

**Agenda for the  
Regular Meeting of the  
Englewood City Council  
Monday, February 3, 2014  
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 January 21, 2014.
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 resolution reappointing Andy Berger to the Transportation Advisory Committee.
  - b. A resolution appointing Leah Buchanan to the Keep Englewood Beautiful Commission.
  - c. A resolution reappointing Michael Buchanan to the Public Library Board.

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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- d. A resolution reappointing Michael Buchanan to the Urban Renewal Authority.
- e. A resolution reappointing John Brick to the Planning and Zoning Commission.
- f. A resolution appointing Douglas Cohn to the Election Commission.
- g. A resolution appointing Melody Connett to the Police Officers Pension Board.
- h. A resolution appointing Tanya DeNorch to the Keep Englewood Beautiful Commission.
- i. A resolution appointing Chris Diedrich as an alternate member of the Transportation Advisory Committee
- j. A resolution appointing Matthew Dillin to the Keep Englewood Beautiful Commission.
- k. A resolution appointing Robert Farris to the Alliance for Commerce in Englewood Committee.
- l. A resolution appointing Michael Freemire to the Planning and Zoning Commission.
- m. A resolution reappointing Douglas Garrett to the Parks and Recreation Commission.
- n. A resolution reappointing Chuck Habenicht to the Water and Sewer Board.
- o. A resolution appointing Patrick Madrid as an alternate member of the Planning and Zoning Commission.
- p. A resolution reappointing Roger Mattingly to the Keep Englewood Beautiful Commission.
- q. A resolution reappointing Kaylene McCrum to the Keep Englewood Beautiful Commission.
- r. A resolution appointing Christine McGroarty to the Transportation Advisory Committee.
- s. A resolution appointing Allie Moore to the Keep Englewood Beautiful Commission.
- t. A resolution appointing Allie Moore to the Parks and Recreation Commission.
- u. A resolution appointing John Moore to the Budget Advisory Committee.
- v. A resolution reappointing John Moore to the NonEmergency Employee Retirement Board.
- w. A resolution appointing Barbara Oxford to the Malley Center Trust Fund.
- x. A resolution appointing James Phelps to the NonEmergency Employee Retirement Board.
- y. A resolution appointing Laura Phelps Rogers to the Cultural Arts Commission.
- z. A resolution reappointing Sue Purdy to the Board of Adjustments and Appeals.

- aa. A resolution appointing Brenidy Rice to the Keep Englewood Beautiful Commission.
- bb. A resolution appointing Peter Sendroy to the Transportation Advisory Committee.
- cc. A resolution reappointing Carolyne Wilmoth to the Firefighters Pension Board.
- dd. A resolution appointing Jim Woodward to the NonEmergency Employee Retirement Board.
- ee. A resolution appointing Jim Woodward to the Parks and Recreation Commission.
- ff. A resolution reappointing Jessie Van Gundel to the Keep Englewood Beautiful Commission.

9. Consent Agenda Items.

- a. Approval of Ordinances on First Reading.
  - i. Council Bill No. 7 – Recommendation from the Police Department to adopt a bill for an ordinance approving an Intergovernmental Agreement entitled “Federal Equitable Sharing Agreement and Certification” authorizing the acceptance of forfeiture monies from the Department of Justice and the Department of the Treasury. **Staff Source: Jeff Sanchez, Deputy Chief of Police.**
- b. Approval of Ordinances on Second Reading.
  - i. Council Bill No. 4, authorizing the application for, and acceptance of, a 2014 Emergency Management Performance Grant from the State of Colorado Department of Emergency Management in the amount of \$85, 421.25.
  - ii. Council Bill No. 5, approving Supplement #5 to the Connectors Agreement with the Columbine Water and Sanitation District authorizing inclusion of land within the district.
  - iii. Council Bill No. 6, amending Rules of Order and Procedure for City Council VI, H.
- c. Resolutions and Motions.

10. Public Hearing Items.

- a. A public hearing to gather input on Council Bill No. 60, authorizing amendments to Title 16: Unified Development Code regarding Home Occupations.

11. Ordinances, Resolutions and Motions

- a. Approval of Ordinances on First Reading.
- b. Approval of Ordinances on Second Reading.

