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# Council Newsletter

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## CITY MANAGER'S NOTES January 10, 2013

### Upcoming Council Meetings

City Council will be interviewing board and commission applicants on **Monday, January 14, 2013** in the City Council Conference Room. The interviews will begin at 6:00 p.m. Sandwiches will be available at 5:30 p.m.

City Offices will be closed on **Monday, January 21, 2013** in honor of Martin Luther King Jr.

City Council will meet on **Tuesday, January 22, 2013**. An Executive Session will be held at 5:30 p.m. in the City Council Conference Room. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers.

The following City Council meeting will be **Monday, January 28, 2013**.

### Informative Memoranda

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

1. News Release concerning Martin Luther King Jr. Holiday, January 21, 2013 and City closures.
2. Articles concerning Parks and Recreation's "Biggest Loser" fitness campaign and light poles in the City.
3. Letter from the State of Colorado concerning NSP and Project Rebuild.
4. 2013 Legislative information from the Colorado Municipal League Statehouse Report.
5. Municipal Court End of Year and 4<sup>th</sup> Quarter Report.
6. Memorandum concerning the Project Update.
7. Calendar of Events.
8. Tentative Study Session Topics.
9. Minutes from Housing authority meetings of November 7 and December 5, 2012.

## Leigh Ann Hoffhines

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**From:** Leigh Ann Hoffhines  
**Sent:** Monday, January 07, 2013 10:08 AM  
**To:** Clayton Woullard (cwoullard@denverpost.com); Englewood Herald - Tom Munds (tmunds@ourcoloradonews.com); 'pressreleases@ourcoloradonews.com'; Millett, Sarah; Tom Barry ; Villager - News Desk (editorial@villagerpublishing.com); Kevin Hamm (hammk@yourhub.com)  
**Cc:** Leigh Ann Hoffhines  
**Subject:** City of Englewood offices closed Jan. 21 for MLK Day



### City of Englewood, Colorado News Release

**For Immediate Release:** January 7, 2013

**Media Contact:** Leigh Ann Hoffhines, Communications Coordinator

**Phone:** 303-762-2316

## City of Englewood offices will be closed January 21 in honor of Martin Luther King Jr. Day

**Englewood, CO:** The Englewood Civic Center offices and the Englewood Public Library will be closed on Monday, January 21, 2013 in observance of Martin Luther King, Jr. Day. The Englewood City Council meetings normally scheduled for the second Monday of January will be held Tuesday, January 22, 2013.

The Englewood Recreation Center, Malley Senior Recreation Center, and Broken Tee Englewood Golf Course will be open for business on MLK Day.

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Leigh Ann Hoffhines  
Communications Coordinator  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80110  
303-762-2316

[www.engagewoodgov.org](http://www.engagewoodgov.org) | [Facebook](#)

# YourHub

39° Thursday's Forecast: Mostly Cloudy HI: 47 LOW: 25

## Englewood is looking for "The Biggest Loser"

As part of a fitness campaign, the city's recreation department is sponsoring a 6-month weight-loss contest

Posted: 01/08/2013 09:28:25 AM MST Updated: 01/08/2013 09:28:25 AM MST Author: Clayton Woullard



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Clayton Woullard

E-Mail: [cwoullard@denverpost.com](mailto:cwoullard@denverpost.com)

centers targeting residents struggling with obesity.

Rowan Velasquez, fitness and wellness program administrator for the Englewood Parks and Recreation department, said the Biggest Winner Challenge program is the first time the department has developed a program specifically for people with obesity.

“We noticed we weren’t attracting anyone new to fitness,” Velasquez said, “and we realized we needed to do something that had a different focus and just doing a challenge asking them to work out three times a week wasn’t enough and they needed more tools.”

Participants in the six-month long program that began earlier this month will get six free visit passes to use the Englewood Recreation Center, six free drop-in passes to attend general fitness and aqua fitness classes at either the Englewood Recreation Center or Malley Recreation Center, six free wellness classes, as well as other discounts.

Kha-Sha Carpenter and her daughter, Morghan, 14, enrolled in the program because she wanted them to do something together to lose weight because they’re not very active, they don’t eat healthy and they suffer from asthma.

“It’s important for us both at the same time to learn about nutrition, about how to become healthy and both use positive reinforcement with each other,” Kha-Sha Carpenter said. “I just want to be healthy, I want to be able to run without having to stop for a breath and catch my breath, I want my daughter to be more active without having to use a rescue inhaler.”

Richard Weekley, 66, joined the program because he’s about 100 pounds overweight. He wants to get that down so he doesn’t have to take as much heart medicine since he had a heart attack three years ago.

“I’m sure I’d be a lot happier if I lost the weight,” Weekley said. “I look forward to working with the Malley staff. They help out a lot.”

While neither Weekley nor Kha-Sha Carpenter said they joined the program because of a New Year’s resolution, Morghan Carpenter did. Velasquez said there are some important things to keep in mind to stick to resolutions.

She recommends people pick one habit they would like to change or develop, like eating breakfast every day, and stick to that for a while before making another small change.

“If you can get one thing going pretty good and be successful at it, it’s easier to make other changes,” Velasquez said.

Clayton Woullard: 303-954-2953 or [cwoullard@denverpost.com](mailto:cwoullard@denverpost.com)

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# Signs of trouble in Englewood

*City in power battle with Xcel over postings on poles*

By PETER JONES

A battle is firing up between the City of Englewood and Xcel Energy over whether the city's signs can be posted on light poles within public rights-of-way.

In response to Xcel's recent complaints about the common practice, the City Council has effectively told the energy provider that city officials will be the ones turning on the power when it comes to signs on city property.

District 4 Councilman Rick Gillit believes such postings are harmless to the poles and have been important in the community, especially along the South Broadway Business Improvement District.

"These weren't huge monster signs, but all of a sudden Xcel gets a wild hair up their tail saying we don't have any right to their poles," Gillit said. "You would hope Xcel would have some community outreach, but they were just rude."

Last month, council unanimously passed an ordinance mandating "joint use" of privately owned facilities in Englewood's public places and explicitly allowed the posting of signs related to public events, business districts and traffic.

"It's reasonable and appropriate and an exercise of the city's police power that those who utilize public property should contribute to the city's ability to achieve its public-interest goals," said Assistant City Attorney Nancy Reid, noting that under the new ordinance such postings cannot interfere with a facility's "primary use."

The tussle began last May when Xcel, citing safety concerns, issued a mandate to cities and towns requiring that signs on the utility's poles be removed by the end of 2012. In Englewood, the edict had its biggest impact on the Broadway BID, which had promoted its "South Broadway Mile!" business district on a series of poles between Hampden and Yale avenues. The signs have since been removed.

At the time of its announcement, Xcel spokesman Mark Stutz said the company was enforcing a decades-old rule prohibiting anything except "police attachments," such as speed-limit signs, from being mounted on poles.

While many cities have reluctantly complied with the edict, some communities, including unincorporated Highlands Ranch, have considered purchasing the poles. Others, such as Lafayette, have defiantly said they would ignore Xcel's order.

Englewood has resisted with a move that Tom Henley, Xcel's south metro area manager for

community and government affairs, has publicly called a "taking."

In a statement issued to *The Villager*, Xcel said, "Englewood has participated in the process but has chosen to ignore the concerns we addressed. We will take any precautions to maintain our lights and the safety of the public."

Prior to the council's Dec. 3 vote, Henley urged the council to reject the proposed ordinance, arguing that posting signs on poles had created safety hazards due to wind pressure and could be a liability to the company.

Xcel said it has been working with other cities to develop safe methods to eventually post signs on poles, noting it is worried about people climbing poles to post signs and suffering serious injuries.

An attorney for Xcel further questioned the legality of Englewood's ordinance, noting its potential conflicts with the Public Utilities Commission.

The new Englewood ordinance will allow Xcel and others to contest signs that they believe are particularly objectionable or dangerous. Such formal protests would prompt the city to conduct a study and render a decision that would eventually be binding upon the utility, Reid said.

"Once they're up [and the appeal of the sign's placement has been considered], it's a violation to take them down," the assistant city attorney said.



