscape Manual Minimum Size at Planting.

Required Landscape Area is defined as on-site land area, contained within lot lines and which is the minimum area to be landscaped. This area may include pedestrian paving, plazas, and hard surface areas intended for the recreational or social uses of the development.

Plant materials will be provided at the minimum rates and location listed below:  
Trees: 1/450 sq. ft. of Required Landscape Area (RLA)  
Shrubs: 1/50 sq. ft. of RLA

Minimum qty. of trees between the principal structure and curb: 1/50 linear feet  
Minimum qty. of shrubs between the principal structure and curb: None req'd.

## PARKING LOT LANDSCAPING

INTERIOR: Internal parking lot landscaping will be required for any surface lot that contains more than 10 spaces. Internal landscape areas will be provided at no less than 10% of the parking lot area. The area of the parking lot is defined as the area reserved for the parking of the vehicle and excludes all access roads and drive aisles.

The required parking lot landscaping shall be installed in landscape islands and in corners of parking lots that cannot be used for parking due to geometric constraints. Planting areas shall be installed at each end of a parking row that intersects with an aisle. Internal landscape islands shall be located at intervals and in a size that will facilitate pedestrian routes through the parking area.

PERIMETER: Edges of parking lots visible from the public rights of way shall be screened with a continuous masonry wall, berm, or hedge that is at least three feet in height. This screen shall be located between the parking spaces and the right of way from which screening is required. This requirement shall be waived in areas where:

1. The elevation of the parking lot is three feet or more above or below the elevation of the curb of the street.
2. Buildings or other structures provide the same screening effect.
3. The parking lot is adjacent to the Light Rail right of way.

## DESIGN STANDARDS AND GUIDES

This Section's design standards and guidelines are intended to assure quality new development in the City of Englewood that provides variety and visual interest in exterior building design, is compatible with existing and desirable built patterns and materials, provides human scale detailing at the street level, and contributes to pedestrian-oriented streetscapes.

- The design standards and guidelines are intended to ensure that infill, redevelopment, and renovation within Englewood's neighborhoods respond to the established character and variations within each neighborhood by utilizing complementary building design, setbacks, and massing.
- This subsection's standards are intended to provide variety and visual interest in the exterior design and massing of buildings, and to respect prevalent neighborhood design patterns that generally provide a rich variety of approaches to articulating building planes.
- These standards and guidelines require a basic level of architectural variety, compatible scale, pedestrian, and bicycle access, and mitigation of negative impacts.
- Facades should be articulated to reduce the massive scale and the uniform appearances of large buildings and provide visual interest that will be consistent with the community's identity, character, and scale. The intent is to encourage a more human scale that Englewood residents will be able to identify with their community.
- Large buildings should have architectural features and patterns that provide visual interest at the scale of the pedestrian, and recognize local character.
- All facades of a building that are visible from adjoining properties and/or public streets should contribute to the pleasing scale features of the building.
- Parking areas should provide safe, convenient, and efficient access. See Landscape Standards for landscape and lighting in surface parking lots.
- Loading areas and outdoor storage areas will be designed to minimize visual and noise impacts on surrounding properties.
- Delivery and loading operations should not disturb adjoining properties, or other uses.
- Buildings should offer attractive and inviting pedestrian scale features, spaces, and amenities. Entrances and parking lots should be configured to be functional and inviting with walkways conveniently tied to logical destinations. Drop-off/pick-up points should be considered as integral parts of the configuration. Pedestrian ways should be anchored by special design features and other architectural elements that define circulation ways and outdoor spaces. Examples of outdoor spaces are plazas, patios, and courtyards.

## SIGNS

Signs are a necessary means of visual communication for the convenience of the public, and that it is the right of those concerned to identify their businesses, services or other activities by the use of signs.

Signs that meet the following criteria may be constructed, displayed and maintained in the PUD. Signs for the mixed-use residential buildings shall follow the requirements below:

- Signs along all frontages shall be legible, informative to the public, and durable. Signs oriented toward all frontages should respond in size and scale to the speed and scale of the Oxford and Santa Fe vehicular corridors.
- Sign area shall be limited to 2 square foot of sign area per linear foot of frontage as measured along Navajo and Oxford.
- Wall signs shall be composed of individually mounted letters, logos or icons with or without sign backing.
- Each individual business entity and the overall project shall be allowed one projecting sign for each public or private street oriented façade. Projecting blade signs shall be allowed on any and all building faces.
- Projecting signs, excluding overall project signs may be attached or suspended by a metal bracket or placed beneath an awning. The sign face shall not exceed 12 square feet per sign face, is limited to a maximum projection of 4 feet including any support structure, and shall have a minimum 8'-0" clearance above the adjacent sidewalk.

## SUSTAINABILITY

Sustainable design practices such as photovoltaic energy production, LED lighting, and pervious paving shall be incorporated throughout the project where economically feasible.

OXFORD STATION  
TOD

LITTLETON CAPITAL  
PARTNERS

PLANNED UNIT  
DEVELOPMENT



# HUMPHRIES POLI ARCHITECTS

All reports, plans, specifications, computer files, field data, notes and other documents and instruments prepared by the Architect as instruments of service shall remain the property of the Architect. The Architect shall retain all common law, statutory and other reserved rights, including copyright thereto.

## WRITTEN STATEMENT

PUD SUBMITTAL 7/27/2012

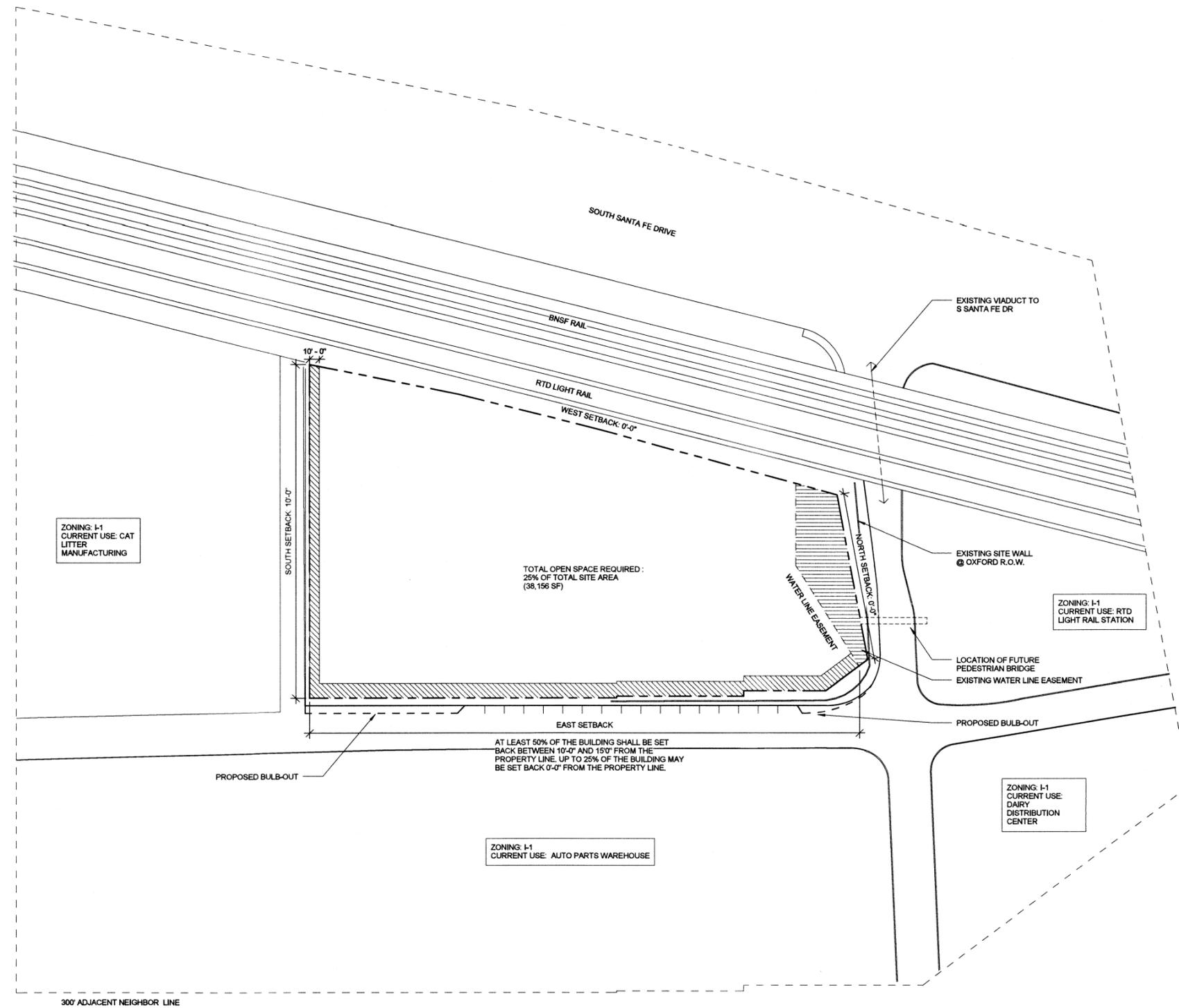
SHEET NO:  
**2 of 3**

# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS

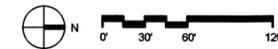
## PLANNED UNIT DEVELOPMENT

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO

OXFORD STATION  
TOD  
LITTLETON CAPITAL  
PARTNERS  
PLANNED UNIT  
DEVELOPMENT



1 SETBACK AND OPEN SPACE DIAGRAM  
1" = 60'-0"



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PUD DIAGRAM

PUD SUBMITTAL 7/27/2012

SHEET NO:  
3 of 3

CASE NO: 2012-005

# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS

## PUD SITE PLAN

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO

**OWNER'S CERTIFICATE**

**Applicant, Owner, Developer:**  
Littleton Capital Partners  
5711 South Nevada St  
Littleton, Colorado 80120  
Jonathon Bush, Principal

**Design Team:**  
**Architect:**  
Humphries Poli Architects, PC  
2100 Downing Street  
Denver, Colorado 80220  
p 303.607.0040  
Joseph J. Poli, AIA

**Landscape Architect:**  
TCK Design and Planning  
P.O. Box 202560  
Denver, CO 80220  
p 720.242.7947  
Tom Klein, ASLA

**Civil Engineer:**  
Calbre Engineering  
8090 S Ringline Blvd Ste 105  
Highlands Ranch, CO 80129  
p 303.730.0434  
Gregory V. Murphy, P.E.

By:  
[TITLE]; [NAME]

**NOTARY CERTIFICATE**  
State of Colorado  
County of Arapahoe  
The above signature of ownership was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, by [NAME], [TITLE].

My commission expires: \_\_\_\_\_

Witness my hand and official seal.  
[SEAL]

\_\_\_\_\_  
Notary Public

**SIGNATURES**

Approved for Littleton Capital Partners  
State of Colorado  
County of Arapahoe

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012 BY \_\_\_\_\_ FOR \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_\_\_\_

APPROVED FOR THE CITY OF ENGLEWOOD

PLANNING AND ZONING COMMISSION CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

PLANNING AND ZONING COMMISSION RECORDING SECRETARY \_\_\_\_\_ DATE \_\_\_\_\_

MAYOR OF ENGLEWOOD \_\_\_\_\_ DATE \_\_\_\_\_

ATTESTED

THE FOREGOING APPROVALS WERE ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2012 BY [NAME], [NAME], AND [NAME].

CLERK AND RECORDER

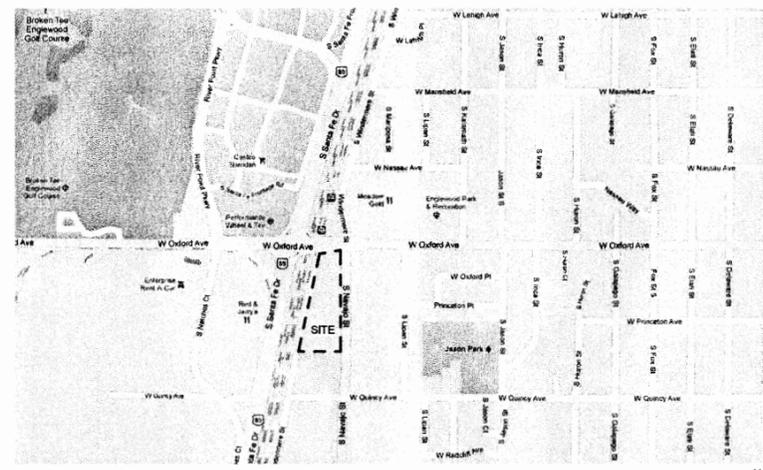
THIS PLANNED UNIT DEVELOPMENT IS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ARAPAHOE COUNTY, STATE OF COLORADO, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2012.