- c. Resolutions and Motions.
  - i. Recommendation from the Finance and Administrative Services Department to approve a resolution authorizing a transfer and supplemental appropriation of funds reinstating a Permit Technician position in the Division of Building and Safety Services. **Staff Source: Frank Gryglewicz, Director of Finance and Administrative Services.**
  - ii. Recommendation from the Fire Department to approve a resolution authorizing the application for a grant from the Colorado Department of Public Health and Environment to assist in the purchase of three new LifePak 15 cardiac monitor/defibrillators. **Staff Sources: Andrew Marsh, Fire Chief and Steve Green, EMS Coordinator.**
  - iii. Recommendation from the Parks and Recreation Department to approve, by motion, the purchase and initial installation of a security system in the amount of \$525,758.00. Staff recommends awarding the contract to LONG Building Technologies, Inc., the company that submitted the proposal with the lowest cost in response to the request for proposal. **Staff Sources: Jerrell Black, Director of Parks and Recreation and Jeff Konishi, Director of Information Technology.**

12. General Discussion.

- a. Mayor's Choice.
- b. Council Members' Choice.
  - i. Resolution authorizing the distribution of funds from the former South Broadway Englewood Business Improvement District.

13. City Manager's Report.

14. City Attorney's Report.

15. Adjournment.

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING ANDY BERGER TO THE ENGLEWOOD  
TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD,  
COLORADO.

WHEREAS, the Englewood Transportation Advisory Committee has been established as an advisory committee focused on transportation issues in the City of Englewood and shall seek to promote close cooperation between the City, individuals, businesses, institutions and agencies concerned with transportation related activities; and

WHEREAS, the Englewood Transportation Advisory Committee was established by the Englewood City Council with the passage of Ordinance No. 65, Series of 2001; and

WHEREAS, Andy Berger is a current member of the Englewood Transportation Advisory Committee; and

WHEREAS, Andy Berger's term expired February 1, 2014; and

WHEREAS, Andy Berger has applied for reappointment to the Englewood Transportation Advisory Committee for another term;

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

Section 1. Andy Berger is hereby reappointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. Andy Berger's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING LEAH BUCHANAN TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, there is a vacancy on the Keep Englewood Beautiful Commission; and

WHEREAS, Leah Buchanan has applied to serve as a member of the Keep Englewood Beautiful Commission;

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

Section 1. Leah Buchanan is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Leah Buchanan's term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING MICHAEL BUCHANAN TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Public Library Board prepares and recommends to City Council a master plan for the development and maintenance of the City library system as well as policy issues; and

WHEREAS, Michael Buchanan is a current member of the Englewood Public Library Board; and

WHEREAS, Michael Buchanan's term expired February 1, 2014.

WHEREAS, Michael Buchanan has applied for reappointment to the Englewood Public Library Board for another term; and

WHEREAS, the Englewood City Council desires to reappoint Michael Buchanan to the Englewood Public Library Board for another term;

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

Section 1. Michael Buchanan is hereby reappointed to the Englewood Public Library Board. Michael Buchanan's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING MICHAEL BUCHANAN TO THE URBAN  
RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Urban Renewal Authority has the statutory authority to undertake projects which it finds necessary for the physical development of municipal land use including the improvement of areas within the City; and

WHEREAS, Michael Buchanan is a current member of the Englewood Urban Renewal Authority; and

WHEREAS, Michael Buchanan's term expired February 1, 2014; and

WHEREAS, Michael Buchanan has applied for reappointment to the Englewood Urban Renewal Authority; and

WHEREAS, the Mayor, with the approval of the Englewood City Council, desires to reappoint Michael Buchanan to the Englewood Urban Renewal Authority;

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

Section 1. Michael Buchanan is hereby reappointed to Englewood Urban Renewal Authority. Michael Buchanan's term will be effective immediately and will expire February 1, 2019.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING JOHN BRICK TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Planning and Zoning Commission makes recommendations to City Council regarding the master plan, the comprehensive zoning ordinance, proposed subdivisions and capital improvements; and

WHEREAS, John Brick is a current member of the Englewood Planning and Zoning Commission; and

WHEREAS, John Brick's current term expired February 1, 2014; and

WHEREAS, John Brick has applied for reappointment to the Englewood Planning and Zoning Commission;

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

Section 1. John Brick is hereby reappointed to the Englewood Planning and Zoning Commission. John Brick's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING DOUG COHN TO THE ELECTION COMMISSION OF THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Election Commission is charged with recommending to City Council rules and regulations with respect to municipal elections; and

WHEREAS, there is a vacancy on the Englewood Election Commission; and

WHEREAS, Doug Cohn has applied to serve as a member of the Englewood Election Commission;

WHEREAS, the Englewood City Council desires to appoint Doug Cohn to the Englewood Election Commission.