# STATE OF COLORADO

John W. Hickenlooper, Governor

**Department of Local Affairs**  
Reeves Brown, Executive Director

**Division of Housing**  
Pat Coyle, Director

December 26, 2012

James K. Woodward, Mayor  
City of Englewood  
1000 Englewood Parkway  
Englewood, CO 80220

RE: NSP Contract Number H0NSP09-308; Single Family – Project Rebuild

Dear Mayor Woodward:

On December 18, 2012, Alison O'Kelly conducted a Housing Quality Standards (HQS) inspection and on-site monitoring of The City of Englewood concerning the Project Rebuild Single Family Acquisition/Rehabilitation project for this contract. The following areas of compliance were included in the monitoring:

- NSP-Eligible Activities and Properties;
- Acquisition and One-for-One Replacement;
- Purchase Discount;
- Beneficiary Land Use Covenant;
- Civil Rights;
- Client Eligibility;
- Environmental Review;
- Financial Management;
- Homebuyer Projects;
- Housing Rehabilitation;
- Housing Quality Standards;
- Immigration;
- Project Start-up, Eligibility & National Objectives; and
- Relocation.

The monitoring review was acceptably completed. All financial reports to date have been submitted to the State in an accurate and timely manner. The homebuyer files, contract management and accounting records were easily monitored due to the systems that have been put into place, by both the City of Englewood and their partnering entity, Colorado Housing Assistance Corporation (CHAC). There were no Findings or Concerns.

**Units Inspected:**

2320 W. Harvard Avenue	VACANT	- Pass HQS and Rehabilitation Standards (see comment #1 below)
4101 Cherokee Street	VACANT	- Pass HQS and Rehabilitation Standards (see comment #2 below)



**Homebuyer Files Inspected:**

1.	2335 W. Baltic Place	Louise Cordova	50% AMI unit	- No Findings
2.	2010 W. Baltic Place	Clayton Ziemer	120% AMI unit	- No Findings
3.	4744 S. Galapago Street	Rian Reyes	120% AMI unit	- No Findings
4.	4819 S. Delaware Street	Michael Abruzzo/Susan Webb	120% AMI unit	- No Findings
5.	2198 W. Adriatic Place	Ricky and Lorraine Foster	120% AMI unit	- No Findings

**Comments:**

1. 2320 W. Harvard Avenue – This 5-bedroom, 2-bath ranch-style home requires the installation of both the dishwasher and the range in the kitchen prior to being listed on the market in the coming weeks. Additionally, the door latch doesn't completely close on the upstairs bathroom door. In the second downstairs bedroom the water line access will be moved and closed into the wall. The motion-sensing light fixture above the garage door requires the installation of a final light bulb, and a final section of fence is to be added separating the back of the driveway from the backyard.

*Note: All of these items will be addressed prior to the final walk-through, and cleared prior to the home's being listed for sale at the end of December.*

2. 4101 Cherokee Street – This 4-bedroom, 2-bath ranch-style home is missing screens on several of the bedroom windows, one kitchen window, and in the basement recreation room.

*Note: This property is under contract with the intended buyer for a closing before the end of this month. These screens will be installed, and notice will be given to the buyer prior to closing on the sale.*

At the completion of your single-family project, prior to the closeout of the contract, the following documentation will be needed, if it has not already been received:

- Pre/post public hearing notices;
- Project close out documents;
- Before and after photos of the projects; and
- Income determination for buyers.

I would like to thank you for the cooperation and assistance that was shown to Alison O'Kelly during her monitoring and inspection visit. We wish you and your project partners success in the continuation of your housing projects.

Sincerely,

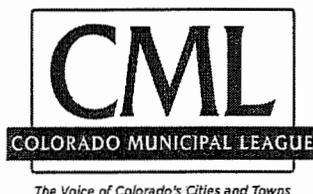
Diane Leavesley  
Portfolio Manager



cc: Alison O'Kelly, NSP Program Specialist, DOLA DOH  
Harold Stitt, Senior Planner, City of Englewood  
Janet Grimmatt, Housing Finance Specialist, City of Englewood  
Michelle Mitchell, President, Colorado Housing Assistance Corporation  
Linda Napier, Vice President, Colorado Housing Assistance Corporation

Enclosures/

If this email does not display properly, please view our [online version](#).  
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# STATEHOUSE *report*

BUILDING A STRONG PARTNERSHIP WITH COLORADO'S CITIES AND TOWNS

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## CML is your source for current legislative information

By the CML advocacy team: [Kevin Bommer](#), [Mark Radtke](#), [Meghan Storrie](#), and [Geoff Wilson](#)

The First Regular Session of the 69th General Assembly convenes on Jan. 9, 2013, and it will no doubt be a historic session that will deal with many pivotal issues. The outcome of some legislation may directly affect municipalities, and the [CML advocacy team](#) again will be in the statehouse representing municipal interests.

Below is a list of positions taken by CML for the new session. We are guided by the [2012-2013 CML Policy Statement](#), which includes established positions on nearly all issues important to municipalities. Without a doubt, there will be many other bills introduced with which the League will be involved. The *CML Statehouse Report* will be delivered weekly with all the issues on which we are actively working, and the [Advocacy In Colorado](#) page on the CML website is the go-to place for updated bill logs, position papers, and other related documents.

The CML website soon will have updated and current legislator contact information, as well as all of the municipalities within each legislator's respective district. Complete committee membership information also will be available. The [General Assembly's website](#) is now more sophisticated and user-friendly, and the CML advocacy team will endeavor to include links to audio and video (when available) of floor debates and committee discussion on legislation important to municipalities.

Finally, we count on you! Our members are the most important connection to members of the legislature. It is important they hear from you throughout the session on issues that municipalities are dealing with, including your specific concerns or compliments on legislation. Your voice matters, and we can attest that legislators listen to their local governments. Please do not ever hesitate to contact any one of the lobbyists on bills they are working or issues they cover. When in doubt, email [Kevin Bommer](#) directly and your questions or comments can be forwarded, if necessary.

## Affordable housing: Budget

The Division of Housing in the Department of Local Affairs (DOLA) has asked for an increased budget line item of \$2 million to provide additional housing units for workforce needs and lower-income families. Recently, there is little development leading to the continued reduction of vacancy rates and increased rents. If approved, the division plans to use the funds to finance development of 1,200 new rental units per year, of which 800 will be designated affordable units. The division plans to do this by providing a supply-side subsidy to investors. DOLA's goal for 67 percent of the construction with the requested funding be affordable housing. The continued production of affordable housing is key to preventing larger homeless populations, lower property tax revenues, and helping communities retain companies by providing workforce housing.

**Position:** Support  
**Lobbyist:** [Meghan Storrie](#)

**Affordable housing: Fort Lyon**

The governor's office recently developed a plan to repurpose the decommissioned Fort Lyon Correctional Facility into a gateway to permanent housing for homeless individuals. The proposal suggests that Colorado invest in a three-year "Housing First" demonstration project to provide transitional housing coupled with support services and job training to stabilize chronic homeless individuals, as well as working with local clinics to provide health care services. Otero Junior College would partner to provide remedial classroom instruction and vocational training. After one year of residency at Fort Lyon, an individual is eligible to receive a Section 8 voucher to relocate to permanent housing in another community of his or her choice. The proposed funding takes \$5 million of the recent mortgage settlement funds and \$3.6 million from the general fund. The hope is that surrounding communities have the opportunity to lower the number of chronic homeless individuals in the area.

**Position:** Support  
**Lobbyist:** Meghan Storrie

**Beer & liquor: Compliance checks and penalties**

During the interim, the Colorado Restaurant Association (CRA) proposed changes to state liquor rules that were aimed at alcohol beverage compliance checks and subsequent penalties by the state and local licensing authorities. While the director of the Division of Liquor Enforcement declined to propose any of the language for formal rulemaking, staff is aware that CRA pursued the issue. It is possible – but not confirmed – that legislation could be proposed. Historically, CML has lobbied for maximum local control on beer and liquor licensing issues.

**Position:** Oppose  
**Lobbyist:** Kevin Bommer

**Contracts: Prompt pay**

Another push to limit the ability of both public and private entities to negotiate terms of construction contracts is underway. A draft bill is circulating that would require subcontractor payment within 25 days of billing, rather than the current 60 days agreed to in the compromise legislation of 2011. The bill also raises the possibility of subcontractors billing for work before final approval and the release of retainage before final project completion. It continues the effort of previous years to diminish the flexibility of construction contracts. CML was a party to the compromise bill approved two years ago that reduced the amount of retainage that can be held from 10 percent to 5 percent and set the 60 day payment deadline.