RECEPTION NO. \_\_\_\_\_, BOOK NO. \_\_\_\_\_, PAGE NO. \_\_\_\_\_.

BY: \_\_\_\_\_  
CLERK

BY: \_\_\_\_\_  
DEPUTY

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3 of 8	UTILITY PLAN
4 of 8	TOPO SURVEY
5 of 8	LANDSCAPE PLAN
6 of 8	GRADING & DRAINAGE PLAN
7 of 8	ELEVATIONS
8 of 8	ALTA SURVEY



VICINITY MAP



OXFORD STATION  
TOD  
LITTLETON CAPITAL  
PARTNERS  
PUD SITE PLAN



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COVER SHEET

PUD SUBMITTAL 7/27/2012

SHEET NO:  
1 of 8

EXHIBIT B

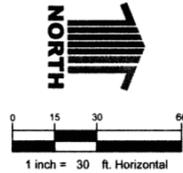


CALL UTILITY NOTIFICATION  
 CENTER OF COLORADO  
 1-800-922-1987  
 IN METRO DENVER  
 CALL 2 BUSINESS DAYS IN ADVANCE  
 BEFORE YOU DIG, GRADE, OR EXCAVATE  
 FOR THE MARKING OF UNDERGROUND  
 MEMBER UTILITIES.

# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS

PUD SITE PLAN

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
 COUNTY OF ARAPAHOE, STATE OF COLORADO



**LEGEND**

- PROPERTY LINE
- - - EXISTING FENCE
- - - EXISTING SANITARY SEWER
- - - EXISTING WATER MAIN
- - - EXISTING GAS MAIN

OXFORD STATION  
 TOD  
 LITTLETON CAPITAL  
 PARTNERS  
 PUD SITE PLAN



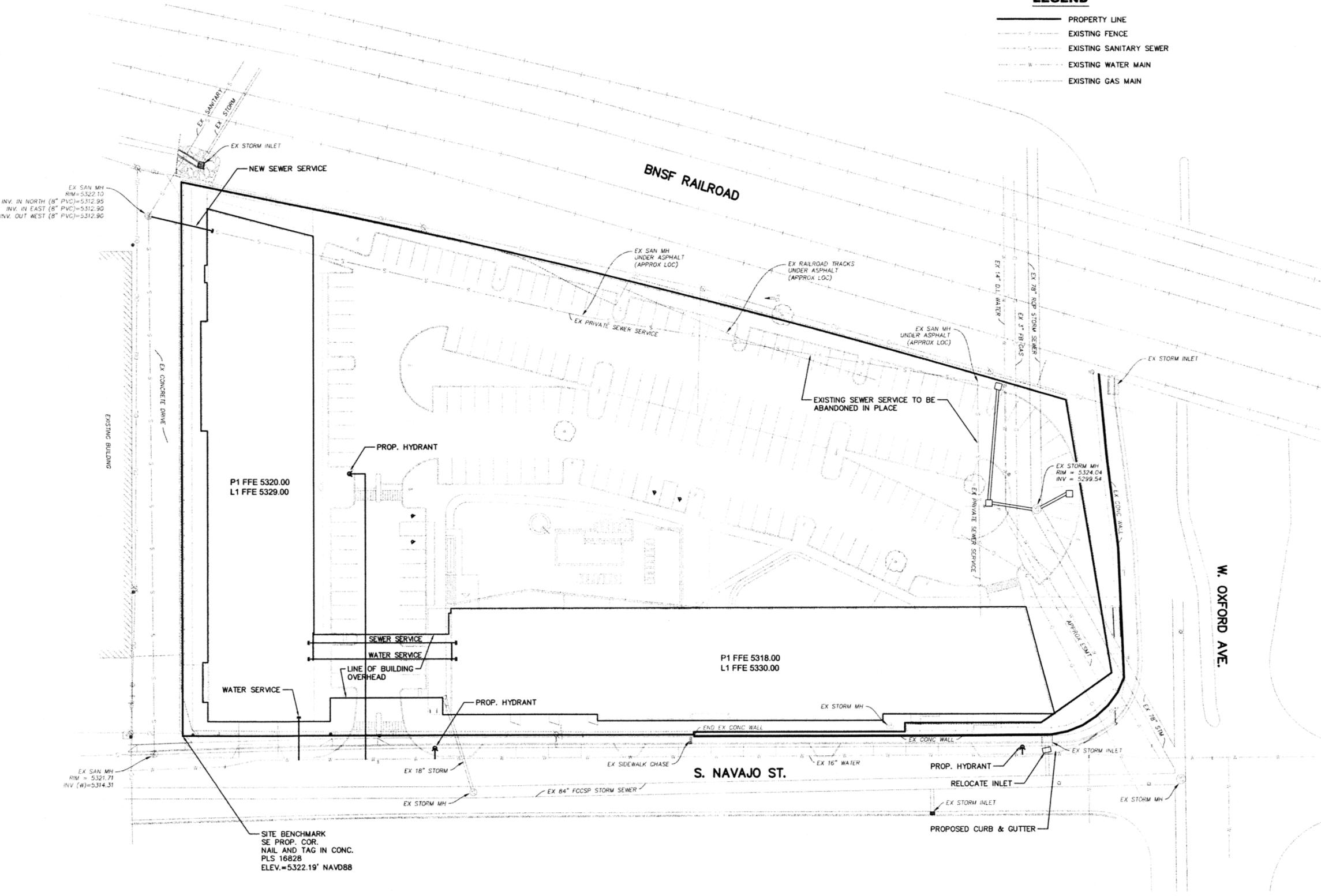
**HUMPHRIES  
 POLI  
 ARCHITECTS**

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**UTILITY PLAN**

PUD SUBMITTAL 7/27/2012

SHEET NO:  
 3 of 8



SITE BENCHMARK  
 SE PROP. COR.  
 NAIL AND TAG IN CONC.  
 PLS 16828  
 ELEV.=5322.19' NAVD88

12/17/12 9:57 AM

# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS

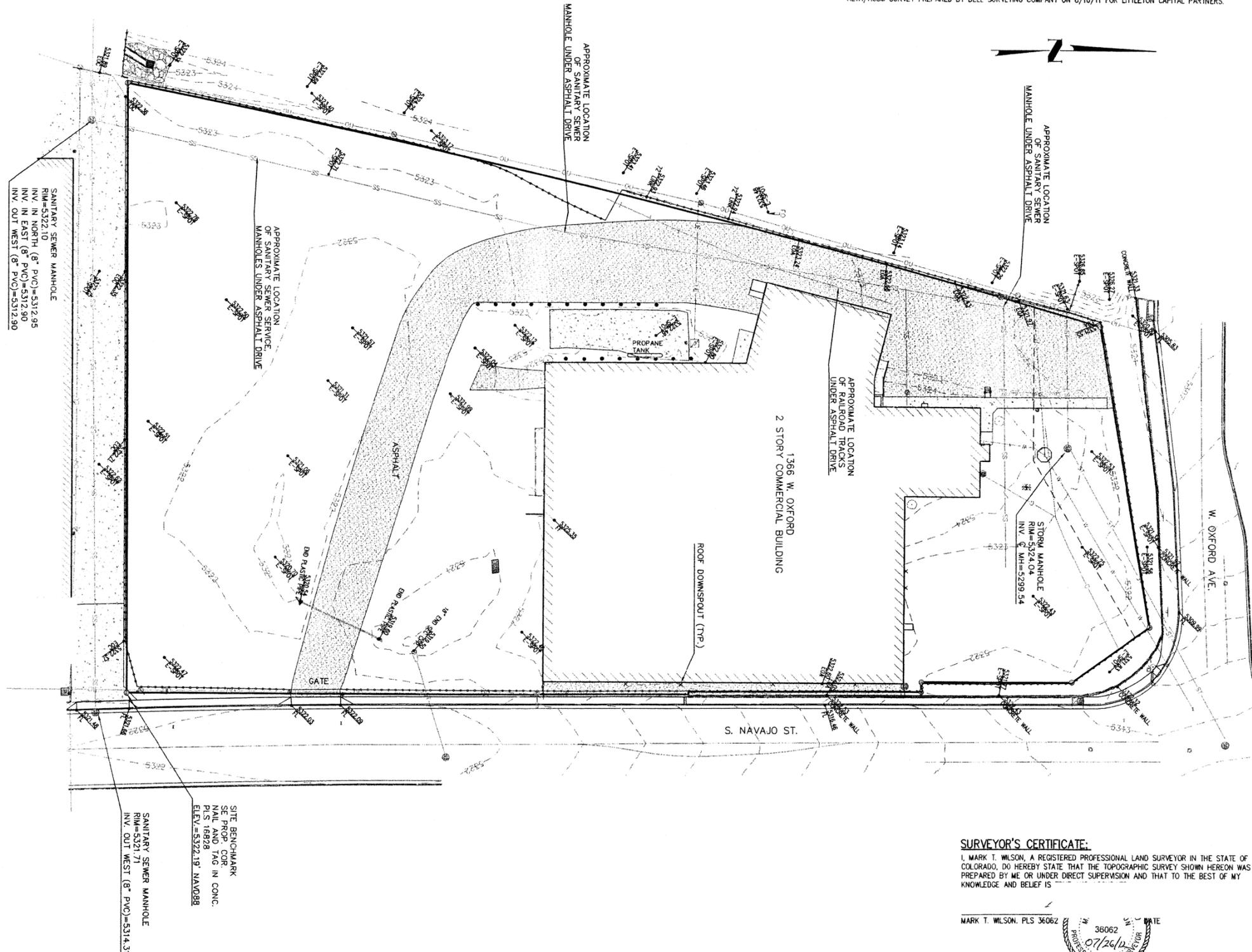
## PUD SITE PLAN

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO

**NOTES:**

1. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HARRIS KOCHER SMITH TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. MATTERS REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, WERE NOT ADDRESSED BY THIS SURVEY.
2. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3. UTILITIES SHOWN HEREON ARE FROM VISIBLE FIELD INFORMATION ONLY.
4. BENCHMARK: SITE BENCHMARK IS A 1" BRASS TAG PLS 16828 LOCATED AT THE SOUTHEAST CORNER OF THE SITE, NAVD 88 ELEVATION= 5322.19'. ELEVATION WAS DETERMINED BY GPS OBSERVATION FROM NGS CONTROL POINT "W 409" USING GEOID 09 ON MARCH 02, 2012.
5. THE UNITS FOR THIS SURVEY ARE U.S. SURVEY FEET.
6. THIS SURVEY IS NOT A MONUMENTED LAND SURVEY PLAT, THE PARCEL BOUNDARY SHOWN HEREON IS BASED ON THE ALTA/ACSM SURVEY PREPARED BY BELL SURVEYING COMPANY ON 8/10/11 FOR LITTLETON CAPITAL PARTNERS.