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

Section 1. Doug Cohn is hereby appointed to the Englewood Election Commission. Doug Cohn's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING MELODY CONNETT TO THE POLICE OFFICERS' PENSION BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Police Officers' Pension Board has the responsibility for the general supervision, management and control of the "Old Hire Pension Fund"; and

WHEREAS, there is a vacancy on the Englewood Police Officers' Pension Board; and

WHEREAS, Melody Connett has applied for appointment to the Englewood Police Officers' Pension Board; and

WHEREAS, the Englewood City Council desires to appoint Melody Connett to the Englewood Police Officers' Pension Board;

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

Section 1. Melody Connett is hereby appointed to Englewood Police Officers' Pension Board. Melody Connett's term will be effective immediately and will expire February 1, 2017.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING TANYA DeNORCH TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, there is a vacancy on the Keep Englewood Beautiful Commission; and

WHEREAS, Tanya DeNorch has applied to serve as a member of the Keep Englewood Beautiful Commission;

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

Section 1. Tanya DeNorch is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Tanya DeNorch's term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING CHRIS DIEDRICH AS AN ALTERNATE MEMBER TO THE TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Transportation Advisory Committee has been established as an advisory committee focused on transportation issues in the City of Englewood and shall seek to promote close cooperation between the City, individuals, businesses, institutions and agencies concerned with transportation related activities; and

WHEREAS, Chris Diedrich has graciously offered to serve on the City of Englewood's boards and commissions; and

WHEREAS, currently there are no vacancies on the boards and commissions; and

WHEREAS, the Englewood City Council desires to appoint Chris Diedrich as alternate member to the Transportation Advisory Committee; and

WHEREAS, City Council has requested staff to send this alternate member packets for the Board he will be serving on so that he can maintain an understanding of the current issues and rules; and

WHEREAS, while the alternate will not be able to vote at the meetings, he is nevertheless requested to attend as many meetings as possible to get a feel for the membership and issues; and

WHEREAS, Council wishes to express its gratitude for the volunteerism and service that this individual wishes to bestow upon the City;

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

Section 1. The Englewood City Council hereby appoints Chris Diedrich as an alternate member of the Englewood Transportation Advisory Committee.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING MATTHEW DILLIN TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, there is a vacancy on the Keep Englewood Beautiful Commission; and

WHEREAS, Matthew Dillin has applied to serve as a member of the Keep Englewood Beautiful Commission;

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

Section 1. Matthew Dillin is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Matthew Dillin's term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING ROBERT FARRIS TO THE ALLIANCE FOR COMMERCE  
IN ENGLEWOOD COMMITTEE (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Alliance For Commerce In Englewood Committee was established by the  
Englewood City Council with the passage of Ordinance No. 5, Series of 2001; and

WHEREAS, the Alliance For Commerce In Englewood Committee advises the Englewood  
City Council, focusing on the creation of an environment in which existing business can thrive  
and new business can prosper; and

WHEREAS, there is a vacancy on the Alliance for Commerce in Englewood Committee; and

WHEREAS, Robert Farris has applied to serve as a member of Alliance for Commerce In  
Englewood Committee; and

WHEREAS, the Englewood City Council desires to appoint Robert Farris to Alliance for  
Commerce In Englewood Committee;

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

Section 1. Robert Farris is hereby appointed to Alliance for Commerce In Englewood  
Committee. Robert Farris' term will be effective immediately and will expire July 1, 2015.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING MIKE FREEMIRE TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Planning and Zoning Commission makes recommendations to City Council regarding the master plan, the comprehensive zoning ordinance, proposed subdivisions as well as capital improvements; and

WHEREAS, there is a vacancy on the Englewood Planning and Zoning Commission; and

WHEREAS, Mike Freemire was previously named as an alternate to the Englewood Planning and Zoning Commission; and

WHEREAS, Council wishes to express its gratitude for the volunteerism and service that this individual wishes to bestow upon the City;

WHEREAS, the Englewood City Council desires to appoint Mike Freemire to the Englewood Planning and Zoning Commission;

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

Section 1. Mike Freemire is hereby appointed to the Englewood Planning and Zoning Commission. Mike Freemire's term will be effective immediately and shall expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING DOUGLAS GARRETT TO THE PARKS  
AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City has established a Parks and Recreation Commission to advise on all matters pertaining to recreation; to prepare an annual Parks and Recreation Master Plan and to review the annual Parks and Recreation Budget; and

WHEREAS, Douglas Garrett is a current member of the Englewood Parks & Recreation Commission; and

WHEREAS, Douglas Garrett's current term expired February 1, 2014; and

WHEREAS, Douglas Garrett has applied for reappointment to the Englewood Parks and Recreation Commission for another term; and

WHEREAS, the Englewood City Council desires to reappoint Douglas Garrett to the Englewood Parks and Recreation Commission for another term;

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

Section 1. Douglas Garrett is hereby reappointed to the Parks and Recreation Commission for the City of Englewood, Colorado. Douglas Garrett's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING CHUCK HABENICHT TO THE WATER AND SEWER BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Water and Sewer Board plans for the continued adequacy of the domestic water supply and system and sanitary sewer system and shall have the power to protect the domestic water supply of the City from injury and pollution; and

WHEREAS, Chuck Habenicht is a current member of the Englewood Water and Sewer Board; and