**Position:** Staff discretion to oppose  
**Lobbyist:** Mark Radtke

**Economic development: Enterprise zones**

An Enterprise Zone (EZ) Task Force was created in the 2012 legislative session to review the EZ process and issue a report by November 2013. The task force has completed a series of meetings and has tentatively scheduled one additional meeting for January. Task force members have reached general agreement on several points aimed at bolstering the creditability of the program, including a review of EZ boundaries in 2014 and capping the investment tax credit. The EZ Task Force has not put forward any legislation for 2013 at this time.

**Lobbyist:** Mark Radtke

**Governmental immunity: Liability limits**

Last session saw clarification of the General Assembly's authority to compensate victims of negligence by the

state, notwithstanding the recovery limits in the Governmental Immunity Act (GIA), which are \$150,000 for an individual injury and \$600,000 for multiple victims of the same occurrence. This legislation was in response to the North Fork fire, a state "controlled burn" that was not under control. Notwithstanding last year's legislation, the 2013 session may see further bills seeking to amend the GIA in reaction to the North Fork fire. Because any amendment to the GIA can have profound impacts on municipalities, CML will be watching any legislation in this area very closely.

**Lobbyist:** Geoff Wilson

### **Labor: Mandatory collective bargaining**

After a lengthy battle through the entirety of the 2009 legislative session, Gov. Bill Ritter vetoed mandatory collective bargaining legislation opposed by CML. That bill initially required collective bargaining for firefighters and peace officers, but peace officers were removed after CML pointed out that it would require the state to engage in collective bargaining with the many peace officers it employs. CML argued that local personnel decisions – whatever they may be – are properly made at the local level by citizens and their elected representatives. Furthermore, the state constitution guarantees the right of home rule cities to govern their own personnel policies. This right was affirmed in a subsequent unanimous decision of the Colorado Supreme Court. Discussions among some legislators about introduction of a new mandatory collective bargaining bill have occurred, ensuring another contentious and unfortunate conflict with the General Assembly over this issue that should be specifically reserved to local governments. Staff expects to it introduced.

**Position:** Oppose  
**Lobbyist:** Kevin Bommer

### **Lottery: Video lottery terminals and Keno**

Legislation will be introduced involving the installation of video lottery terminals (VLTs) and Keno slot machines in Colorado. Staff has yet to see the proposed bill, and CML's position will be determined on the language drafted. The largest concern is whether these attempts will affect negatively the municipal share of current lottery distributions. CML has opposed VLTs in the past due to concerns that they would impact funds for historic preservation. If VLT legislation moves forward, CML also would want to see that the language clearly states local governments must approve their installation.

**Position:** Staff discretion  
**Lobbyist:** Meghan Storrie

### **Marijuana: Amendment 64 implementation**

The passage of Amendment 64 sets a very narrow timeframe in which the state government, followed by those local governments not opting out, to define and adopt a regulatory and enforcement structure that meets the occasionally ambiguous guidelines set forth in the amendment. Kevin Bommer, CML deputy director, was named to 24-member task force appointed by Gov. John Hickenlooper to navigate the discussion of needed rules, regulations, and statutory changes. CML's role will be to ensure preservation of maximum local control possible for municipalities that choose to license, as well as those that choose to opt-out – although, it is important to note there are some issues for which all municipalities may benefit from unambiguous statewide standards. Staff has been given discretion by the CML Executive Board to negotiate positions on proposals as they arise and any subsequent legislation.

**Position:** Monitor  
**Lobbyist:** Kevin Bommer

### **Municipal courts: Fines**

CML is sponsoring legislation to allow municipal jurisdictions the opportunity to increase their municipal court fines

to \$5,000; the cap is currently \$1,000. This provides the opportunity to hear additional misdemeanor cases in municipal court. It also removes some of the current burden on county court and allows for the more efficient use of law enforcement. The proposed legislation does not mandate that municipal governments enforce a higher fine - that will remain a municipal decision. This bill was proposed to the CML Policy Committee in October and subsequently was approved by the CML Executive Board.

**Position:** Support  
**Lobbyist:** Meghan Storrie

### **Oil & gas: Local authority**

Oil and gas has been a hot topic for the past several years - at the Capitol, in the regulatory arena, in the courts, and locally.

Right now, the executive branch has rulemakings underway concerning baseline water testing requirements for operators and the required "setbacks" for newly drilled wells from occupied structures, and CML is involved in both efforts. The State of Colorado is suing the City of Longmont over its rules, and threatening to sue other local governments. Meanwhile, municipalities where relations with the industry have been fairly straightforward and professional, confront vocal groups of local citizens (and others) frightened about what hydraulic fracturing ("fracking") might do to their water supplies.

This volatile stew probably will boil over at the Capitol in 2013, but it remains to be seen what, specifically, will be proposed. The environmental community has made mandatory 1,000-foot setbacks from wells a priority and the governor's work group rejected that proposal; this can be expected as a bill in 2013. Prohibitions on "fracking" are a hot topic; after an initiated charter amendment to ban the practice was approved overwhelmingly by voters in Longmont, a bill prohibiting or restricting the practice is widely anticipated.

Last session saw introduction or the threat of introduction of various preemption bills aimed at stripping locals of their authority. While the change in political leadership at the Capitol could lead to more bills relating to oil and gas, we have yet to hear about any bills aimed at limiting local authority directly.

**Lobbyist:** Geoff Wilson

### **Open records: Remote applications**

A group of public sector and media representatives have been meeting for the past few months at CML's offices to craft 2013 legislation that would describe how the Colorado Open Records Act (CORA) deals with requests are handled from "remote applicants" (those who do not show up in person to collect their records). The group recently reached consensus on a draft bill, which will be carried by Rep. Christina Duran, D-Denver. The bill will require that, upon notice to the applicant, the records custodian may await payment in full of all shipping costs before the three days for provision of the records begins to run. The "pay-up-front policy" will permit custodians to await payment from, for example, those submitting broadcast open records requests via email, often to scores of governments at a keystroke. Records may be provided in a variety of forms and may be delivered via email if the record is maintained in digital form. The CML Policy Committee recently recommended that CML support this legislation.

**Position:** Support  
**Lobbyist:** Geoff Wilson

### **Pensions/retirement: FPPA liability exemptions**

The Fire and Police Pension Association (FPPA) presented a legislative request to the Fire & Police Pension Reform Commission - a legislative interim committee - that would grant FPPA an exemption from liability if an employer fails to properly enroll otherwise eligible employees in the pension plan. This stems from a couple of incidents FPPA has experienced, although there have not been any instances of employees claiming any benefit due to them under this scenario.

**Position:** No position  
**Lobbyist:** Kevin Bommer

### **Taxation: Sales and use**

Colorado municipalities heavily depend upon the sales tax, but the system permitting municipalities to “locally collect” this tax can pose challenges for multijurisdictional businesses. These businesses sometimes complain to their legislators, yet court decisions have stated plainly that the General Assembly has only very limited authority in this area.

To avoid confrontations at the Capitol on this important issue, CML long has maintained close communications with the major business community associations, particularly the Colorado Association of Commerce and Industry and the Colorado Retail Council, and their tax experts. CML has worked successfully with the business community on a number of tax simplification initiatives over the years - mostly outside the Capitol.

CML is very proud of our successful collaboration and our longstanding relations with our partners in the business community. Nonetheless, we had expected a bill from Rep. Kathleen Conti, R-Littleton, attempting to mandate some sort of centralized collection on home rule municipalities. Rep. Conti recently sat down to discuss her issues with CML, and we are pleased to report that she will not be running her bill in 2013. We also understand that a bill proposing sales tax authority for Title 32 special districts (in certain circumstances) will not be introduced. Rumors are flying about tax bills but, so far, happily, none affect home rule sales tax authority directly.