OXFORD STATION  
TOD  
LITTLETON CAPITAL  
PARTNERS  
PUD SITE PLAN



**LEGEND:**

- PROPERTY CORNER
- ⊙ SANITARY MANHOLE
- ⊙ STORM MANHOLE
- ⊙ STORM SEWER INLETS
- WATER VALVE
- LIGHT POLE
- SIGN
- ⊙ TRAFFIC CONTROL BOX
- TRAFFIC SIGNAL
- ⊙ ELECTRIC TRANSFORMER
- CONCRETE BASE
- ⊙ ELECTRIC OUTLET
- ⊙ IRRIGATION CONTROL VALVE
- GUARD POST
- UTILITY POLE
- DECIDUOUS TREE
- ⊙ CLEANOUT
- ⊙ PHONE PEDESTAL
- WATER LINE VENT
- POWER POLE DOWN GUY
- OVERHEAD UTILITY
- UNDERGROUND GAS LINE
- SANITARY SEWER LINE
- STORM SEWER LINE
- WATER LINE
- UNDERGROUND ELECTRIC LINE

SANITARY SEWER MANHOLE  
RIM=5322.10  
INV. IN NORTH (8" PVC)=5312.95  
INV. IN EAST (8" PVC)=5312.90  
INV. OUT WEST (8" PVC)=5312.90

SITE BENCHMARK  
SE PROP. COR  
NAIL AND TAG IN CONC.  
PLS 16828  
ELEV.=5322.19' NAVD88

SANITARY SEWER MANHOLE  
RIM=5321.71  
INV. OUT WEST (8" PVC)=5314.31

# HUMPHRIES POLI ARCHITECTS

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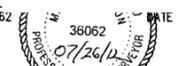
**TOPO SURVEY**

PUD SUBMITTAL 7/27/2012

**SURVEYOR'S CERTIFICATE:**

I, MARK T. WILSON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE TOPOGRAPHIC SURVEY SHOWN HEREON WAS PREPARED BY ME OR UNDER DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF IS

MARK T. WILSON, PLS 36062



SHEET NO:  
**4 of 8**

CASE NO: 2012-005

# OXFORD STATION T.O.D. LITTLETON CAPITAL PARTNERS PLANNED UNIT DEVELOPMENT

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO

OXFORD STATION  
T.O.D.

LITTLETON CAPITAL  
PARTNERS

PLANNED UNIT  
DEVELOPMENT



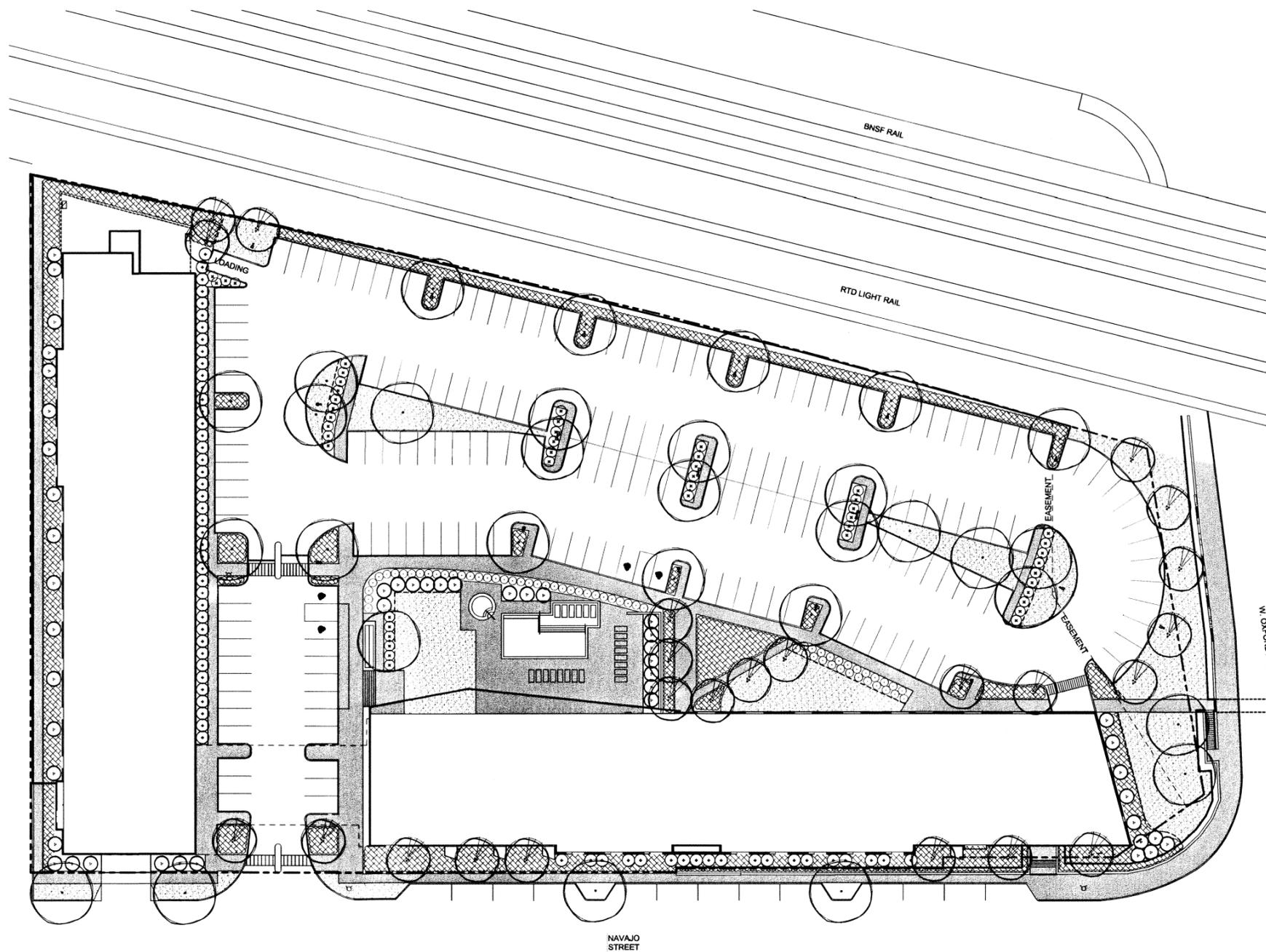
## HUMPHRIES POLI ARCHITECTS

All reports, plans, specifications, computer files, field data, notes and other documents and instruments prepared by the Architect as instruments of service shall remain the property of the Architect. The Architect shall retain all common law, statutory and other reserved rights, including copyright thereto.

Landscape  
Plan

PUD SUBMITTAL 7/27/2012

SHEET NO:  
**5 OF 8**



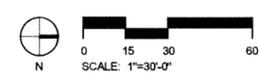
### LEGEND

SYMBOL	DESCRIPTION
(Large circle)	SHADE TREES
(Small circle)	ORNAMENTAL TREES
(Group of small circles)	SHRUBS
(Stippled pattern)	LAWN
(Cross-hatched pattern)	GROUNDCOVERS / PERENNIALS / MULCH
(Solid black)	SIDEWALK

### LANDSCAPE CALCULATIONS

SITE AREAS AND DESIGNATIONS			
ZONE DISTRICT	PUD	UNIT	
SITE AREA	151,352	SQ. FEET	
STREET FRONTAGE	750	LIN. FEET	
AREA OF PARKING	27,248	SQ. FEET	
REQUIRED LANDSCAPE CALCULATIONS-OVERALL			
	REQUIRED	UNIT	PROVIDED
LANDSCAPE AREA (10%)	15,135	SQ. FT.	31,834
MAXIMUM NON-LIVING LANDSCAPE AREA (30%)	4540.50	SQ. FT.	10%
REQUIRED LANDSCAPE MATERIAL			
	REQUIRED	UNIT	PROVIDED
TREES (1/450 SQ. FT. OF P.L.A.)	34	EA	57
SHRUBS (1/50 SQ. FT. OF P.L.A.)	303	EA	411*
MINIMUM QTY OF TREES BETWEEN PRINCIPAL STRUCTURE AND CURB (1/50 L.F.)	15	EA	15
MINIMUM QTY OF SHRUBS BETWEEN PRINCIPAL STRUCTURE AND CURB (0 REQUIRED)	0	EA	NA
PARKING LOT LANDSCAPING			
	REQUIRED	UNIT	PROVIDED
INTERNAL PARKING LOT LANDSCAPING (10%)	2724.8	SQ. FT.	6,212
PERIMETER LINEAL FEET TO BE SCREENED	0	LIN. FT.	0

1 LANDSCAPE PLAN

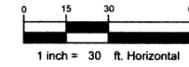


CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
1-800-922-1987  
IN METRO DENVER  
CALL 2 BUSINESS DAYS IN ADVANCE  
BEFORE YOU DIG, GRADE, OR EXCAVATE  
FOR THE MARKING OF UNDERGROUND  
MEMBER UTILITIES.

# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS

PUD SITE PLAN

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO



## LEGEND

- PROPERTY LINE
- EXISTING FENCE
- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING GAS MAIN
- PROPOSED CONTOUR
- EXISTING CONTOUR
- PROPOSED SLOPE/FLOW ARROW
- DIRECTION OF GROUND SLOPE
- WALL
- EX CURB FL SPOT ELEV
- EX FINISHED GROUND SPOT ELEV
- PROP CURB FL SPOT ELEV
- PROP FINISHED GROUND ELEV
- PROP TOP OF WALL ELEV
- PROP BOT OF WALL ELEV
- NUMBER OF STEPS IN DOWNWARD DIRECTION

OXFORD STATION  
TOD

LITTLETON CAPITAL  
PARTNERS

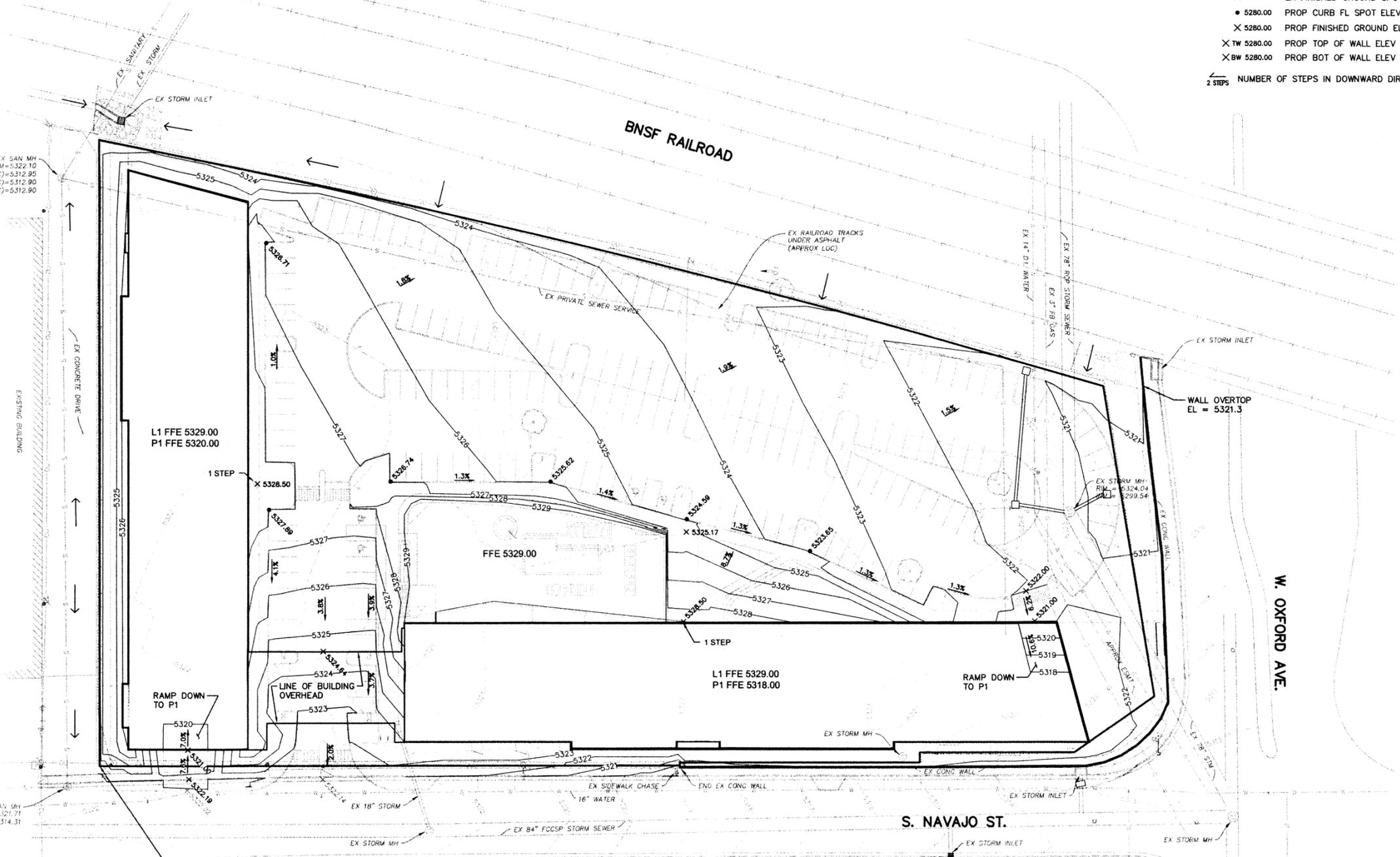
PUD SITE PLAN



EX SAN MH  
RIM = 5322.10  
INV. IN NORTH (8" PVC) = 5312.95  
INV. IN EAST (8" PVC) = 5312.90  
INV. OUT WEST (8" PVC) = 5312.90