WHEREAS, Chuck Habenicht's current term expired February 1, 2014; and

WHEREAS, Chuck Habenicht has applied for reappointment to the Englewood Water and Sewer Board; and

WHEREAS, the Englewood City Council desires to reappoint Chuck Habenicht to the Englewood Water and Sewer Board;

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

Section 1. Chuck Habenicht is hereby reappointed to Englewood Water and Sewer Board. Chuck Habenicht's term will be effective immediately and will expire February 1, 2020.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING PATRICK MADRID AS AN ALTERNATE MEMBER TO THE PLANNING AND ZONING COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Planning and Zoning Commission makes recommendations to City Council regarding the master plan, the comprehensive zoning ordinance, proposed subdivisions as well as, capital improvements; and

WHEREAS, Patrick Madrid has graciously offered to serve on the City of Englewood’s boards and commissions and currently there are no vacancies on the Planning and Zoning Commission; and

WHEREAS, the Englewood City Council desires to appoint Patrick Madrid as alternate member to the Planning and Zoning Commission; and

WHEREAS, City Council has requested staff to send this alternate member packets for the Board he will be serving on so that he can maintain an understanding of the current issues and rules; and

WHEREAS, while the alternate will not be able to vote at the meetings, he is nevertheless requested to attend as many meetings as possible to get a feel for the membership and issues; and

WHEREAS, Council wishes to express its gratitude for the volunteerism and service that this individual wishes to bestow upon the City;

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

Section 1. The Englewood City Council hereby appoints Patrick Madrid as alternate member of the Englewood Planning and Zoning Commission.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING ROGER MATTINGLY TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, Roger Mattingly is a current member of the Keep Englewood Beautiful Commission; and

WHEREAS, Roger Mattingly's term expired February 1, 2014; and

WHEREAS, Roger Mattingly has applied for reappointment to the Keep Englewood Beautiful Commission for another term;

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

Section 1. Roger Mattingly is hereby reappointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Roger Mattingly's term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

ATTEST:

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

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

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Loucrishia A. Ellis, City Clerk

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING KAYLENE McCrum TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, Kaylene McCrum is a current member of the Keep Englewood Beautiful Commission; and

WHEREAS, Kaylene McCrum's term expired February 1, 2014; and

WHEREAS, Kaylene McCrum has applied for reappointment to the Keep Englewood Beautiful Commission for another term;

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

Section 1. Kaylene McCrum is hereby reappointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Kaylene McCrum's term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
 SERIES OF 2014

A RESOLUTION APPOINTING CHRISTINE MCGROARTY TO THE ENGLEWOOD  
 TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD,  
 COLORADO.

WHEREAS, the Englewood Transportation Advisory Committee has been established as an advisory committee focused on transportation issues in the City of Englewood and shall seek to promote close cooperation between the City, individuals, businesses, institutions and agencies concerned with transportation related activities; and

WHEREAS, the Englewood Transportation Advisory Committee was established by the Englewood City Council with the passage of Ordinance No. 65, Series of 2001; and

WHEREAS, there is a vacancy on the Englewood Transportation Advisory Committee; and

WHEREAS, Christine McGroarty has indicated her interest in serving as a member of the Englewood Transportation Advisory Committee; and

WHEREAS, the Englewood City Council desires to appoint Christine McGroarty to the Englewood Transportation Advisory Committee;

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

Section 1. Christine McGroarty is hereby appointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. Christine McGroarty's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING ALLIE MOORE TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, there is a vacancy on the Keep Englewood Beautiful Commission; and

WHEREAS, Allie Moore has applied to serve as a member of the Keep Englewood Beautiful Commission;

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

Section 1. Allie Moore is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Allie Moore's term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING ALLIE MOORE TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City has established a Parks and Recreation Commission to advise on all matters pertaining to recreation; to prepare an annual Parks and Recreation Master Plan and to review the annual Parks and Recreation Budget; and

WHEREAS, there is a vacancy in the Englewood Parks and Recreation Commission; and

WHEREAS, Allie Moore has applied to serve as a member of the Englewood Parks and Recreation Commission; and

WHEREAS, the Englewood City Council desires to appoint Allie Moore to the Englewood Parks and Recreation Commission;

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

Section 1. Allie Moore is hereby appointed to the Englewood Parks and Recreation Commission. Allie Moore's term will be effective immediately with term expiring February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING JOHN MOORE AS A MEMBER OF THE BUDGET  
ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Budget Advisory Committee was established by the Englewood  
City Council with the passage of Ordinance No. 16, Series 2013; and

WHEREAS, the City's finances and budget activities are important to the very essence of the  
City of Englewood's community; and

WHEREAS, the City Council recognizes the importance of citizen involvement in setting the  
scope of the budget activities in the City; and