**Lobbyist:** Geoff Wilson

### **Transportation: Alternative fuels tax**

Discussions are underway addressing how CNG, LNG, and propane used as vehicle fuel are taxed. A possible bill would change the assessment method from a flat annual vehicle decal charge to a per-gallon gasoline equivalent rate paid at the wholesale level. The goal is two-fold: Eliminate the need for fueling station attendants to physically check for a decal, and bring the road tax paid by CNG vehicle drivers in line with road tax paid by diesel fueled vehicles. The tax dollars would be deposited in the Highway Users Tax Fund (HUTF) and distributed on the 60-22-18 state-county-municipal sharing formula. These fuel categories are included within the existing special fuels statute that includes diesel fuel.

**Position:** No position  
**Lobbyist:** Mark Radtke

### **Transportation: Gasoline tax**

A variety of public and business groups are discussing the possibility of pursuing a gasoline tax increase. The last increase in the 22-cents-per-gallon in state tax was enacted in 1991. Flat Highway Users Tax Fund (HUTF) revenue has reduced the buying power of transportation dollars for both the Colorado Department of Transportation (CDOT) and municipalities. The CML Policy Committee and Executive Board adopted the following policy statement to provide direction for staff to engage in the tax increase discussions: “CML will engage with both public and private organizations to pursue additional funding for surface transportation. Any mechanism creating additional transportation funding must be shared equitably among state, county and municipal governments.”

**Position:** Support  
**Lobbyist:** Mark Radtke

### **Transportation: Highway Users Tax Fund for transit**

Last May, the CML Policy Committee had a lengthy discussion on the use of Highway Users Tax Fund (HUTF) dollars for transit. The result was the adoption of the following policy position: “Support preservation of the

constitutional requirement that highway user revenues be used for the construction, maintenance, and supervision of the public highways of the state, comprising all modes including facilities for air, transit, bicycle, and pedestrian travel." Several local governments have been discussing legislation that would allow counties and municipalities to use their HUTF allocation for transit purposes. The issue revolves around the question of whether expenditures of HUTF monies for transit purposes meet the definition of "public highway" as articulated in the constitution. By adopting the CML Policy Statement at the annual business meeting in June, CML members decided to support the current uses of HUTF funds, including transit capital projects.

**Lobbyist:** Mark Radtke

### **Transportation: Off-road vehicles on the road**

CML twice has defeated bills that would allow ATVs on municipal streets under 45 mph, and some version of this bill may return in 2013. Cities, towns, and counties currently already may authorize the use of ATVs on their roads, and should not be mandated to allow them. They are not allowed on state highways.

**Position:** Oppose  
**Lobbyist:** Mark Radtke

### **Transportation: Red light cameras**

Last year's unsuccessful bill that would have completely banned the use of photo radar and red light cameras by law enforcement may return. Currently, municipalities, counties, and the Department of Transportation are allowed to use these devices on a limited basis; for example, photo radar only can be deployed on residential streets under 35 mph and in school zones.

**Position:** Oppose  
**Lobbyist:** Mark Radtke

### **Transportation: Special mobility machinery**

The Transportation Legislative Review Committee will introduce a bill that creates a central electronic specific ownership tax (SOT) payment system collected by the Colorado Department of Revenue (DOR) for SOT payments from rental of special mobility machinery (SMM, examples include earth scrapers, mobile drilling rigs, etc.). DOR would then distribute the revenue to the appropriate county treasurers. SOT is collected from the users of rented SMM and currently is paid by the rental company to the county where the machinery is used. As SOT is a property tax, there is concern about injecting DOR into its collection; property tax currently is an exclusive responsibility of county treasurers. Setting up an expensive, and less efficient collection method for SMM rentals would result in less property tax revenue for municipalities and other property taxing entities.

**Position:** Staff discretion to oppose  
**Lobbyist:** Mark Radtke

### **Urban renewal: Reporting**

Responding to a concern raised during the 2012 legislative session, CML and Downtown Colorado Inc. have brought urban renewal authorities (URAs) together to create an annual standardized report for each URA in the state. When complete, these reports will be posted on the CML and DCI websites to allow the public to view the vital statistics of each urban renewal authority's activities for the previous year.

**Lobbyist:** Mark Radtke

### **Water: Water quality control permits**

Currently, the Division of Administration in the Department of Public Health & Environment may adopt new and amended permit requirements for general permits related to water quality control without providing any of the following information to existing and potential permit holders: a statement of basis and purpose for the changes; evidence and data in support of the changes; or a cost-benefit analysis of the effect the changes will have on permit holders. A proposed bill will require the division to comply with the rule-making procedures set forth in the State Administrative Procedure Act when the division proposes new or amended permit requirements with respect to general permits related to water quality control. This clearly seems to be an issue of fundamental fairness to permit holders, which often include municipalities.

**Position:** Support  
**Lobbyists:** [Kevin Bommer](#)

### **Water: Severance tax revenues**

The Water Resources Review Committee drafted a joint resolution that urges the General Assembly to avoid the future transfer of local severance tax money to the state general fund. The resolution highlights the significant impact the diversion had on water infrastructure projects.

**Position:** Support  
**Lobbyist:** [Kevin Bommer](#)

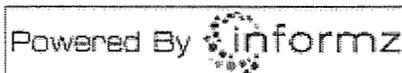
### **Workers compensation: Presumptive eligibility**

In 2008, CML opposed presumptive eligibility for workers comp for firefighters with certain types of cancer. The statutes now require eligibility for these cases unless the employer can prove the cancer was caused by some factor other than job-related factors. Staff confirmed that legislation has been drafted that would expand presumptive eligibility to include coverage for heart attacks occurring within 48 hours of firefighting activity, which is broadly defined. Chipping away at the eligibility standards for workers compensation will slowly but surely drive up the cost of insurance, in this case without adequate justification to reverse the burden of proof. Certainly, there are many other stressful, strenuous occupations in both the public and private sectors. If the issue is whether or not heart attacks should be a covered condition, then that discussion should occur without creating a presumptive condition for one class of employee.

**Position:** Oppose  
**Lobbyist:** [Kevin Bommer](#)

#### **Colorado Municipal League**

1144 Sherman Street | Denver, CO 80203  
(p) 303-831-6411 or 866-578-0936 | (f) 303-860-8175  
[Forward to a Colleague](#) | [Unsubscribe](#)



**Englewood Municipal Court  
2012  
4th Qtr/End of Year Statistics**

	4th Qtr 2011	4th Qtr 2012	Difference	% Change	YTD 2011	YTD 2012	Difference	% Change
<b>FILINGS</b>								
Criminal	449	432	-17	-4%	2107	2162	55	3%
(Domestic Viol)*	(31)	(32)	(1)	3%	(148)	(146)	-2	-1%
Traffic Infractions	1915	2274	359	19%	7995	8819	824	10%
Traffic Offenses	399	431	32	8%	1530	1746	216	14%
Parking	1458	1275	-183	-13%	6217	5980	-237	-4%
<b>TOTAL</b>	<b>4221</b>	<b>4412</b>	<b>191</b>	<b>5%</b>	<b>17849</b>	<b>18707</b>	<b>858</b>	<b>5%</b>
<b>HEARINGS</b>								
Video Arrn's	123	124	1	1%	498	522	24	5%
Juv Arrn's	53	53	0	0%	399	359	-40	-10%
Other Arrn's	529	622	93	18%	2456	2671	215	9%
Court Pre Trials	653	745	92	14%	3053	3019	-34	-1%
Jury Pre Trials	31	38	7	23%	181	165	-16	-9%
Court Trials Set	17	28	11	65%	71	105	34	48%
Jury Trials Set	6	3	-3	-50%	19	13	-6	-32%
Probation	37	46	9	24%	234	215	-19	-8%
Deferred Pros	35	46	11	31%	179	141	-38	-21%
Def Judgment	79	99	20	25%	525	548	23	4%
Conditional Stay	224	191	-33	-15%	942	818	-124	-13%
Stays	195	209	14	7%	946	1133	187	20%
All Other Hearings	360	424	64	18%	1776	1681	-95	-5%
<b>TOTAL</b>	<b>2342</b>	<b>2628</b>	<b>286</b>	<b>12%</b>	<b>11279</b>	<b>11390</b>	<b>111</b>	<b>1%</b>
<b>WARRANTS / DEFAULTS</b>								
Bench	196	235	39	20%	798	971	173	22%
Execution	68	63	-5	-7%	299	293	-6	-2%
Default Judgments	296	349	53	18%	1137	1347	210	18%
<b>TOTAL</b>								
<b>REVENUES</b>								
VBLC	\$1,100.00	\$875.00	-\$225.00	-20%	\$4,615.00	\$5,080.00	\$465.00	10%
Ct. Fines	\$62,409.68	\$47,912.00	-\$14,497.68	-23%	\$275,759.33	\$252,884.33	-\$22,875.00	-8%
Parking	\$25,805.00	\$24,824.87	-\$980.13	-4%	\$110,114.00	\$108,244.87	-\$1,869.13	-2%
VB Fines	\$206,934.00	\$237,750.00	\$30,816.00	15%	\$842,479.00	\$955,546.00	\$113,067.00	13%
Costs	\$24,141.50	\$24,066.00	-\$75.50	0%	\$111,879.21	\$108,279.88	-\$3,599.33	-3%
Prob, DJH, DP	\$7,361.00	\$8,146.00	\$785.00	11%	\$43,532.00	\$38,245.00	-\$5,287.00	-12%
Witness	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00	0%
Bond Forfeitures	\$125.00	\$625.00	\$500.00	400%	\$3,230.00	\$1,740.00	-\$1,490.00	-46%
OJWC	\$4,230.00	\$4,430.00	\$200.00	5%	\$17,565.00	\$19,055.00	\$1,490.00	8%
Jury	\$0.00	\$0.00	\$0.00	0%	\$0.00	\$0.00	\$0.00	0%
Success	\$185.00	\$135.00	-\$50.00	-27%	\$975.00	\$655.00	-\$320.00	-33%
Community Service	\$5.00	\$0.00	-\$5.00	-100%	\$120.00	\$0.00	-\$120.00	-100%
DUI's	\$6,911.30	\$11,093.39	\$4,182.09	61%	\$28,558.54	\$39,371.95	\$10,813.41	38%
<b>TOTAL</b>	<b>\$339,207.48</b>	<b>\$359,857.26</b>	<b>\$20,649.78</b>	<b>6%</b>	<b>\$1,438,827.08</b>	<b>\$1,529,102.03</b>	<b>\$90,274.95</b>	<b>6%</b>