EX SAN MH  
RIM = 5321.71  
INV. (W) = 5314.31

SITE BENCHMARK  
SE PROP. COR.  
NAIL AND TAG IN CONC.  
PLS 16828  
ELEV. = 5322.19' NAVD88



# HUMPHRIES POLI ARCHITECTS

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GRADING &  
DRAINAGE PLAN

PUD SUBMITTAL 7/27/2012

SHEET NO:  
6 of 8

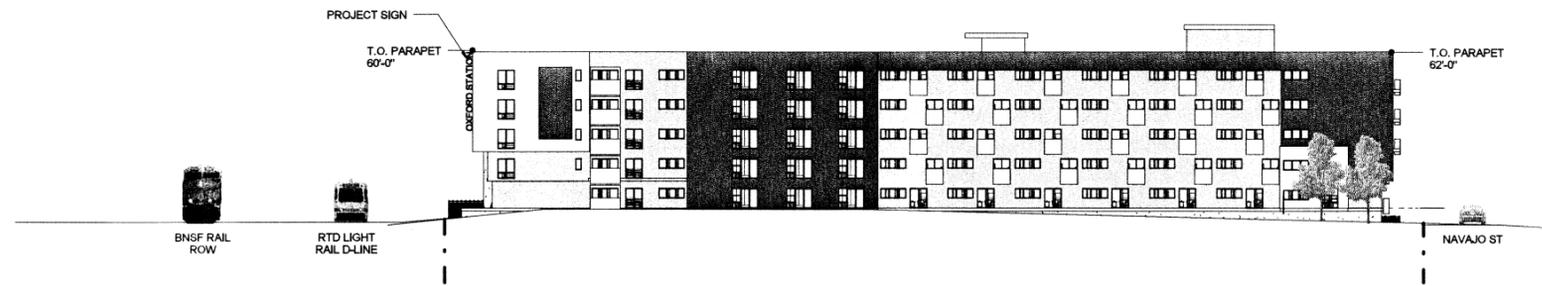
CASE NO: 2012-005

# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS

## PUD SITE PLAN

SITUATED IN THE SOUTHEAST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO

OXFORD STATION  
TOD  
LITTLETON CAPITAL  
PARTNERS  
PUD SITE PLAN

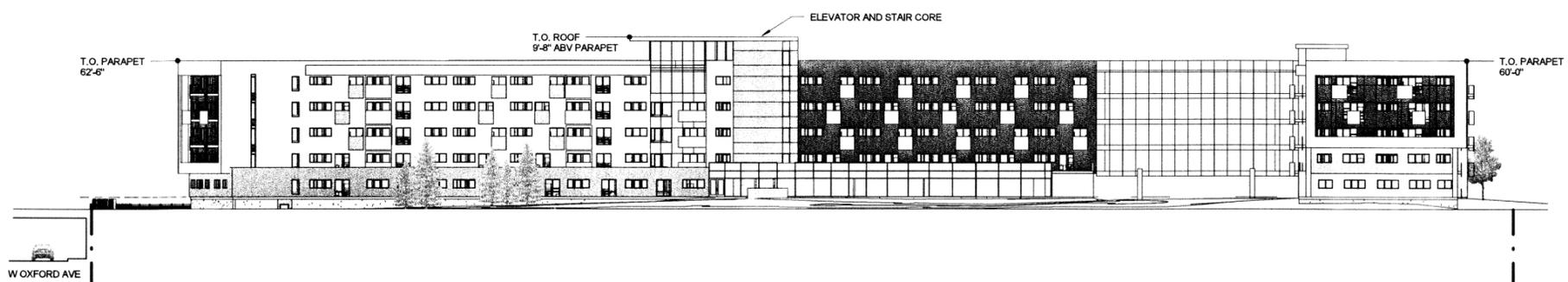


BUILDING PARAPET HEIGHTS MEASURED PER UDC DEFINITION.  
Building or structure height is the vertical distance of a building or structure, as measured from the average elevation of the finished grade at the corners of the building or structure base, to the highest point of the building or structure.

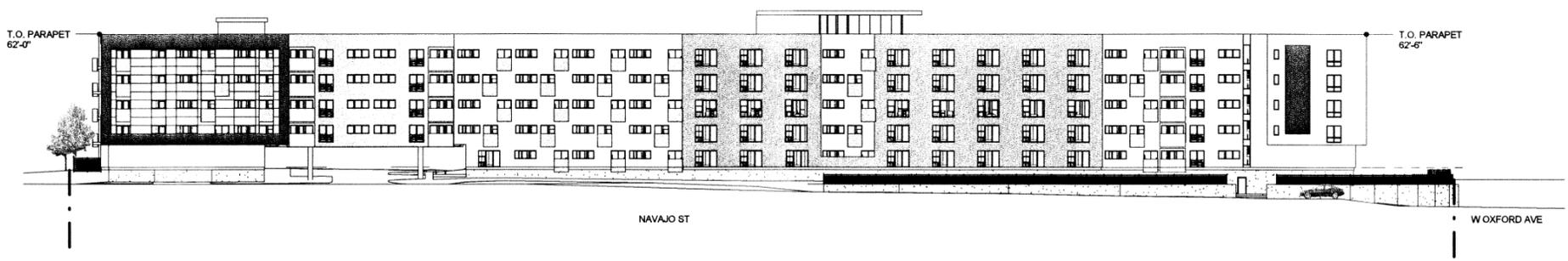
4 South Elevation  
1" = 30'-0"



3 North Elevation  
1" = 30'-0"



2 West Elevation  
1" = 30'-0"



1 East Elevation  
1" = 30'-0"



# HUMPHRIES POLI ARCHITECTS

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### ELEVATIONS

PUD SUBMITTAL 7/27/2012

SHEET NO:  
7 of 8

CASE NO: 2012-005

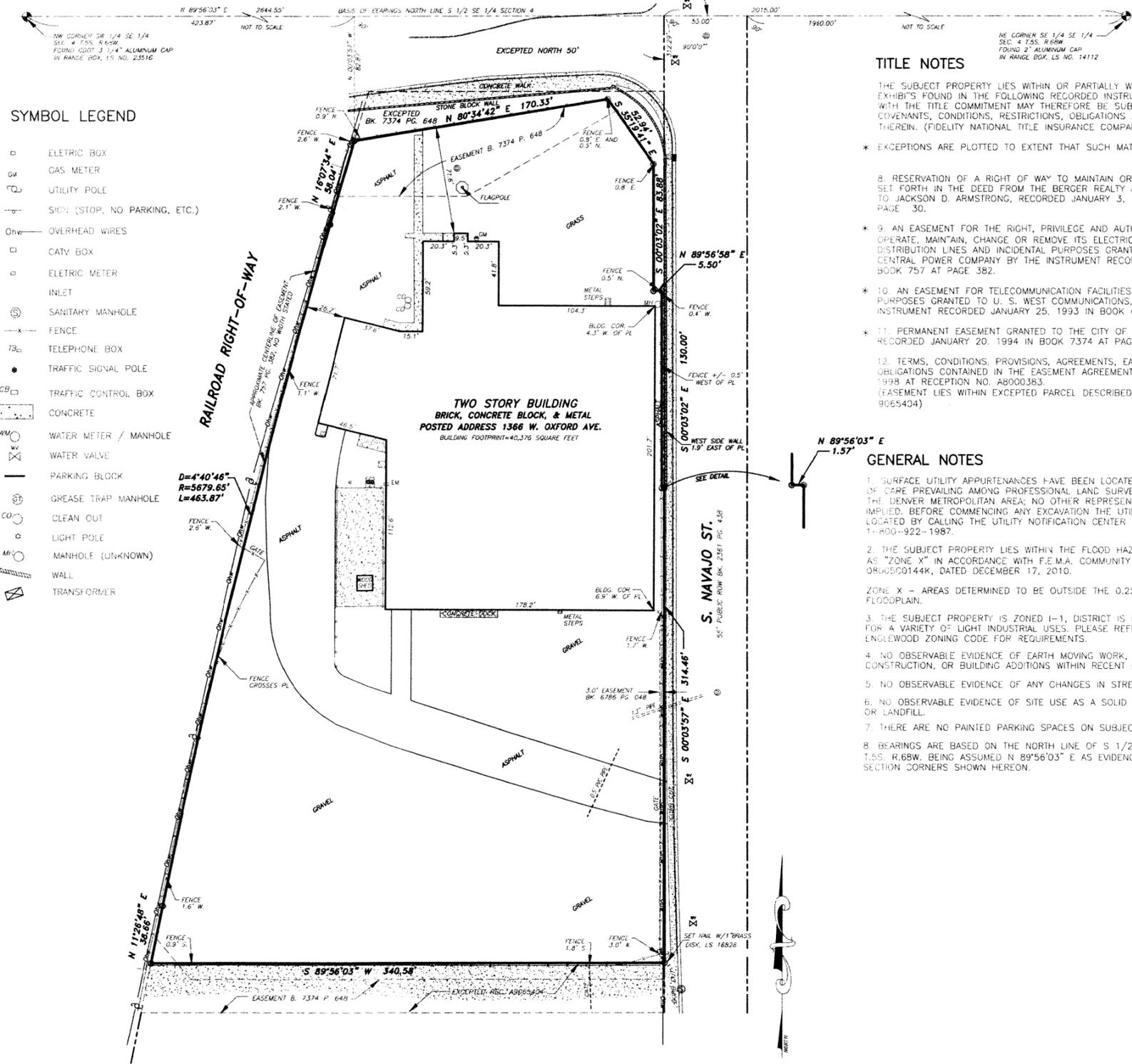
DATE: 07-27-12 10:54 AM

# OXFORD STATION TOD LITTLETON CAPITAL PARTNERS

## PUD SITE PLAN

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 04, TOWNSHIP 05 SOUTH, RANGE 68 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO

W. OXFORD AVE.  
PUBLIC ROW - WIDTH VARIES



### SYMBOL LEGEND

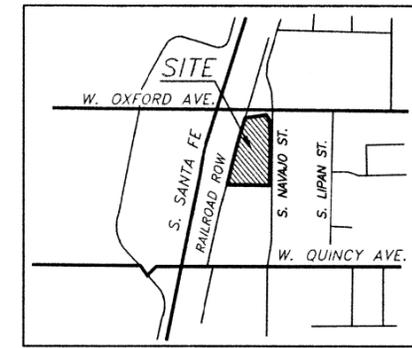
- ELECTRIC BOX
- ⊕ GAS METER
- ⊕ UTILITY POLE
- ⊕ SIGN (STOP, NO PARKING, ETC.)
- ⊕ OVERHEAD WIRES
- CATV BOX
- ELECTRIC METER
- INLET
- ⊕ SANITARY MANHOLE
- ⊕ FENCE
- ⊕ TELEPHONE BOX
- ⊕ TRAFFIC SIGNAL POLE
- ⊕ TRAFFIC CONTROL BOX
- ⊕ CONCRETE
- ⊕ WATER METER / MANHOLE
- ⊕ WATER VALVE
- ⊕ PARKING BLOCK
- ⊕ GREASE TRAP MANHOLE
- ⊕ CLEAN OUT
- ⊕ LIGHT POLE
- ⊕ MANHOLE (UNKNOWN)
- ⊕ WALL
- ⊕ TRANSFORMER