WHEREAS, John Moore has applied for appointment to the Englewood Budget Advisory  
Committee; and

WHEREAS, there is a vacancy on the Englewood Budget Advisory Committee; and

WHEREAS, the Englewood City Council desires to appoint John Moore to the Englewood  
Budget Advisory Committee;

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

Section 1. John Moore is hereby appointed to the Englewood Budget Advisory Committee.  
John Moore's term will be effective immediately and will expire July 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING JOHN MOORE TO THE NON-EMERGENCY  
RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Non-Emergency Employees Retirement Board is the trustee of the  
Non-Emergency Employees Retirement Plan Fund and has the power to establish investment or  
purchasing plans as necessary; and

WHEREAS, John Moore is a current member of the Englewood Non-Emergency Retirement  
Board; and

WHEREAS, John Moore's current term expired February 1, 2014; and

WHEREAS, John Moore has applied for reappointment to the Englewood Non-Emergency  
Retirement Board; and

WHEREAS, the Englewood City Council desires to reappoint John Moore to the Englewood  
Non-Emergency Retirement Board;

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

Section 1. John Moore is hereby reappointed to Englewood Non-Emergency Retirement  
Board. John Moore's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING BARBARA OXFORD TO THE MALLEY CENTER TRUST FUND BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, there is a vacancy on the Malley Center Trust Fund Board; and

WHEREAS, Barbara Oxford has applied to serve as a member of the Malley Center Trust Fund Board; and

WHEREAS, the Englewood City Council desires to appoint Barbara Oxford to the Malley Center Trust Fund Board;

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

Section 1. Barbara Oxford is hereby appointed to the Malley Center Trust Fund Board. Barbara Oxford's term will be effective immediately and will expire February 1, 2017.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING JIM PHELPS TO THE NON-EMERGENCY EMPLOYEES  
RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Non-Emergency Employees Retirement Board is the trustee of the  
Non-Emergency Employees Retirement Plan Fund and has the power to establish investment or  
purchasing plans as necessary; and

WHEREAS, there is a vacancy on the Englewood Non-Emergency Employees Retirement  
Board; and

WHEREAS, Jim Phelps has applied to serve as a member of the Englewood  
Non-Emergency Employees Retirement Board; and

WHEREAS, the Englewood City Council desires to appoint Jim Phelps to the Englewood  
Non-Emergency Employees Retirement Board;

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

Section 1. Jim Phelps is hereby appointed to Englewood Non-Emergency Employees  
Retirement Board. Jim Phelps' term will be effective immediately and will expire February 1,  
2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING LAURA PHELPS ROGERS AS A MEMBER OF THE  
CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Cultural Arts Commission was established by the Englewood  
City Council with the passage of Ordinance No. 5, Series of 1996; and

WHEREAS, the purpose of the Cultural Arts Commission is to provide planning for the  
development of cultural arts activities and to implement an Arts Plan; and

WHEREAS, there is a vacancy on the Englewood Cultural Arts Commission; and

WHEREAS, Laura Phelps Rogers has graciously applied for appointment to the Englewood  
Cultural Arts Commission; and

WHEREAS, the Englewood City Council desires to appoint Laura Phelps Rogers to the  
Englewood Cultural Arts Commission.

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

Section 1. Laura Phelps Rogers is hereby appointed to the Cultural Arts Commission for the  
City of Englewood, Colorado. Laura Phelps Rogers' term will become effective immediately and  
will expire July 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2013

A RESOLUTION REAPPOINTING SUE PURDY TO THE BOARD OF ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood Board of Adjustments and Appeals has the authority to hear and determine appeals from the refusal of building permits and other decisions regarding the enforcement of the zoning regulations, to make exceptions to the zoning regulations and to authorize variances from the strict application of zoning regulations; and

WHEREAS, Sue Purdy is a current member of the Englewood Board of Adjustment and Appeals; and

WHEREAS, Sue Purdy' term expired February 1, 2014; and

WHEREAS, Sue Purdy has applied for reappointment to the Englewood Board of Adjustment and Appeals for another term;

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

Section 1. Sue Purdy is hereby reappointed to the Board of Adjustment and Appeals for the City of Englewood, Colorado. Sue Purdy's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING BRENIDY RICE TO THE KEEP ENGLEWOOD  
BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, there is a vacancy on the Keep Englewood Beautiful Commission; and

WHEREAS, Brenidy Rice has applied to serve as a member of the Keep Englewood Beautiful Commission;

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

Section 1. Brenidy Rice is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Brenidy Rice's term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING PETER SENDROY TO THE ENGLEWOOD  
TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD,  
COLORADO.