# MEMORANDUM



**TO:** Gary Sears, City Manager

**THROUGH:** Rick Kahm, Director of Public Works ✓

**FROM:** David Henderson, Engineering/Capital Projects Administrator ✓

**DATE:** January 9, 2013

**SUBJECT:** PROJECT UPDATES – Craig Hospital Expansion, Traffic Signal Upgrade - Dartmouth/Downing, Pirates Cove Improvements, West Harvard Gulch Trail Project, Kent Place, Street Maintenance Projects 2012, CityCenter Site Development, Englewood McLellan Reservoir Foundation, Air Quality/Energy Savings Projects, GPS in City Vehicles

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## CRAIG HOSPITAL EXPANSION

Staff is working closely with Craig and Swedish Hospitals to facilitate the closing of South Clarkson Street between Hampden and Girard. Based on the schedule provided by Craig Hospital, we anticipate the closure will be in place by late January.

The contractor has begun the process of installing necessary informational signs and other operational improvements required prior to closure (see attached document).

## TRAFFIC SIGNAL UPGRADE - DARTMOUTH/DOWNING

Upgrades to the traffic signal at the intersection of Dartmouth and Downing continued. Three of the signal poles have been installed. Installation of the last signal pole will proceed after Xcel crews underground the existing overhead power line. **It is anticipated that Xcel Energy will complete their work within the next two weeks. We will follow with installation of the last signal pole at the SW corner. Completion of the project is expected by mid February.** The project will replace the signal poles, traffic cabinet, and UPS battery backup; and will include new LED signal heads.

## PIRATES COVE IMPROVEMENTS/REPAIRS

Public Works and Parks and Recreation staff will be coordinating repairs and improvements to Pirates Cove during the off-season. We are working with an engineering firm to evaluate options to repair the Concession Building. The building has settled a couple of inches and is experiencing problems with the doors and concrete block cracking. Monitoring wells were installed to determine soil and groundwater conditions under the building. **Staff will monitor any movement in the building through the winter.**

## WEST HARVARD GULCH TRAIL PROJECT

The Urban Drainage and Flood Control District is managing a project to complete a trail connection from our Northwest Greenbelt (Harvard Gulch) to the Platte River Trail System. This project will construct a concrete trail, beginning at the end of our trail system east of Raritan Street, and passing under the railroad tracks in Denver. This will complete the trail system connection to the Platte River.

**Both retaining walls (north and south walls) and trail are constructed 70 feet west of the pedestrian tunnel. Construction of the remaining section of trail and walls continues. The goal is to have the infrastructure complete this month.**

## KENT PLACE

A grand opening of the “Fresh Fare by King Soopers” was held Wednesday, December 12<sup>th</sup>. Patxis Chicago Pizza, Kriser’s Pet Store, and Cellars Fine Wines are open.

**Construction of the Chase Bank is complete.**

Excavation and exporting of soil for Kent Place residential development is complete. **The contractor continued foundation work for the residential apartments.** A large crane has been set on site for the residential construction.

### **STREET MAINTENANCE PROJECTS 2012**

**Contract crack sealing will continue through the winter months as weather allows.**

### **CITYCENTER SITE DEVELOPMENT**

#### **Alexan East and West Parcels**

438 residential units. Alexan's occupancy level for March, 2012 is 94.5%. Commercial uses: Let It Bead, Liquor Store, State Farm, Lifetime Family Practice, Cuttin' It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, CityCenter Community, Solid Grounds, and Weingarten Realty.

The new Liquor Store, located west of Let It Bead, is open.

#### **Parkway Retail / Office Buildings**

Commercial uses: The International House of Pancakes (IHOP), Qdoba, GNC, Supercuts, Nails Center, CityCenter Dental Group, Tableaux Interior Design, Englewood Eyecare, Collective Licensing Int'l, Inc., M.P. Hayutin, LLC, Quizno's, Air Walk, "Insurance Company of the West", Fred Astaire Dance Studio, Wellness Treatment Center, SB Clark Companies, Unifocus, and Bartertown Comics.

Collective Licensing is expanding and will occupy the old Miller space. **Tenant finish for Collective Licensing is expected to be complete within the next two weeks.**

#### **Bally's Building**

Tenants include Bally's, "Blondies Fire House Pub and Restaurant", and MaxFour.

#### **Retail South of the Parkway**

Tenants: Petco, Ross, Coldstone Creamery, Noodles, Office Depot, and Einstein Bagels. **The Sports Authority store has closed.**

#### **Gold Mine Pad**

Tenants include: Jamba Juice, Tokyo Joe's, Mega Wraps, and Doctors Express.

#### **CityCenter Site**

EEFI continues project management of all infrastructure on the site. Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance. **All holiday decorations and lighting were removed last week.**

### **ENGLEWOOD MCLELLAN RESERVOIR FOUNDATION (EMRF)**

#### **PA-84 West**

The Mike Ward Infiniti dealership opened on Monday, August 29, 2011.

The EMRF lease with the Larry Miller Nissan Dealership was signed on February 7<sup>th</sup>.

#### **PA-85 (RTD site)**

RTD paid the final billing in the amount of \$591,836.86. Finance has deposited this money in the LTAR fund.

#### **PA-85 (Benjamin Franklin Charter School)**

The Benjamin Franklin Charter School is open.

### **AIR QUALITY/ENERGY SAVING PROJECTS**

#### **Flex Fuel Program**

Currently, 39 of our fleet vehicles are running on E-85 ethanol fuel. All new replacement vehicles (less than ¾ ton) will be compatible with E-85. Approximately 50 Flex Fuel vehicles will be in our fleet within two years. Currently, the cost of E-85 fuel is approximately \$0.40 per gallon less than regular unleaded gasoline. Ten of our fleet vehicles run on Compressed Natural Gas (CNG). 39 on-road vehicles and 23 off road (construction equipment) run on biodiesel fuel.

Hybrid Vehicle Purchase

Two hybrid vehicles are in service, one in the Fire Department and one in the Building Division.

"Green" Programs

We continue to work with our vendors to expand the Green product line as it becomes available. 90% of our custodial paper supplies are from recycled sources. The Servicer is now "single-streaming" waste at the Servicer and a dumpster has been supplied for *cardboard only* recycling.