### TITLE NOTES

- THE SUBJECT PROPERTY LIES WITHIN OR PARTIALLY WITHIN THE LEGAL DESCRIPTION OR EXHIBITS FOUND IN THE FOLLOWING RECORDED INSTRUMENTS AND IN ACCORDANCE WITH THE TITLE COMMITMENT MAY THEREFORE BE SUBJECT TO THE TERMS, PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, OBLIGATIONS AND RESERVATIONS CONTAINED THEREIN. (FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. F230956)
- \* EXCEPTIONS ARE PLOTTED TO EXTENT THAT SUCH MATTERS MAY BE PLOTTED.
  - 8. RESERVATION OF A RIGHT OF WAY TO MAINTAIN OR CONSTRUCT DITCHES, AS SET FORTH IN THE DEED FROM THE BERGER REALTY AND SECURITIES COMPANY TO JACKSON D. ARMSTRONG, RECORDED JANUARY 3, 1919 IN BOOK 113 AT PAGE 30.
  - \* 9. AN EASEMENT FOR THE RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, OPERATE, MAINTAIN, CHANGE OR REMOVE ITS ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINES AND INCIDENTAL PURPOSES GRANTED TO COLORADO CENTRAL POWER COMPANY BY THE INSTRUMENT RECORDED MAY 15, 1952 IN BOOK 757 AT PAGE 382.
  - \* 10. AN EASEMENT FOR TELECOMMUNICATION FACILITIES AND INCIDENTAL PURPOSES GRANTED TO U.S. WEST COMMUNICATIONS, INC. BY THE INSTRUMENT RECORDED JANUARY 25, 1993 IN BOOK 6786 AT PAGE 48.
  - \* 11. PERMANENT EASEMENT GRANTED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 20, 1994 IN BOOK 7374 AT PAGE 648.
  - 12. TERMS, CONDITIONS, PROVISIONS, AGREEMENTS, EASEMENTS AND OBLIGATIONS CONTAINED IN THE EASEMENT AGREEMENT RECORDED JANUARY 20, 1998 AT RECEPTION NO. A8000383. (EASEMENT LIES WITHIN EXCEPTED PARCEL DESCRIBED IN RECEPTION NO. A 9065404)

### GENERAL NOTES

1. SURFACE UTILITY APPURTENANCES HAVE BEEN LOCATED USING THE STANDARD OF CARE PREVAILING AMONG PROFESSIONAL LAND SURVEYORS PRACTICING IN THE DENVER METROPOLITAN AREA; NO OTHER REPRESENTATIONS ARE MADE OR IMPLIED. BEFORE COMMENCING ANY EXCAVATION THE UTILITIES SHOULD BE FIELD LOCATED BY CALLING THE UTILITY NOTIFICATION CENTER OF COLORADO AT 1-800-922-1987.
2. THE SUBJECT PROPERTY LIES WITHIN THE FLOOD HAZARD AREA DESIGNATED AS "ZONE X" IN ACCORDANCE WITH F.E.M.A. COMMUNITY PANEL NO. 0806500144K, DATED DECEMBER 17, 2010.  
ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
3. THE SUBJECT PROPERTY IS ZONED I-1, DISTRICT IS INTENDED TO PROVIDE FOR A VARIETY OF LIGHT INDUSTRIAL USES. PLEASE REFER TO CITY OF ENGLEWOOD ZONING CODE FOR REQUIREMENTS.
4. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
5. NO OBSERVABLE EVIDENCE OF ANY CHANGES IN STREET R.O.W. LINES.
6. NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR LANDFILL.
7. THERE ARE NO PAINTED PARKING SPACES ON SUBJECT PROPERTY
8. BEARINGS ARE BASED ON THE NORTH LINE OF S 1/2 SE 1/4, SECTION 4 T.5S. R.68W. BEING ASSUMED N 89°56'03" E AS EVIDENCED BY THE FOUND SECTION CORNERS SHOWN HEREON.



### PARCEL DESCRIPTION

THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE OF SOUTH 1/2 OF SOUTHWEST 1/4 OF SAID SECTION 4, WHICH POINT IS DISTANT 2,015 FEET WEST FROM THE NORTHEAST CORNER OF SAID SOUTH 1/2 SOUTHWEST 1/4 OF SAID SECTION 4; THENCE WEST ALONG SAID BOUNDARY LINE TO THE INTERSECTION THEREOF WITH THE EASTERN BOUNDARY OF RIGHT OF WAY OF ATCHISON, TOPEKA AND SANTA FE RAILROAD; THENCE SOUTHWESTERLY ALONG THE EASTERLY LINE OF SAID RAILROAD RIGHT OF WAY TO A POINT WHICH IS 659.5 FEET SOUTH OF THE NORTH LINE OF SAID SOUTH 1/2 SOUTHWEST 1/4 OF SAID SECTION 4; THENCE EAST PARALLEL WITH AND 659.5 FEET SOUTH OF THE NORTH LINE OF SAID SOUTH 1/2 SOUTHWEST 1/4 TO A POINT WHICH IS 2,015 FEET (MEASURED 2011.33 FEET) WEST FROM EAST LINE OF SAID SOUTH 1/2 SOUTHWEST 1/4; THENCE NORTH AT RIGHT ANGLES TO SAID LAST COURSE 659.5 FEET TO THE PLACE OF BEGINNING, EXCEPT THE NORTH 50 FEET THEREOF.

EXCEPT THAT PORTION CONVEYED TO THE CITY OF ENGLEWOOD IN DEED RECORDED JANUARY 20, 1994 IN BOOK 7374 AT PAGE 648 AND EXCEPT THAT PORTION CONVEYED TO BRUCE ELSEY IN DEED RECORDED APRIL 21, 1999 AT RECEPTION NO. A9685404.

COUNTY OF ARAPAHOE, STATE OF COLORADO.  
CONTAINING 152,624 SQUARE FEET OR 3.504 ACRES MORE OR LESS

### SURVEYOR'S CERTIFICATION

TO: LITTLETON CAPITAL PARTNERS, A COLORADO LIMITED LIABILITY COMPANY, AND FIDELITY NATIONAL TITLE INSURANCE COMPANY;  
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1-4, 6(a), 7(a,b), 8, 9, 11(a), AND 16-18 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 10, 2011.  
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.  
NOTICE: THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY BELL SURVEYING COMPANY TO DETERMINE THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY OR TITLE OF RECORD, BELL SURVEYING COMPANY RELIED UPON TITLE COMMITMENT NO. F230956 PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY.  
CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL SURVEYOR IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE THE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESSED OR IMPLIED. THIS CERTIFICATION DOES NOT ADDRESS ZONING COMPLIANCE.

DEAN O. DANIELSON  
DATE OF SURVEY: 8/10/11  
STATE OF COLORADO

<b>ALTA/ACSM LAND TITLE SURVEY</b>		
ORDERED BY: UNITED INDUSTRIAL DEVELOPMENT CORP. C/O THE NESBITT GROUP, LLC 200 W. PLAZA DR., #200, HIGHLANDS RANCH, CO. 80129	REVISION: 3/14/12	DRAWN: DD
<b>BELL SURVEYING COMPANY</b> 500 KALAMATH STREET DENVER, COLORADO 80204 303-629-0166 WWW.BELLSURVEYING.COM	SCALE: 1"=40'	DATE: 8/10/11
		DRAWING NO.: 1108-103

OXFORD STATION  
TOD  
LITTLETON CAPITAL  
PARTNERS  
PUD SITE PLAN



**HUMPHRIES POLI ARCHITECTS**  
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### ALTA SURVEY

PUD SUBMITTAL 7/27/2012

SHEET NO:  
8 of 8

CASE NO: 2012-005

COUNTY SURVEYOR'S CERTIFICATE  
DEPOSITED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
AT \_\_\_\_ M., IN BOOK \_\_\_\_\_ OF THE COUNTY  
SURVEYOR'S LAND SURVEY/RIGHT OF WAY SURVEYS AT  
PAGE \_\_\_\_\_, RECEPTION NUMBER \_\_\_\_\_



( IN FEET )  
1 inch = 40 ft.  
○ SET 5/8" FROM BAR W/RED PLASTIC CAP, LS 16828 (UNLESS NOTED)

## COUNCIL COMMUNICATION

<b>Date</b>	<b>Agenda Item</b>	<b>Subject</b>
October 1, 2012	11 c i	Resolution approving a FASTER transit grant application to the Colorado Department of Transportation for a pedestrian bridge at the Oxford Light Rail Station
<b>INITIATED BY</b> City Manager's Office		<b>STAFF SOURCE</b> Michael Flaherty, Deputy City Manager

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council has conducted first reading and a public hearing on the proposed Oxford Station TOD development. During the Study Session on September 24, Council asked staff to proceed with pursuing grant funding for a potential pedestrian bridge at this location.

### RECOMMENDED ACTION

Staff recommends approval of this resolution authorizing a grant application for Colorado Department of Transportation 2014-2015 FASTER transit funding.

### BACKGROUND

Littleton Capital Partners has a proposal on the table to develop the former Martin Plastics (Oxford Station) property located on the southwest corner of West Oxford Avenue and South Navajo Street into a residential use transit-oriented development.

City Council has conducted first reading and a public hearing on the proposed Oxford Station TOD development. Of primary concern is pedestrian access to the Oxford Light Rail Station from the proposed development. The traffic study for the development recognizes that as a long-term solution, a grade-separated (bridge) crossing over Oxford would benefit existing pedestrian traffic as well as the tenants of the new development and potential future development south of Oxford.

In a recent meeting with Littleton Capital Partners and representatives of RTD, staff learned that applications are now being accepted by the Colorado Department of Transportation for 2014-15 FASTER transit funds. The FASTER transit grants are available for transit facilities and equipment with a minimum cost of \$100,000.

Staff has prepared a grant application for the Oxford pedestrian bridge in cooperation with RTD, which will also provide a letter of support. Cost for preliminary engineering services needed for the grant application will be covered from an existing Public Improvement Fund.

### FINANCIAL IMPACT

The grant, if awarded, requires a 20% local match. The total amount of the match will be in the range of \$300,000-\$400,000. Funding will not be required prior to 2014. The primary source of the City's match will be the City's Public Improvement Fund. However, some of the cost may be offset through development fees and/or participation of RTD.

### LIST OF ATTACHMENTS

Proposed resolution

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2012

A RESOLUTION APPROVING A GRANT APPLICATION TO THE COLORADO  
DEPARTMENT OF TRANSPORTATION 2014-2015 FASTER TRANSIT FOR A  
PEDESTRIAN BRIDGE AT THE OXFORD LIGHT RAIL STATION.

WHEREAS, Littleton Capital Partners (LCP) submitted a proposed development at Martin  
Plastics site, one of the primary concerns is pedestrian access to the Oxford Light Rail Station for  
the proposed development; and

WHEREAS, a traffic study for the development recognizes that as a long-term solution, a  
grade-separated (bridge) crossing over Oxford would benefit existing pedestrian traffic as well as  
the tenants of the new development and potential future development south of Oxford; and

WHEREAS, the Englewood City Council passed C.B. 47, Series of 2012 on first reading on  
September 4, 2012 and held a Public Hearing on September 17, 2012 pertaining to the Oxford  
Station TOD Planned Unit Development at this site; and

WHEREAS, in a recent meeting with the developers of the Oxford Station TOD and  
representatives of RTD, the City learned that applications are now being accepted by the  
Colorado Department of Transportation for 2014-15 FASTER transit funds and are available for  
transit facilities and equipment with a minimum cost of \$100,000; and

WHEREAS, the City of Englewood has prepared a grant application for the Oxford pedestrian  
bridge in cooperation with RTD, which will also provide a letter of support; and

WHEREAS, if the grant is awarded it requires a 20% match which will be in the range of  
\$300,000 - \$400,000 with funding not required prior to 2014;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1 The City Council of the City of Englewood hereby approves a Grant Application to  
the Colorado Department of Transportation 2014-2015 FASTER Transit for a pedestrian bridge at  
the Oxford Light Rail Station.