WHEREAS, the Englewood Transportation Advisory Committee has been established as an advisory committee focused on transportation issues in the City of Englewood and shall seek to promote close cooperation between the City, individuals, businesses, institutions and agencies concerned with transportation related activities; and

WHEREAS, the Englewood Transportation Advisory Committee was established by the Englewood City Council with the passage of Ordinance No. 65, Series of 2001; and

WHEREAS, there is a vacancy on the Englewood Transportation Advisory Committee; and

WHEREAS, Peter Sendroy has indicated his interest in serving as a member of the Englewood Transportation Advisory Committee; and

WHEREAS, the Englewood City Council desires to appoint Peter Sendroy to the Englewood Transportation Advisory Committee;

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

Section 1. Peter Sendroy is hereby appointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. Peter Sendroy's term will be effective immediately and will expire February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING CAROLYNE WILMOTH TO THE FIREFIGHTERS’  
PENSION BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Firefighters’ Pension Board has the responsibility for the general supervision,  
management and control of the “Old Hire Pension Fund”; and

WHEREAS, Carolyne Wilmoth is a current member of the Englewood Firefighters’ Pension  
Board; and

WHEREAS, Carolyne Wilmoth term expired February 1, 2013; and

WHEREAS, Carolyne Wilmoth has applied for reappointment to the Firefighters’ Pension  
Board for another term;

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

Section 1. Carolyne Wilmoth is hereby reappointed to the Firefighters’ Pension Board for the  
City of Englewood, Colorado. Carolyne Wilmoth’s term will be effective immediately and will  
expire on February 1, 2017.

ADOPTED AND APPROVED this 3<sup>rd</sup> day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING JIM WOODWARD TO THE NON-EMERGENCY  
EMPLOYEES RETIREMENT BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Non-Emergency Employees Retirement Board is the trustee of the  
Non-Emergency Employees Retirement Plan Fund and has the power to establish investment or  
purchasing plans as necessary; and

WHEREAS, there is a vacancy on the Englewood Non-Emergency Employees Retirement  
Board; and

WHEREAS, Jim Woodward has applied to serve as a member of the Englewood  
Non-Emergency Employees Retirement Board; and

WHEREAS, the Englewood City Council desires to appoint Jim Woodward to the Englewood  
Non-Emergency Employees Retirement Board;

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

Section 1. Jim Woodward is hereby appointed to Englewood Non-Emergency Employees  
Retirement Board. Jim Woodward's term will be effective immediately and will expire February  
1, 2015.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPOINTING JIM WOODWARD TO THE PARKS AND RECREATION COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City has established a Parks and Recreation Commission to advise on all matters pertaining to recreation; to prepare an annual Parks and Recreation Master Plan and to review the annual Parks and Recreation Budget; and

WHEREAS, there is a vacancy in the Englewood Parks and Recreation Commission; and

WHEREAS, Jim Woodward has applied to serve as a member of the Englewood Parks and Recreation Commission; and

WHEREAS, the Englewood City Council desires to appoint Jim Woodward to the Englewood Parks and Recreation Commission;

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

Section 1. Jim Woodward is hereby appointed to the Englewood Parks and Recreation Commission. Jim Woodward's term will be effective immediately with term expiring February 1, 2018.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION REAPPOINTING JESSIE VAN GUNDEL TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Keep Englewood Beautiful Commission has been created to advise the City Council on all matters pertaining to environmental protection and neighborhood beautification; and

WHEREAS, Jessie Van Gundel is a current member of the Keep Englewood Beautiful Commission; and

WHEREAS, Jessie Van Gundel's term expired February 1, 2014; and

WHEREAS, Jessie Van Gundel has applied for reappointment to the Keep Englewood Beautiful Commission for another term;

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

Section 1. Jessie Van Gundel is hereby reappointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Jessie Van Gundel's term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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

## COUNCIL COMMUNICATION

<b>Date:</b> February 3, 2014	<b>Agenda Item:</b> 9 a i	<b>Subject:</b> I.G.A. re: Federal Equitable Sharing Agreement and Certification
<b>Initiated By:</b> Police Department	<b>Staff Source:</b> Jeff Sanchez, Deputy Chief of Police	

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

The Federal Equitable Sharing Program allows us to receive funds from the Federal government on a yearly basis. Our participation in this program contributes to the City's goals of a safe, clean, healthy, and attractive City and a progressive City that provides responsive and cost efficient services. City Council had previously approved the Federal Equitable Sharing Program for 2010, 2011, 2012 and 2013.