Energy Saving Projects

In 2001, the Public Works Traffic Division began an ongoing program to convert traffic signals from incandescent lamps to Light-Emitting-Diode (LED) bulbs. To date, 80% of our City maintained signals have been converted. LED traffic signals use 90% less energy than incandescent lamps, last five times longer, and provide better visibility.

GPS IN VEHICLES

The City received a grant, through RAQC (Regional Air Quality), to install 37 GPS units in some of our fleet vehicles. Our match to the project is the installation. The Servicer Garage will install with in-house labor. The GPS units will be installed in Police patrol vehicles, Public Works vehicles, Fire Department equipment, and some Wastewater Treatment Plant vehicles. **GPS equipment installation is substantially complete. Staff is in the process of refining software for tracking vehicles. Staff expects to provide a demonstration for City Council at a future Study Session.** The system will allow us to track locations, easily obtain information regarding quantities of ice slicer dispensed, monitor idle times, and allow the public to track where plow trucks have been.

/lt

## Comments relating to the Clarkson closure (between Hampden and Girard)

### **The completion of following items is necessary prior the actual Clarkson closure:**

#### Signage installation:

- Swedish Emergency Route signs (per approved plan)
- Craig Hospital guide signs (per approved plan)
- No Parking signs on S. Emerson between Hampden and Girard (west side only)
- SWEDISH ACCESS ONLY signage at Clarkson and Hampden (north side of the intersection)

#### Variable Message Boards (VMB) to be placed on Clarkson (7-10 days prior the closure):

- north of Hampden for the northbound direction (\*)
  - south of Girard for the southbound direction
- (\*) VMB to stay in place after the closure for additional 2 months

#### EVP (OPTICOM) units to be installed at:

- Clarkson and Girard (westbound direction only)
- Downing and Hampden (westbound direction only)

#### Video detection to be installed at:

- Clarkson and Girard (northbound and southbound directions)

Establish 20 MPH Hospital District zone on Hampden between Logan and Clarkson (by COE)

Traffic Control Plan (TCP) for the actual Clarkson closure to be submitted for COE approval

### **The installation of following items shall be completed by the end of March 2013:**

- Fiber optics communication lines (per approved plan)
- PTZ cameras at Hampden and Logan, Hampden and Clarkson
- Rectangular Rapid Flashing Beacons (RRFB) at the Hampden pedestrian crosswalks:
  - Pennsylvania (west side of the intersection)
  - Pearl (east side of the intersection)
  - Mid-block pedestrian crossing (west of Washington)
- Electronic speed radar signs:
  - east of Logan (for the eastbound Direction)
  - east of Washington (for the westbound direction)

**CITY OF ENGLEWOOD  
2013 CALENDAR OF EVENTS**



Mon., Jan. 14	6:00 p.m.	Study Session, City Council Conference Room
Tue., Jan. 15	7:00 p.m.	Library Board, Library Board Room
Wed., Jan. 16	6:30 p.m.	Code Enforcement Advisory Board, City Council Conf. Rm.
	<b>Canceled</b>	Local Liquor and Medical Marijuana Licensing Authority, telephone poll
<b>Mon., Jan. 21</b>		<b>City Hall closed — Martin Luther King Day</b>
Tues., Jan. 22	5:30 p.m.	Executive Session, City Council Conference Room
	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Wed., Jan. 23	7:00 p.m.	Planning and Zoning, City Council Conf. Room/Council Chambers
Mon., Jan. 28	6:00 p.m.	Study Session, Community Room
Mon., Feb. 4	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Feb. 5	7:00 p.m.	Planning and Zoning, City Council Conf. Room/Council Chambers
Wed., Feb. 6	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., Feb. 11	6:00 p.m.	Study Session, Community Room
Tues., Feb. 12	4:00 p.m.	NonEmergency Employees Retirement Plan Board, Public Works Conference Room
	5:00 p.m.	Water and Sewer Board, Comm. Dev. Conference Room
	6:30 p.m.	Keep Englewood Beautiful, Council Conference Room
	7:00 p.m.	Library Board, Library Board Room
Wed., Feb. 13	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
	6:30 p.m.	Englewood Urban Renewal Authority, Community Development Conference Room

Thurs., Feb. 14	11:30 a.m.	Alliance for Commerce, City Council Conference Room
	3:00 p.m.	Police Officers Pension Plan Bd., Public Works Conf. Rm.
	5:30 p.m.	Parks & Recreation Commission, Broken Tee Golf Course
<b>Mon., Feb. 18</b>		<b>City Hall closed — President's Day</b>
Tues., Feb. 19	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Wed., Feb. 20	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
	7:00 p.m.	Planning and Zoning, City Council Conf. Room/Council Chambers
Thurs., Feb. 21	4:00 p.m.	Firefighters Pension Plan Board, Public Works Conference Room
Mon., Feb. 25	6:00 p.m.	Study Session, Community Room
Wed., Feb. 27	4:00 p.m.	Englewood Housing Authority Board Meeting, Housing Authority Board Room
Mon., March 4	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., March 5	7:00 p.m.	Planning and Zoning, City Council Conf. Room/Council Chambers
Wed., March 6	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	<b>Canceled</b>	Local Liquor and Medical Marijuana Licensing Authority, telephone poll
Mon., March 11	6:00 p.m.	Study Session, Community Room
Tue., March 12	7:00 p.m.	Library Board, Library Board Room
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	6:30 p.m.	Englewood Urban Renewal Authority, Community Development Conference Room
Thurs., March 14	11:30 a.m.	Alliance for Commerce, City Council Conference Room

**TENTATIVE**

**STUDY SESSIONS TOPICS  
FOR ENGLEWOOD CITY COUNCIL**



- January 22      Study Session & Regular Meeting – Tuesday  
                    Executive Session – Real Estate  
                    Alliance for Commerce in Englewood Committee  
                    Financial Report  
                    Investment Policy Changes
- January 28      Study Session  
                    Fire Services Survey Discussion  
                    Board and Commission Appreciation Night/Gift Discussion  
                    Citizen of the Year Selection  
                    Board and Commission Reports
- February 4      Study Session & Regular Meeting  
                    Executive Session – Negotiations (Xcel)  
                    Executive Session - Personnel
- February 11     Study Session  
                    Colorado and Federal Legislators  
                    Security Camera Update  
                    Mill Levy
- February 19     Study Session & Regular Meeting - Tuesday  
                    RTD Representative  
                    Arapahoe County Commissioners  
                    Financial Report
- February 25     Study Session (2013 Business Summit on 2/26/13)  
                    Solar Friendly Cities  
                    Comprehensive Plan Subcommittee Report  
                    Board and Commission Reports
- March 4         Study Session & Regular Meeting

March 11	Study Session NLC Conference – Washington D. C.
March 18	Study Session & Regular Meeting Executive Session (Real Estate/Depot) Financial Report
March 25	Study Session Board and Commission Reports
April 1	Study Session & Regular Meeting
April 8	Study Session
April 15	Study Session & Regular Meeting Financial Report
April 22	Study Session Board and Commission Reports
April 29	No meeting scheduled – 5 <sup>th</sup> Monday
May 6	Study Session & Regular Meeting Board and Commission Members Reappointment Discussion
May 13	Citizen of the Year Celebration

#### **FUTURE STUDY SESSION TOPICS**

Community Safety  
 Citizens Budget Committee  
 Neighborhood Preservation  
 Water Conservation Plan  
 Citizen Engagement/Mindmixer  
 Public Comment Process  
 Hotel/Motel Regulations (Continued)  
 Solar (DRCOG) Gardening  
 Gun Violence  
 Colorado Finest High School Project Use Tax  
 High School IGA – Turf/Tennis Courts

**ENGLEWOOD HOUSING AUTHORITY  
BOARD OF COMMISSIONERS  
Regular Meeting  
November 7, 2012**

**I. CALL TO ORDER**

The Regular Meeting of the Englewood Housing Authority Board of Commissioners was called to order at 4:08 p.m. on Wednesday, November 7, 2012 at 3460 South Sherman Street, Suite 203, Englewood, Colorado, 80113, by Chair Beverly Bradshaw.