Section 2. The City Council hereby authorizes the Mayor to sign the grant application.

ADOPTED AND APPROVED this 1st day of October, 2012.

ATTEST:

\_\_\_\_\_  
Randy P. Penn, Mayor

\_\_\_\_\_  
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. \_\_\_\_\_, Series of 2012.

---

Loucrishia A. Ellis, City Clerk

**COUNCIL COMMUNICATION**

<b>Date:</b> <p align="center">October 1, 2012</p>	<b>Agenda Item:</b> <p align="center">11 c ii</p>	<b>Subject:</b> <p align="center">Resolution Transferring Funds from the Public Improvement Fund to the General Fund for Energy Conservation Measures</p>
<b>Initiated By:</b> <p align="center">Finance and Administrative Services</p>		<b>Staff Source:</b> <p align="center">Frank Gryglewicz, Director</p>

**COUNCIL GOAL AND PREVIOUS COUNCIL ACTION**

City Council has discussed the City's energy conservation measures on numerous occasions. The proposed action was not discussed with Council but was a result of internal discussions assigning the cost of certain improvements to Broken Tee Golf Course which was budgeted for in the Public Improvement Fund.

**RECOMMENDED ACTION**

Staff recommends Council approve this transfer of \$48,778 from the Public Improvement Fund to the General Fund.

**BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED**

In 2010 the City began work with AMERESCO to make energy efficiency improvements to various City facilities including Broken Tee Golf Course. An internal agreement was made to reimburse the General Fund for improvements made for the direct benefit of Broken Tee Golf Course, including EMS controls for night setback, water conservation, lighting, and lighting control. The cost of the improvements was \$48,778.

**SOURCES AND USES OF FUNDS:**

**PUBLIC IMPROVEMENT FUND:**

**SOURCE OF FUNDS:**

Unassigned Fund Balance	\$48,778
-------------------------	----------

**USE OF FUNDS:**

Transfer out to the General Fund	\$48,778
----------------------------------	----------

**GENERAL FUND:**

**SOURCE OF FUNDS:**

Transfer in from the Public Improvement Fund	\$48,778
--	----------

**USE OF FUNDS:**

Unassigned Fund Balance	\$48,778
-------------------------	----------

**FINANCIAL IMPACT**

This action will reduce the Public Improvement Fund's Unassigned Fund by \$48,778 and increase the General Fund's Unassigned Fund Balance by \$48,778.

**LIST OF ATTACHMENTS**

Proposed Resolution

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2012

A RESOLUTION TRANSFERRING FUNDS FROM THE PUBLIC IMPROVEMENT FUND  
TO THE GENERAL FUND FOR ENERGY CONSERVATION MEASURES.

WHEREAS, in 2010 the City began work with AMERSCO to make energy efficiency  
improvements to various City facilities including Broken Tee Golf Course; and

WHEREAS, an internal agreement was made to reimburse the General Fund for  
improvements made for the direct benefit of Broken Tee Golf Course, including EMS controls for  
night setback, water conservation, lighting, and lighting control; and

WHEREAS, the Englewood City Council discussed the City's energy conservation measures  
on numerous occasions;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
ENGLEWOOD, COLORADO, THAT:

Section 1. The City Council of the City of Englewood, Colorado supports the transfer of  
funds from the Public Improvement Fund to the General Fund, as follows:

**PUBLIC IMPROVEMENT FUND**

**SOURCE OF FUNDS:**

Unassigned Fund Balance \$ 48,778

**USE OF FUNDS:**

Transfer out to the General Fund \$ 48,778

**GENERAL FUND**

**SOURCE OF FUNDS:**

Transfer in from the Public Improvement Fund \$ 48,778

**USE OF FUNDS:**

Unassigned Fund Balance \$ 48,778

Section 2. The City Manager and the Director of Finance and Administrative Services are  
hereby authorized to make the above changes to the 2012 Budget for the City of Englewood.

ADOPTED AND APPROVED this 1st day of October, 2012.

ATTEST:

\_\_\_\_\_  
Randy P. Penn, Mayor

\_\_\_\_\_  
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. \_\_\_\_\_, Series of 2012.

---

Loucrishia A. Ellis, City Clerk

**COUNCIL COMMUNICATION**

<b>Date:</b>  October 1, 2012	<b>Agenda Item:</b>  11 c iii	<b>Subject:</b>  Resolution Transferring Funds from the Public Improvement Fund (PIF) to the General Fund
<b>Initiated By:</b>  Finance and Administrative Services		<b>Staff Source:</b>  Frank Gryglewicz, Director

**COUNCIL GOAL AND PREVIOUS COUNCIL ACTION**

On March 5, 2012, City Council approved Resolution 46, transferring \$334,000 from the General Fund to the Public Improvement Fund for paving projects. The \$100,000 represents the excess funds Public Works Department needed for paving projects in 2012. At the August 13, 2012 Study Session, City Council discussed and directed staff to prepare a resolution transferring \$100,000 of unused paving project funds from the Public Improvement Fund back to the General Fund

**RECOMMENDED ACTION**

Staff recommends Council approve this transfer of \$100,000 of unused paving project funds from the Public Improvement Fund to the General Fund.

**BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED**

In early 2012, City Council discussed 2012 paving projects and directed staff to prepare a transfer of \$334,000 from the General Fund to the PIF to fund paving projects. Public Works determined \$234,000 of these funds would be needed to complete paving projects in 2012 leaving \$100,000 unused and available for transfer back to the General Fund. During 2013 budget discussions with staff, \$100,000 of unused paving project funds were identified as a potential transfer to the General Fund to help increase the unassigned fund balance. The transfer was discussed with Council at the August 13 2012 Study Session. City Council directed staff to take the necessary actions to present a resolution for Council's consideration at an upcoming regular City Council meeting.

**SOURCES AND USES OF FUNDS:**

**PUBLIC IMPROVEMENT FUND:**

**SOURCE OF FUNDS:**

Unassigned Fund Balance	\$100,000
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**USE OF FUNDS:**

Transfer out to the General Fund	\$100,000
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**GENERAL FUND:**

**SOURCE OF FUNDS:**

Transfer in from the Public Improvement Fund	\$100,000
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**USE OF FUNDS:**

Unassigned Fund Balance	\$100,000
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**FINANCIAL IMPACT**

This action will reduce the PIF's Unassigned Fund Balance by \$100,000 and increase the General Fund's Unassigned Fund Balance by \$100,000.

**LIST OF ATTACHMENTS**

Proposed Resolution

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2012

A RESOLUTION TRANSFERRING FUNDS FROM THE PUBLIC IMPROVEMENT FUND (PIF) TO THE GENERAL FUND.

WHEREAS, the Englewood City Council approved Resolution No. 43, Series of 2012 transferring \$334,000 from the General Fund to the Public Improvement Fund for paving projects; and

WHEREAS, the Public Works Department determined only \$234,000 would be needed for paving projects in 2012 leaving \$100,000 unused and available for other uses; and

WHEREAS, during 2013 budget discussions, the \$100,000 in unused paving projects funds were identified as a potential transfer to increase the General Fund Unassigned Fund Balance; and

WHEREAS, the Englewood City Council discussed the transfer of \$100,000 from the Public Improvement Fund to the General Fund at the August 13, 2012 Study Session; and

WHEREAS, the Englewood City Council directed staff to prepare a resolution transferring \$100,000 from the Public Improvement Fund to the General Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, THAT:

Section 1. The City Council of the City of Englewood, Colorado supports the transfer of funds from the Public Improvement Fund to the General Fund, as follows:

**PUBLIC IMPROVEMENT FUND**

**SOURCE OF FUNDS:**

Unassigned Fund Balance \$100,000

**USE OF FUNDS:**

Transfer out to the General Fund \$100,000

**GENERAL FUND**

**SOURCE OF FUNDS:**

Transfer in from the Public Improvement Fund \$100,000

**USE OF FUNDS:**

Unassigned Fund Balance \$100,000

Section 2. The City Manager and the Director of Finance and Administrative Services are hereby authorized to make the above changes to the 2012 Budget for the City of Englewood.

ADOPTED AND APPROVED this 1st day of October, 2012.

ATTEST:

---

Randy P. Penn, Mayor

---

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. \_\_\_\_\_, Series of 2012.

---

Loucrishia A. Ellis, City Clerk

## COUNCIL COMMUNICATION

<b>Date</b> October 1, 2012	<b>Agenda Item</b> 11 c iv	<b>Subject</b> Allen Plant Ultraviolet System Construction
<b>INITIATED BY</b> Utilities Department	<b>STAFF SOURCE</b> Stewart H. Fonda, Director of Utilities	

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

April 19, 2010 City Council approved the contract for engineering and pilot testing to Camp, Dresser & McKee, Ramey Environmental Compliance and NEI (CDM/REC/NEI) for ultraviolet (UV) system design and softening feasibility study in the amount of \$453,264.00.

June 18, 2012 Council approved an Amendment #3 for additional engineering and design services to Camp, Dresser & McKee in the amount of \$53,240.00 for design of electrical upgrades to the plant load center.

June 18, 2012 Council approved Amendment #4 for additional engineering and construction management services to Camp, Dresser & McKee in the amount of \$272,814.00 for construction management services.

### RECOMMENDED ACTION

The Englewood Water and Sewer Board, at their September 12, 2012 meeting, recommended Council approval, by motion, to award the bid for construction of the Allen Filter Plant Ultraviolet (UV) system to Aslan Construction in the amount of \$3,952,439.00.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Long Term Two Enhanced Surface Water Treatment Rule was adopted by Congress on January 5, 2006. In this rule, the Environmental Protection Agency required that water systems meet additional cryptosporidium (crypto) removal requirements. Crypto is a chlorine-resistant pathogen. The system must be operational by October 1, 2013. The proposed UV system will exceed the minimum requirements of the LT2ESWTR mandate.

Allen Plant personnel conducted an investigation of the types of treatment available to comply with EPA regulations, and found UV the most effective and beneficial for the inactivation of crypto while being compatible with future potential regulation requirements. The UV process will reduce sodium hypochlorite (chlorine) use, is an extremely fast process to inactivate crypto, is proven technology, requires the smallest footprint and is the most cost effective.

UV operates with a band of light that disinfects water at a certain wavelength in the ultraviolet light spectrum. Water at the Allen Filter Plant will be treated by the UV system after the filtration process and before chlorination, then pumped into the distribution system.

The UV disinfection project construction will include labor, materials, equipment, installation and testing of improvements. Construction is to convert the existing eastern portion of the clearwell into a dry space to contain UV reactors, piping, valves, flow meters, sample pumps and process equipment. The new UV building will house electrical equipment, a bridge crane, electrical gear, instrumentation and controls. Building construction will also include HVAC and plumbing, finishes and furniture, lighting, yard pipe and drainage installation, concrete roadway, curb and gutter, rock excavation, site grading, security, landscaping, connections and cleanup.

## **FINANCIAL IMPACT**

The Utilities Department received seven bids:

Velocity Constructors, Inc.	\$4,155,302.00
Hydro Constructors	\$4,584,552.00
Stanek Constructors	\$4,525,512.00
RN Civil Construction	\$4,012,000.00
Archer Western	\$4,619,000.00
Layne Heavy Civil Constructors	\$4,547,000.00
Aslan Construction	\$3,952,439.00

Camp Dresser & McKee Engineers reviewed the bids and recommends Aslan Construction as the lowest acceptable bid in the amount of \$3,952,439.00.

The amount budgeted for this project was \$4,500,000.00 in account #40-1603-61262. The Aslan Construction bid is 88% of the projected budget amount.