### RECOMMENDED ACTION

The Police Department is recommending that City Council adopt a Bill for an Ordinance authorizing an Intergovernmental Agreement allowing the Englewood Police Department to accept forfeiture monies from the Department of Justice and the Department of the Treasury by completing the Federal "Equitable Sharing Agreement and Certification" form. This request is for fiscal years 2014, 2015, 2016, and 2017.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Englewood Police Department periodically receives Federal forfeiture monies from the Justice and Treasury Departments for our participation or assistance provided to these agencies such as the Internal Revenue Service (IRS), Drug Enforcement Agency (DEA) and Federal Bureau of Investigation (FBI). These funds are used for law-enforcement purposes, such as equipment purchases and training. As part of our participation, we are required to sign a Federal Equitable Sharing Agreement and Certification that sets forth the requirements for participation in the Federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies, including the Englewood Police Department.

The City of Englewood's Finance Department places this money into designated accounts and tracks deposits, expenditures, and interest on these accounts. Upon year-end, the Chief of Police and Mayor sign the Equitable Sharing Agreement and Certification, which is then submitted to the Federal Government certifying compliance with federal forfeiture guidelines. This must be done within 60 days of the end of the City's fiscal year.

### FINANCIAL IMPACT

Federal forfeiture funds are deposited into the Police Donor's Fund and are used to pay for police-related equipment and training which would otherwise require City funding.

### LIST OF ATTACHMENTS

Bill for an ordinance

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2014

COUNCIL BILL NO. 7  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT ENTITLED "EQUITABLE SHARING AGREEMENT AND CERTIFICATION" BETWEEN THE UNITED STATES DEPARTMENT OF JUSTICE, UNITED STATES DEPARTMENT OF TREASURY AND THE CITY OF ENGLEWOOD, COLORADO ACCEPTING FORFEITURE MONIES DURING FISCAL YEARS 2014, 2015, 2016 AND 2017.

WHEREAS, this Agreement sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of the federally forfeited cash, property, proceeds and any interest earned thereon, which are equitably shared with participating law enforcement agencies; and

WHEREAS, Englewood periodically receives monies from the Justice Department and Treasury Department for participation or assistance provided to these agencies such as the Internal Revenue Service (IRS), Drug Enforcement Agency (DEA) and the Federal Bureau of Investigation (FBI); and

WHEREAS, these funds are used for law-enforcement purposes, such as equipment purchases and training; and

WHEREAS, to participate in the program, the City annually signs the Equitable Sharing Agreement and Certification; and

WHEREAS, the City places this money into designated accounts and tracks deposits, expenditures and interest on these accounts; and

WHEREAS, within 60 days of the City's fiscal year-end the Equitable Sharing Agreement and Certification is signed and submitted to the federal government certifying compliance with federal forfeiture guidelines; and

WHEREAS, the Englewood City Council authorized an IGA for Federal Equitable Sharing Agreement and Certification" for the fiscal years of 2010, 2011, 2012 and 2013 by the passage of Ordinance No. 17, Series of 2012; and

WHEREAS, authorization of this Agreement is required for the City of Englewood's continuation of participation in the United States Department of Justice Federal Equitable Sharing and Certification Program and will authorize the City's participation in this program for 2014, 2015, 2016 and 2017; and

WHEREAS, federal funds are being used for these projects.

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 the “Federal Equitable Sharing Agreement and Certification” between the United States Department of Justice, United States Department of Treasury and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property for 2014, which will be received in February 2015, attached hereto as “Exhibit A”.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes the “Federal Equitable Sharing Agreement and Certification” between the United States Department of Justice, United States Department of Treasury and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property for 2015, which will be received in February 2016.

Section 3. The City Council of the City of Englewood, Colorado hereby authorizes the “Federal Equitable Sharing Agreement and Certification” between the United States Department of Justice, United States Department of Treasury and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property for 2016, which will be received in February 2017.

Section 4. The City Council of the City of Englewood, Colorado hereby authorizes the “Federal Equitable Sharing Agreement and Certification” between the United States Department of Justice, United States Department of Treasury and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property for 2017, which will be received in February 2018.

Section 5. The federal forfeiture funds, proceeds and or property are received from the Department of Justice and Treasury Department. The federal forfeiture funds, proceeds and or property are to be used in accordance with federal statutes and guidelines. The costs to the City are limited to the costs of processing and accounting of the funds, which costs are budgeted annually in the Police budget.

Section 6. The City Manager is hereby authorized to sign said Intergovernmental Agreement between the United States Department of Justice and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property, on behalf of the City of Englewood for 2014.

Section 7. The City Manager is hereby authorized to sign said Intergovernmental Agreement between the United States Department of Justice and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property, on behalf of the City of Englewood for 2015.

Section 8. The City Manager is hereby authorized to sign said Intergovernmental Agreement between the United States Department of Justice and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property, on behalf of the City of Englewood for 2016.

Section 9. The City Manager is hereby authorized to sign said Intergovernmental Agreement between the United States Department of Justice and the City of Englewood, Colorado pertaining to the disbursement, with restrictions, of federally seized or forfeited cash or other property, on behalf of the City of Englewood for 2017.