**II. ROLL CALL**

Members Present: Beverly Bradshaw, Chair  
Jarrod Schleiger, Commissioner  
Margaret Williams, Commissioner  
Judy Browne, Commissioner  
James Woodward, Mayor Pro Tem & Council Liaison

Members Absent: Jennifer Haynes, Vice Chair (Excused)

Also Present: Renee Tullius, Executive Director  
Jerry Graber, Administrative Manager

**III. SCHEDULED VISITORS**

There were no scheduled visitors.

**IV. UNSCHEDULED VISITORS**

There were no unscheduled visitors.

**V. MINUTES**

**A. Regular Meeting held October 3, 2012.**

**COMMISSIONER SCHLEIGER MOVED TO ACCEPT AND APPROVE THE MINUTES OF THE REGULAR MEETING OF THE ENGLEWOOD HOUSING AUTHORITY BOARD OF COMMISSIONERS HELD OCTOBER 3, 2012.**

**COMMISSIONER WILLIAMS SECONDED THE MOTION.**

Ayes: Bradshaw, Schleiger, Williams, Browne

Nays: None

Abstained: None

Absent: Haynes

**The Chair declared the motion carried.**

## VI. DIRECTOR'S REPORT

### A. Narrative

Renee Tullius noted that there was a plumbing leak in the bathroom of the boardroom, which caused some damage. The repairs included installing new flooring. The web-based entry systems at Simon Center and Orchard Place are scheduled to be completed by the end of the week.

Related to the Canterbury Apartments, the general contractor has been selected and that contract is within \$1,000 of their originally estimated construction costs. The drawings are 85% complete and are scheduled to be submitted to the City for review on November 19<sup>th</sup>. EHA should have reviewable documents after Thanksgiving. The closing with the tax credit investor is targeted for the second week in December. Most of the residents have been relocated, only two remain. None of the former tenants will be returning after rehab is complete.

Chair Bradshaw inquired about the resident council dinner and luncheon mentioned in the report. Both resident councils have been active with meals and other activities for the residents. Commissioner Williams noted that it was very nice and well attended. They have been averaging around 30 persons at the Saturday morning coffee and continue to look for additional activities to get the men more involved in the social functions at the building. Mayor Pro Tem James Woodward offered a new set of dominoes to the Orchard Place resident council. Chair Bradshaw offered a Mahjong set if anyone was interested.

There was some discussion about the housing choice voucher program - including how portability works, the income discrepancy review process, repayment agreements, also about how the EHA is serious about unresolved excess damages to landlords' properties, including termination of assistance if the participant does not settle with the landlord for tenant caused damages.

Chair Bradshaw asked about the status of EHA's efforts to enroll more Douglas County Section 8 HCV participants into the FSS program. Marty has had three Douglas County participants enroll.

The Housing Colorado conference session on succession planning was a success. The format was very interactive and Roger did an excellent job as a moderator, the audience was mostly non-profit, non-housing authority personnel, and the 2 hour session went by quickly.

The board wondered if we could or should acknowledge the donor that is providing Thanksgiving dinners to our clients. The desire is to acknowledge and honor, not to embarrass or put on the spot. They have a large number that they help, not just Englewood Housing.

## **B. Financial Reports**

There were no questions about the Financial Reports. The financial reports are well organized and demonstrate a sense of the financial health of the agency.

## **C. Program Reports**

There were no questions about the Program Reports. There was a brief discussion about the units that turned over during the year.

## **VII. DISCUSSION ITEMS, MOTIONS AND RESOLUTIONS**

### **A. Resolution No. 17, Approval of Public Housing Operating Subsidy Budget for 2013.**

The Public Housing operating subsidy funds the duplexes and Orchard Place. In addition to the operating subsidy EHA also receives funding from the Capital Fund Program. There was a brief discussion about the federal budget, the fiscal cliff, and potential sequestration which could mean across the board cuts of 8.2%.

**COMMISSIONER SCHLEIGER MOVED TO APPROVE RESOLUTION 17, APPROVAL OF PUBLIC HOUSING OPERATING SUBSIDY BUDGET FOR 2013. COMMISSIONER WILLIAMS SECONDED THE MOTION**

Ayes:	Bradshaw, Schleiger, Williams, Browne
Nays:	None
Abstained:	None
Absent:	Haynes

**The Chair declared the motion carried.**

## **VIII. INFORMATION AGENDA**

Chair Bradshaw made note of the scheduled Board meetings for 2013 and requested that Board members mark their calendars for those meetings.

## **IX. GENERAL DISCUSSION**

### **A. Commissioner's Choice**

Chair Bradshaw commented on the press release regarding Marty Mossman receiving the Eagle Award. The dividend from Housing Authority Insurance was nice to see. EHA will likely see an increase in insurance costs for next year.

Commissioner Browne was sorry she missed the luncheon for Marty and asked how it was. Renee Tullius noted that it was very nice and well attended. Marty Mossman is thrilled about the Eagle Award.

Commissioner Williams mentioned that has enjoyed being a part of the Board, and her fellow board members, she will plan to attend the December meeting, but after that the time for her to step down has arrived. She will miss the monthly camaraderie but is not able to continue due to health. She will continue to stay busy with sewing quilts and hats for the children in Englewood.

Commissioner Schleiger asked about the development of the vacant lots – are we planning on a construction loan to finance construction? Given our reserve levels do we need to finance the construction? Renee Tullius explained that because we have no way of knowing future funding levels, we are hesitant to commit the reserves to this project, because interest rates are low now, and we might have difficulty borrowing money in the future with lower reserves and possibly decreased future funding.

#### **B. Director's Choice**

Director Tullius noted that she would be attending the next hearing for the rezoning of the General Iron Works property and the adjacent parcel, on Tuesday, November 20 at 7:00 p.m. Renee Tullius shared an article from the Englewood Herald about former Director Dawn Shepherd being recognized at the Chamber of Commerce Service Club Luncheon, she was honored as an outstanding Rotary volunteer.

#### **C. Council Communication**

Mayor Pro-Tem Woodward reported Marty's luncheon was really nice and he enjoyed the variety of food, and especially the homemade green chili.

He noted that the City of Englewood is doing well based on comparison of 2012 year to date versus the same period in 2011 for total sales tax revenues, and fees & permits. That does not even include the future impact of the redevelopment of Martin Plastics which is being redeveloped as housing, Kent Place residential and Floyd middle school.

There are a couple of proposals for the Mason's building. Swedish Hospital is interested in using the property for a parking lot or parking garage. The developer of retail space on Grant Street and another on old Hampden, is interested in using low income tax credits to develop senior housing.

**IX. ADJOURNMENT**

**With no further business, and without any objections, Chair Bradshaw declared the regular meeting adjourned at 4:55 pm.**

  
Beverly J. Bradshaw, Chair  
Englewood Housing Authority  
Board of Commissioners

\_\_\_\_\_  
Renee Tullius, Executive Director  
Englewood Housing Authority  
Board of Commissioners

**ENGLEWOOD HOUSING AUTHORITY  
BOARD OF COMMISSIONERS  
Regular Meeting  
December 5, 2012**

**I. CALL TO ORDER**

The Regular Meeting of the Englewood Housing Authority Board of Commissioners was called to order at 4:02 p.m. on Wednesday, December 5, 2012 at 3460 South Sherman Street, Suite 203, Englewood, Colorado, 80113, by Vice Chair Jennifer Haynes.

**II. ROLL CALL**

Members Present: Beverly Bradshaw, Chair (Arrived after meeting started)  
Jennifer Haynes, Vice Chair  
Jarrod Schleiger, Commissioner  
Margaret Williams, Commissioner  
Judy Browne, Commissioner  
James Woodward, Mayor Pro Tem & Council Liaison

Members Absent: None

Also Present: Renee Tullius, Executive Director  
Jerry Graber, Administrative Manager  
Geula Sherman, Financial Services Manager

**III. SCHEDULED VISITORS**

There were no scheduled visitors.

**IV. UNSCHEDULED VISITORS**

There were no unscheduled visitors.