## **LIST OF ATTACHMENTS**

Contract with Aslan Construction  
CDM Letter of Recommendation and Bid Sheet  
Minutes of Sept. 12, 2012 Water Board Meeting  
Phone Vote of Sept. 18, 2012 approving Minutes of Sept. 12

CONTRACT

CITY OF ENGLEWOOD, COLORADO

THIS CONTRACT and agreement, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between the City of Englewood, a municipal corporation of the State of Colorado hereinafter referred to as the "City", and Aslan Construction, Inc., whose address is 120 Bunvan Avenue, Suite 200, Berthoud, CO 80513, ("Contractor"), commencing on the day of \_\_\_\_\_, 20\_\_, and continuing for at least ten (10) days thereafter the City advertised that sealed proposals would be received for furnishing all labor, tools, supplies, equipment, materials and everything necessary and required for the following:

PROJECT: Allen Water Treatment Facility UV Disinfection Project

WHEREAS, proposals pursuant to said advertisement have been received by the Mayor and City Council and have been certified by the Director of Utilities to the Mayor and City Council with a recommendation that a contract for work be awarded to the above named Contractor who was the lowest reliable and responsible bidder therefore, and

WHEREAS, pursuant to said recommendation, the Contract has been awarded to the above named Contractor by the Mayor and City Council and said Contractor is now willing and able to perform all of said work in accordance with said advertisement and his proposal.

NOW THEREFORE, in consideration of the compensation to be paid and the work to be performed under this contract, the parties mutually agree as follows:

- A. Contract Documents: It is agreed by the parties hereto that the following list of instruments, drawings and documents which are attached or incorporated by reference constitute and shall be referred to either as the Contract Documents or the Contract and all of said instruments, drawings, and documents taken together as a whole constitute the Contract between the parties hereto and they are as fully a part of this agreement as if they were set out verbatim and in full:

- Invitation to Bid
- Contract (this instrument)
- Insurance
- Performance Payment Maintenance Bond
- Technical Specifications
- Drawings sheets:

- B. Scope of Work: The Contractor agrees to and shall furnish all labor, tools, supplies, equipment, materials and everything necessary for and required to do, perform and complete all the work described, drawn, set forth, shown and included in said Contract Documents.
- C. Terms of Performance: The Contractor agrees to undertake the performance of the work under this Contract within **ten (10) days** from being notified to commence work by the Director of Utilities and agrees to fully complete said work by October 31<sup>st</sup>, 2013, plus such extension or extensions of time as may be granted by the Director of Utilities in accordance with the provisions of the Contract Documents and Specifications.
- D. Indemnification: The city cannot and by this Agreement/Contract does not agree to indemnify, hold harmless, exonerate or assume the defense of the Contractor or any other person or entity, for any purpose. The Contractor shall defend, indemnify and save harmless the City, its officers, agents and employees from any and all claims, demands, suits, actions or proceedings of any kind or nature including Worker's Compensation claims, in any way resulting from or arising out of this Agreement/Contract: provided, however, that the Contractor need not indemnify or save harmless the City, its officers, agents and employees from damages resulting from the sole negligence of the City's officers, agents and Employees.
- E. Termination of Award for Convenience: The City may terminate the award at any time by giving written notice to the Contractor of such termination and specifying the effective date of such termination, at least thirty (30) days before the effective date of such termination. In that event all finished or unfinished service, reports, material (s) prepared or furnished by the Contractor after the award shall, at the option of the City, become its property. If the award is terminated by the City as provided herein, the Contractor will be paid that amount which bears the same ratio to the total compensation as the services actually performed or material furnished bear to the total services/materials the successful firm agreed to perform under this award, less payments of compensation previously made. If the award is terminated due to the fault of the Contractor the clause relating to termination of the award for cause shall apply.
- F. Termination of Award for Cause: If, through any cause, the Contractor shall fail to fulfill in a timely and proper manner its obligations or if the Contractor shall violate any of the covenants, agreements or stipulations of the award, the City shall have the right to terminate the award by giving written notice to the Contractor of such termination and specifying the effective date of termination. In that event, all furnished or unfinished services, at the option of the City, become its property, and the Contractor shall be entitled to receive just, equitable compensation for any satisfactory work documents, prepared completed or materials as furnished.

Notwithstanding the above, the Contractor shall not be relieved of the liability to the City for damages sustained by the City by virtue of breach of the award by the Contractor and the City may withhold any payments to the Contractor for the purpose of set off until such

time as the exact amount of damages due the City from the Contractor is determined.

- G. Terms of Payment: The City agrees to pay the Contractor for the performance of all the work required under this contract, and the Contractor agrees to accept as his full and only compensation therefore, such sum or sums of money as may be proper in accordance with the price or prices set forth in the Contractor's proposal attached and made a part hereof, the total estimated cost thereof being Three million nine hundred fifty two thousand four hundred thirty nine dollars and no cents. (\$ 3,952,439.00 ). A 10% retainage of the awarded project amount will be withheld until final inspection and acceptance by the Project Manager.
- H. Appropriation of Funds: At present, \$ \_\_\_\_\_ has been appropriated for the project. Notwithstanding anything contained in this Agreement to the contrary, the parties understand and acknowledge that each party is subject to Article X, § 20 of the Colorado Constitution ("TABOR"). The parties do not intend to violate the terms and requirements of TABOR by the execution of this Agreement. It is understood and agreed that this Agreement does not create a multi-fiscal year direct or indirect debt or obligation within the meaning of TABOR and, notwithstanding anything in this Agreement/Contract to the contrary, all payment obligations of the City are expressly dependent and conditioned upon the continuing availability of funds beyond the term of the City's current fiscal period ending upon the next succeeding December 31. Financial obligations of the City payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available in accordance with the rules, regulations, and resolutions of the City and applicable law. Upon the failure to appropriate such funds, this Agreement shall be deemed terminated. The City shall immediately notify the Contractor or its assignee of such occurrence in the event of such termination.
- I. Liquidated Damages: The City and Contractor recognize that time is of the essence in this Agreement because of the public interest in health and safety, and that the City will suffer financial loss, and inconvenience, if the Work is not complete within the time specified in the bid documents, plus any extensions thereof allowed in accordance with the General Conditions. They also recognize the delays, expense and difficulties involved in proving, in a legal proceeding, the actual loss suffered by the City if the Work is not complete on time. Accordingly, instead of requiring any such proof, the City and Contractor agree that as liquidated damages for delay, but not as a penalty, Contractor shall pay the City \$1,400 for each calendar day that expires after the time specified in Section C above for final completion, as described in Section 00800 and ready for final payment until the Work is completed. These amounts represent a reasonable estimate of Owner's expenses for extended delays and for inspection, engineering services, and administrative costs associated with such delay.

- J. Assignment: Contractor shall not, at any time, assign any interest in this Agreement or the other Contract Documents to any person or entity without the prior written consent of the City specifically including, but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law). Any attempted assignment which is not in compliance with the terms hereof shall be null and void. Unless specifically stated to the contrary in any written consent to an Assignment, no Assignment will release or discharge the Assignor from any duty or responsibility under the Contract Documents.
- K. Contract Binding: It is agreed that this Contract shall be binding on and inure to the benefit of the parties hereto, their heirs, executors, administrators, assigns, and successors.
- L. Contractors Guarantee: The Contractor shall guarantee that work and associated incidentals shall remain in good order and repair for a period of two (2) years from all causes arising from defective workmanship and materials, and to make all repairs arising from said causes during such period without further compensation. The determination of the necessity for the repair or replacement of said project, and associated incidentals or any portion thereof, shall rest entirely with the Director of Utilities whose decision upon the matter shall be final and obligatory upon the Contractor.

**VERIFICATION OF COMPLIANCE WITH C.R.S. 8-17.5-101 ET.SEQ. REGARDING HIRING OF ILLEGAL ALIENS**

(a) **Employees, Contractors and Subcontractors**: Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract. Contractor shall not contract with a subcontractor that fails to certify to the Contractor that the subcontractor will not knowingly employ or contract with an illegal alien to perform work under this Contract. [CRS 8-17.5-102(2)(a)(I) & (II).]

(b) **Verification**: Contractor will participate in either the E-Verify program or the Department program, as defined in C.R.S. 8-17.5-101 (3.3) and 8-17.5-101 (3.7) respectively, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this public contract. Contractor is prohibited from using the E-Verify program or the Department program procedures to undertake pre-employment screening of job applicants while this contract is being performed.

(c) **Duty to Terminate a Subcontract**: If Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with an illegal alien, the Contractor shall:

- (1) notify the subcontractor and the City within three days that the Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and



On this Seventh day of August, 2012, before me personally appeared Michael Pelphey, known to me to be the President of Aslan Construction, Inc., the corporation that executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

My commission expires: 1/14/14

NOTARY Jennifer Toland



555 17<sup>th</sup> Street Suite 1100  
Denver, CO 80204  
tel: 303 383-2300  
fax: 303 308-3003

August 14<sup>th</sup>, 2012

Mr. Tom Brennan  
City of Englewood Utilities  
1000 Englewood Parkway  
Englewood, CO 80110

Subject: City of Englewood Allen Water Treatment Plant UV Project  
Recommendation to Award

Dear Mr. Brennan:

On August 7<sup>th</sup>, 2012, the bid opening was held at the CDM Smith office for the City of Englewood Allen Water Treatment Plant UV Disinfection Project. Attachment A is the bid tabulation sheet. Given that Aslan Construction of Berthoud, CO submitted the apparent low bid CDM Smith focused its review on Alsan Construction. RN Civil had the second lowest bid and CDM Smtih also reviewed their references. Table 1 below shows the complete bid tabulations for Aslan Constructors and RN Civil.

### **I. Evaluation**

Aslan Construction (since 2001) is a Berthoud, CO based company engaged primarily in water and wastewater construction in Colorado and Wyoming.

The Hartford Fire Insurance Company of Hartford, Connecticut provided the bid bond for this project. The Department of the Treasury, as of December 21, 2007, lists the Hartford Fire Insurance Company in its most current Circular 570 as a company holding certificates of authority as an acceptable Surety of Federal Bonds. CDM Smith contacted the Hartford Fire Insurance Company regarding Aslan's bonding capacity. The project value of \$3,952,439 is well below the company's single contract bonding limit of \$30M and the company is currently well below their aggregate bonding capacity (which is \$35,000,000).

We have also obtained a Dun & Bradstreet Comprehensive Report on Aslan Construction. They have a low financial stress index and therefore are at a low risk of payment delinquency over the next 12 months.

CDM Smith requested bidder qualification documentation from each of the bidders pursuant to Article 3 in Section 00300:





Mr. Tom Brennan  
August 14<sup>th</sup>, 2012  
Page 2

“Bidder must demonstrate having experience in retrofit and construction of water treatment facilities of similar type and on a similar schedule for at least two (2) previous projects in the last five (5) years. Each of the projects submitted by the bidder for Owner consideration shall have had a demonstrated contract value of five million dollars (\$5,000,000.00) or greater.”

The following three acceptable projects were submitted:

1. Parker Water and Sanitation District – 15.2 MGD Regional Pumping Facility; \$5,005,965
2. City of Laramie - Laramie East Side Tank, \$5,005,965
3. Avon WWTP, Edwards WWTP, Avon WTP upgrades, \$4,958,268

To summarize our reference checks, we learned Aslan Construction is known to perform high quality work, good project management and excellent communication standards and a high level of professionalism. It was also reported that Aslan Construction is very responsive to Owner and Engineer requests. Everyone reported that they would do business again with Aslan Construction. CDM Smith has not worked directly with Aslan in the past, but have colleagues who have and reported very highly of Aslan Construction.

## II. Conclusion

It appears, based on this evaluation, Aslan Construction has the qualifications and resources necessary to complete the work under this contract. Therefore, CDM Smith recommends the City of Englewood to award the Allen Water Treatment Plant UV Disinfection Project to the lowest responsive and responsible bidder – Aslan Construction of Berthoud, Colorado, based upon their low bid price of \$3,952,439.

If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Tim Rynders, P.E.  
Project Engineer  
CDM Smith Inc.

Attachment A – Bid Tabulation

cc: Yasser Abouaish, City of Englewood Public Works  
Stu Fonda, City of Englewood Public Works  
Jason Clark, City of Englewood Utilities  
Chris Schulz, CDM Smith





555 17<sup>th</sup> Street Suite 1100  
 Denver, CO 80204  
 tel: 303 383-2300  
 fax: 303 308-3003

Attachment A

Company Name	Bid Bond Submitted	Signed Contract Submitted	Cost for #1 (mob/Demob)	Cost for #2 (UV bldg)	Cost for #3 (Site Structures)	Cost for #4 (Site Work/Stormwater)	Cost for #5 (Elect)	Cost for #6 (I&C)	Cost for #7 (misc)	Cost for #8	Base Bid For Contract	Subtotal	Complete Bid
Velocity Constructors Inc.	X	X	\$228,304	\$2,132,480	\$186,607	\$65,507	\$1,092,927	\$388,894	\$60,883	\$337,296	\$4,155,302	\$4,492,598	X
Hydro Constructors	X	X	\$112,793	\$1,668,406	\$167,442	\$201,627	\$962,213	\$369,330	\$646,285	\$300,073	\$4,584,552	\$4,884,625	X
Stanek Construcotrs	X		\$200,000	\$2,300,000	\$205,000	\$245,000	\$1,200,000	\$374,512	\$1,000	\$286,488	\$4,525,512	\$4,812,000	X
RN Civil Construction	X	X	\$140,000	\$1,862,000	\$540,000	\$90,000	\$980,000	\$390,000	\$10,000	\$300,073	\$4,012,000	\$4,312,073	X
Archer Westem	X	X	\$20,000	\$2,550,000	\$235,000	\$120,000	\$1,068,000	\$336,000	\$290,000	\$300,073	\$4,619,000	\$4,919,073	X
Layne Heavy Civil Constructors	X	X	\$210,000	\$1,964,000	\$175,000	\$350,000	\$1,275,000	\$373,000	\$200,000	\$300,073	\$4,547,000	\$4,847,073	X
Asian Construction	X	X	\$200,000	\$2,027,439	\$25,000	\$50,000	\$1,100,000	\$400,000	\$150,000	\$300,073	\$3,952,439	\$4,252,512	X

Apparent Low Bidder



**WATER & SEWER BOARD  
MINUTES  
WEDNESDAY, SEPTEMBER 12, 2012  
PUBLIC WORKS CONFERENCE ROOM**

Present: Wiggins, Waggoner, Oakley, Penn, Burns, Woodward, Habenicht

Absent: Olson, Lay, Moore

Also present: Tom Brenna, Utilities Engineer IV

The meeting was called to order at 5:04 p.m.



1. **MINUTES OF THE AUGUST 14, 2012 WATER BOARD MEETING.**  
PHONE VOTE – AUGUST. 22, 2012.

The Minutes of the August 14, 2012 meeting were approved as written, per the phone vote on August 22, 2012.



2. **ALLEN PLANT ULTRAVIOLET (UV) SYSTEM DESIGN.**

Tom Brennan discussed the bids received for the Allen Plant UV project. The project is required for the City to comply with the Long Term Two Enhanced Surface Water Treatment Rule, which requires that the Englewood water system meet additional cryptosporidium removal requirements.

The Utilities Department received seven bids. CDM Engineers reviewed the bids, and found Aslan Construction to be the lowest acceptable bid in the amount of \$3,952,439.00.

Motion: To recommend Council approval, by motion to award the bid for construction of the Allen Filter Plant Ultraviolet (UV) system to Aslan Construction in the amount of \$3,952,439.00.

**Moved:** Burns      **Seconded:** Habenicht

Motion passed unanimously.

**3. INFORMATIONAL ARTICLES:**

The Board received the following informational articles:

ARTICLE FROM THE AUGUST 21, 2012 DENVER POST,  
“HICKENLOOPER TO OBAMA: COLORADO FACES GAP IN WATER.”

ARTICLE FROM THE COLORADO DEPARTMENT OF LAW, “ATTORNEY  
GENERAL ANNOUNCES INDICTMENT OF CENTENNIAL BUSINESS  
SUSPECTED OF DEFRAUDING WESTERN SLOPE RESTAURANTS.

**4. DENVER WATER NEGOTIATIONS.**

On-going negotiations with Denver were discussed. Mr. Fonda discussed water softening solutions. A response regarding the Denver Water Moffat Tunnel Project will be sent to the Denver Water Board within two weeks.

It was noted that the South Platte Working Group II supports requiring Denver to increase Chatfield releases in the South Platte River. It was noted that current releases from Chatfield are minimal. Mayor Penn will keep the Board informed of new developments.

The meeting adjourned at 5:25 p.m.

The next Water and Sewer Board meeting will Tuesday, October 9, 2012 at 5:00 p.m. in the Community Development Conference Room.

Respectfully submitted,

Cathy Burrage  
Recording Secretary

## **WATER & SEWER BOARD**

### **PHONE VOTE – TUESDAY, SEPTEMBER 18, 2012**

#### **Phone Vote Roll Call.**

**Contacted:** Clyde Wiggins, Chuck Habenicht, Tom Burns, Kells Waggoner, Jim Woodward, Linda Olson, Joe Lay, Wayne Oakley, John Moore, Randy Penn

#### **1. MINUTES OF THE SEPTEMBER 12, 2012 MEETING.**

**Motion:** Approve minutes of the September 12, 2012 Water and Sewer Board meeting.

**Moved:** Woodward   **Seconded:** Penn

**Abstain:** Olson, Moore, Lay

Motion passed unanimously.

The next Water and Sewer Board meeting will be Tuesday, October 9, 2012 at 5:00 p.m. in the Community Development Conference Room.

Respectfully submitted,

Cathy Burrage  
Recording Secretary

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2012

COUNCIL BILL NO. 50  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT  
ESTABLISHING A REFUNDING OF BUILDING USE TAX FOR SCHOOL DISTRICT NO. 1,  
ARAPAHOE COUNTY 7-12 CAMPUS PROJECT (SCHOOLS).

WHEREAS, the Englewood Municipal Code has established a building use tax under  
4-4-5-3(B)(2) EMC; and

WHEREAS, the State has exempted both the Schools and any contractor performing work for  
the schools from Colorado building use tax; and

WHEREAS, the City of Englewood has exempted the School District No. 1, Arapahoe  
County, Colorado from building use tax; however, a similar exemption does not exist for  
contractors doing work for schools; and

WHEREAS, money coming in from building use tax is put into the Public Improvement Fund  
(PIF); and

WHEREAS, the PIF provides funding for public infrastructure and capital improvements; and

WHEREAS, schools have worked cooperatively with City staff to identify a number of  
amenities beneficial to the School District and the citizens of Englewood within the Englewood  
Schools' 7-12 Campus Project.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
ENGLEWOOD, COLORADO, THAT:

Section 1. The City Council of the City of Englewood hereby authorizes refunding building use  
tax paid by the Contractor Saunders Construction, for the Englewood Schools' 7-12 Campus Project  
located at 3800 South Logan Street, Englewood, Colorado, as set forth in the attached  
Intergovernmental Agreement with the School District No. 1, Arapahoe County.

Introduced, read in full, and passed on first reading on the 1st day of October, 2012.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 5<sup>th</sup> day of  
October, 2012.

Published as a Bill for an Ordinance on the City's official website beginning on the 3<sup>rd</sup> day of October, 2012 for thirty (30) days.

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Randy P. Penn, Mayor

ATTEST:

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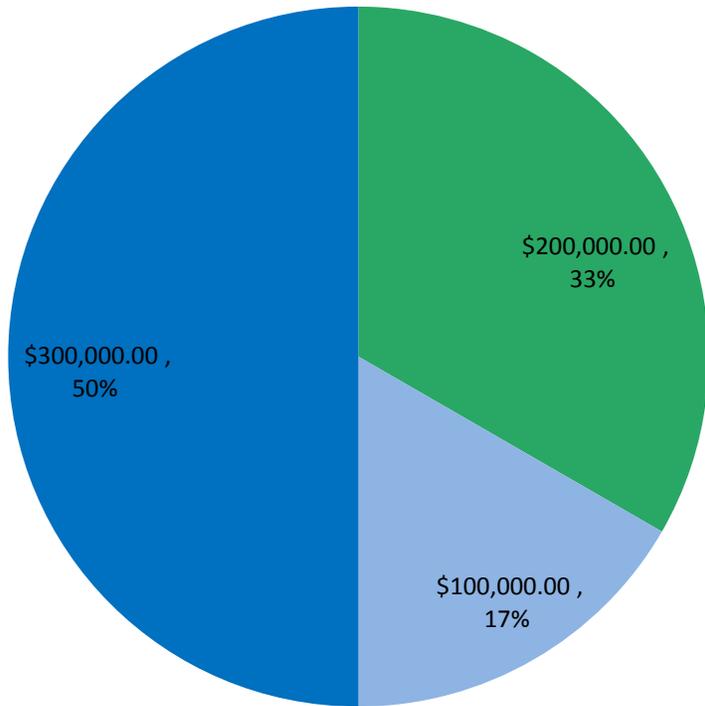
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 1st day of October, 2012.

---

Loucrishia A. Ellis

# Example



## INTERGOVERNMENTAL AGREEMENT

This Agreement, dated and effective as of \_\_\_\_\_, 20\_\_\_, by and between the City of Englewood, (hereinafter referred to as "the City") whose address is 1000 Englewood Parkway, Englewood, CO 80110 and School District No. 1, Arapahoe County, (hereinafter referred to as "the Schools") whose address is 4101 South Bannock Street, Englewood, CO 80110

WHEREAS, the Englewood Municipal Code has established a building use tax under 4-4-5-3(B)(2) EMC; and

WHEREAS, the State has exempted both the Schools and any contractor performing work for the schools from Colorado building use tax; and

WHEREAS, the City of Englewood has exempted the Schools from building use tax; however, a similar exemption does not exist for contractors doing work for the Schools; and

WHEREAS, money coming in from building use tax is put into the Public Improvement Fund (PIF); and

WHEREAS, the PIF provides funding for public infrastructure, and capital improvements; and

WHEREAS, the schools have worked cooperatively with City staff to identify a number of amenities beneficial to the School District and the citizens of Englewood within the Englewood Schools' 7-12 Campus Project.

NOW THEREFORE, IT IS AGREED by and between the City of Englewood and the Englewood Public Schools that:

1. The City Council of the City of Englewood hereby authorizes refunding building use tax paid by the Contractor Saunders Construction Company, for the Englewood Schools' 7-12 Campus Project located at 3800 South Logan Street, Englewood, Colorado to the School District No. 1, Arapahoe County as follows:

- a. For the projects described in Exhibit A, the actual rebate of 1/3 of the project costs (It is anticipated that project costs will be \$300,000 with the rebate to the School District being \$100,000).

plus

- b. 50% of the actual Use Tax on the project (It is anticipated that total Use Tax on the Englewood Schools 7-12 Campus Project is \$600,000 with the 50% rebate being \$300,000).
- c. It is anticipated the total rebate to School District No. 1 Arapahoe County will be \$400,000, but the actual costs and actual Use Tax shall determine the amount of the rebate.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be signed as of the date first written above.

CITY OF ENGLEWOOD, COLORADO

By: \_\_\_\_\_  
Name: Randy P. Penn  
Title: Mayor

ATTEST:

\_\_\_\_\_  
Loucrishia A. Ellis, City Clerk

SCHOOL DISTRICT NO. 1, ARAPAHOE  
COUNTY

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

SAUNDERS CONSTRUCTION

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

EXHIBIT A

Alternate 2 (includes \$24,000 for intersection improvements)	\$160,650
Parking along Lehigh (40 spaces)	66,000
Mansfield Parking (29 spaces)	47,850
Traffic Signal Improvements at Logan/Mansfield	<u>15,000</u>
	\$289,500

NOTE: The property lines shown on this map are an approximate representation based on Arapahoe County records. Precise location of property boundary lines requires a field survey conducted by a Professional Land Surveyor.

Extend existing wall

LEHIGH

161 feet

Lot 48

Lot 47

Lot 46

Block 8  
Mansfield Addition

ENGLEWOOD CITY LIMITS

CLARKSON

Alternate 2



SCALE: 1 inch = 40 feet  
DATE: Sept 4, 2012  
PHOTO DATE: 2010