**V. MINUTES**

**A. Regular Meeting held November 7, 2012.**

**COMMISSIONER BROWNE MOVED TO ACCEPT AND APPROVE THE MINUTES OF THE REGULAR MEETING OF THE ENGLEWOOD HOUSING AUTHORITY BOARD OF COMMISSIONERS HELD NOVEMBER 7, 2012. COMMISSIONER WILLIAMS SECONDED THE MOTION.**

Ayes: Schleiger, Williams, Browne  
Nays: None  
Abstained: Haynes (was not in attendance at that meeting)  
Absent: Bradshaw (Arrived after meeting started)

**The Vice Chair declared the motion carried.**

## VI. DIRECTOR'S REPORT

### A. Narrative

Renee Tullius noted that an insurance claim was submitted by the aide to a resident at Orchard Place who reportedly slipped on the sidewalk last winter. It was discussed that the adjuster anticipates a settlement for less than the requested claim amount.

The Board questioned whether replacing the carpet in the first floor hallway with tile might increase the likelihood of falls. The main entry at Orchard Place has the same tile and there have not been any problems.

There was a question about the process for Section 8 HCV program participants that vacate their unit without proper notice – EHA processes termination of assistance for program violations. It was questioned why EHA would be trying to lease up more people on Section 8 rather than less. This is an issue because it affects the EHA lease-up or utilization rate. EHA is required to either spend 98% of the authorized budget amount or lease-up 98% of the unit months available.

A Commissioner asked what the "File of Life" program is and how it works. It is basically a program to let emergency responders know if the resident is on medication, medical conditions and advanced directives such as do not resuscitate. Jim Woodward noted that one member of the Impact Team is leaving, and a female detective will be replacing him on the Impact Team.

### B. Financial Reports

Geula Sherman highlighted the major areas of the 2013 Budget. She discussed the anticipated inadequate funding for the voucher program, and how it cannot be supported by the public housing fund, and any unfunded costs will be charged against EHA management fund or other non-HUD sources.

Sequestration, pro-ration, and the fiscal cliff are large unknowns, and therefore the budget is the best estimate available at this time – and because of the unknown EHA projections are cautious. There was a question about how conservative the 2013 budget is in comparison to previous years. Geula explained that the funding for previous years has steadily declined:

2008	100%
2009	90%
2010	92%
2011	84%
2012	80%
2013	75% Projection used for 2013 budget

Public Housing used to contribute toward social events for the residents, however for 2013 and future years, laundry proceeds will be used for these events.

Rehab is budgeted for 2013 for two duplexes, but only if there is turnover.

HUD sent a letter about the FSS Coordinator Grants, and EHA was later notified that the previous letter was inaccurate.

EHA has budgeted anticipating using \$10,000 from reserves.

The budgets that were distributed had a formula error, and the ### should be replaced with \$833,936.

A Board member asked if EHA purchases CFR Books. Yes, because we use them in meetings without internet access.

Section 8 budget appears to be \$3.3 million ahead of 2012? During 2012 EHA was required to use reserves. There are not any excess reserves to be used for 2013.

The board asked about House of Hope – what is it? The House of Hope moved from Sheridan, to a space in Englewood. They provide limited support to homeless families trying to get on their feet. EHA provides snow removal for them. They are located near Grant & Floyd.

### C. Program Reports

There were no questions about the Program Reports.

## VII. DISCUSSION ITEMS, MOTIONS AND RESOLUTIONS

- A. **Resolution No. 18**, Approving the EHA Consolidated Operating Budget for Fiscal Year 2013.

**VICE CHAIR HAYNES MOVED TO APPROVE RESOLUTION 18, APPROVING THE EHA CONSOLIDATED OPERATING BUDGET FOR FISCAL YEAR 2013. COMMISSIONER WILLIAMS SECONDED THE MOTION**

Ayes:	Bradshaw, Haynes, Schleiger, Williams, Browne
Nays:	None
Abstained:	None
Absent:	None

**The Chair declared the motion carried.**

**B. Resolution No. 19, Establishing Risk Management as an Operational Priority.**

**COMMISSIONER SCHLEIGER MOVED TO APPROVE RESOLUTION 19,  
ESTABLISHING RISK MANAGEMENT AS AN OPERATIONAL PRIORITY.  
VICE CHAIR HAYNES SECONDED THE MOTION**

Ayes: Bradshaw, Haynes, Schleiger, Williams, Browne  
Nays: None  
Abstained: None  
Absent: None

**The Chair declared the motion carried.**

**C. Resolution No. 20, Authorizing the Executive Director to Sign Canterbury Apartments Limited Partnership Agreement.**

Renee Tullius explained that CHDA has agreed to move EHA into second position of the "waterfall" of funds. Previously EHA was at 3<sup>rd</sup> then 6<sup>th</sup>, now 2<sup>nd</sup> in line to receive funds. They have agreed to pay EHA's legal fees related to this Limited Partnership Agreement, and the Tax Credit Investor has reportedly agreed to these conditions. EHA's attorney suggested that there should be a Board Resolution specifically authorizing the Executive Director to sign the Limited Partnership Agreement.

**VICE CHAIR HAYNES MOVED TO APPROVE RESOLUTION 20,  
AUTHORIZING THE EXECUTIVE DIRECTOR TO SIGN CANTERBURY  
APARTMENTS LIMITED PARTNERSHIP AGREEMENT.  
COMMISSIONER BROWNE SECONDED THE MOTION**

Ayes: Bradshaw, Haynes, Schleiger, Williams, Browne  
Nays: None  
Abstained: None  
Absent: None

**The Chair declared the motion carried.**

**VIII. INFORMATION AGENDA**

The holiday brunches for the residents are scheduled for December 12<sup>th</sup> and 13<sup>th</sup>. Attendance is expected to be 60 residents for each day.

The PHADA document discussing Occupancy Standards was discussed briefly and it was noted that 3,047 public housing authorities have public housing. Only 46% of them are high performers.

The EPC (“Energy Performance Contract”) summary report was discussed briefly, and EHA beat the estimated savings by \$2,096. The EPC resulted in EHA receiving approximately \$15,000 in additional subsidy. Orchard Place is public housing and under an Annual Contributions Contract with HUD. Simon Center is not an Annual Contributions Contract property. Commissioner Browne requested a copy of the detailed report.

## **IX. GENERAL DISCUSSION**

### **A. Commissioner’s Choice**

Commissioners expressed thanks for the Holiday Gifts and great food.

### **B. Director’s Choice**

Director Tullius distributed a printout showing site pictures of EHA vacant lots. Preliminary plans were discussed for the townhouses proposed for the Galapago site.

Drawings for planned improvements to the loading dock at Simon Center were distributed and discussed.

Agency Goals for 2013 were distributed and discussed. EHA is considering applying for a FEMA grant for fire and safety at the buildings. The “Santa for a Senior” program was discussed along with the impact it has for EHA residents. In 2013 EHA is considering trading office space for services to our residents. Commissioner Browne suggested exploring a fundraiser to raise funds to hire a resident services coordinator. Chair Bradshaw suggested exploring the possibility of having an intern program on EHA sites with the intern provided and supervised by the Metro or CU Denver School of Social Work.

Director Tullius noted that EHA’s goal is to remain a high performer, even though that is becoming more difficult each year.

### **C. Council Communication**

Jim Woodward gave an update of the City of Englewood. Colorado’s Finest Alternative School will be moving to Englewood Middle School and their building will eventually be put on the market. Clarkson Street will be permanently closed effective January 21<sup>st</sup> for the Craig Hospital expansion. King Soopers at Kent Place is scheduled to open December 12<sup>th</sup>. Drawings have been submitted for the market rate apartments. Einstein Bagels will be opening December 12<sup>th</sup>. Flood Middle

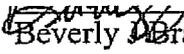
School plans were approved and demolition will start in February or March. Winslow / General Iron had a public hearing and the zoning application was turned down. The recommendation by staff was to postpone it because they do not want that property to have two different zonings until they know what the plans are. Martin Plastics site has been approved as PUD for 250 housing units.

**IX. ADJOURNMENT**

**VICE CHAIR HAYNES MOVED THAT THE REGULAR MEETING BE ADJOURNED. COMMISSIONER SCHLEIGER SECONDED THE MOTION.**

Ayes:	Bradshaw, Haynes, Schleiger, Williams, Browne
Nays:	None
Abstained:	None
Absent:	None

**Chair Bradshaw declared the regular meeting adjourned at 5:57 p.m.**

  
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Beverly Bradshaw, Chair  
Englewood Housing Authority  
Board of Commissioners

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Renee Tullius, Executive Director  
Englewood Housing Authority  
Board of Commissioners