Introduced, read in full, and passed on first reading on the 3rd day of February, 2014.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 7th day of February, 2014.

Published as a Bill for an Ordinance on the City's official website beginning on the 5<sup>th</sup> day of February, 2014 for thirty (30) days.

---

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 3rd day of February, 2014.

---

Loucrishia A. Ellis



# Equitable Sharing Agreement and Certification



OMB Number 1123-0011  
Expires 9-30-2014

- Police Department   
  Sheriff's Office   
  Task Force (Complete Table A)  
 Prosecutor's Office   
  National Guard Counterdrug Unit   
  Other

*\* Please fill each required field. Hover mouse over any fillable field for pop-up instructions. \**

**Agency Name:** \_\_\_\_\_

**NCIC/ORI/Tracking Number:**

**Mailing Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Finance Contact:** First: \_\_\_\_\_ Last: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Preparer:** First: \_\_\_\_\_ Last: \_\_\_\_\_

Same as Finance Contact Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Independent Public Accountant:** E-mail: \_\_\_\_\_

**Last FY End Date:** \_\_\_\_\_ **Agency Current FY Budget:** \_\_\_\_\_

- New Participant:** Read the Equitable Sharing Agreement and sign the Affidavit.  
 **Existing Participant:** Complete the Annual Certification Report, read the Equitable Sharing Agreement, and sign the Affidavit.  
 **Amended Form:** Revise the Annual Certification Report, read the Equitable Sharing Agreement, and sign the Affidavit.

## Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds <sup>1</sup>	Treasury Funds <sup>2</sup>
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)		
2	Federal Sharing Funds Received		
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (To populate, complete Table B)		
4	Other Income		
5	Interest Income Accrued <span style="float: right;">Non-Interest Bearing <input type="radio"/> Interest Bearing <input type="radio"/></span>		
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$0.00	\$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$0.00	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$0.00	\$0.00

<sup>1</sup> Justice Agencies are: FBI, DEA, ATF, USPIA, USDA, DCIS, DSS, and FDA.

<sup>2</sup> Treasury Agencies are: IRS, ICE, CBP, TTB, USSS, and USCG.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Total spent on salaries under permitted salary exceptions		
b	Total spent on overtime		
c	Total spent on informants, "buy money", and rewards		
d	Total spent on travel and training		
e	Total spent on communications and computers		
f	Total spent on weapons and protective gear		
g	Total spent on electronic surveillance equipment		
h	Total spent on buildings and improvements		
i	Total transfers to other participating state and local law enforcement agencies (To populate, complete Table C)		
j	Total spent on other law enforcement expenses (To populate, complete Table D)		
k	Total Expenditures in Support of Community-Based Programs (To populate, complete Table E)		
l	Total Windfall Transfers (To populate, complete Table F)		
m	Total spent on matching grants (To populate, complete Table G)		
n	<b>Total</b>	\$0.00	\$0.00
o	Did your agency receive non-cash assets? <input type="radio"/> Yes <input type="radio"/> No If yes, complete Table H.		

Please fill out the following tables, if applicable.

**Table A: Members of Task Force**

Agency Name	NCIC/ORI/Tracking Number

**Table B: Equitable Sharing Funds Received from other Agencies**

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: <input type="text"/>		
NCIC/ORI/Tracking Number: <input type="text"/>		

**Table C: Equitable Sharing Funds Transferred to Other Agencies**

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: <input type="text"/>		
NCIC/ORI/Tracking Number: <input type="text"/>		

**Table D: Other Law Enforcement Expenses**

Description of Expense	Justice Funds	Treasury Funds

**Table E: Expenditures in Support of Community-Based Programs**

Recipient	Justice Funds	

**Table F: Windfall Transfers**

Recipient	Justice Funds	Treasury Funds

**Table G: Matching Grants**

Matching Grant Name	Justice Funds	Treasury Funds

**Table H: Other Non-Cash Assets Received**

Source	Description of Asset
Justice <input type="radio"/>	
Treasury <input type="radio"/>	

**Table I: Civil Rights Cases**

Name of Case	Type of Discrimination Alleged			
	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender
<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other		

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, 1400 New York Avenue, N.W., Washington, DC 20005.

# Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies.

By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal Equitable Sharing Program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

**1. Submission.** This Document must be submitted to [aca.submit@usdoj.gov](mailto:aca.submit@usdoj.gov) within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature submitted by fax. This will constitute submission to the Department of Justice and the Department of the Treasury.

**2. Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.

**3. Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal Equitable Sharing Program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing for State and Local Law Enforcement (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.

**4. Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of the Treasury, depending on the source of the funds, that the receiving agency is a current and compliant Equitable Sharing Program participant.

**5. Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal equitable sharing account.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public funds as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*, including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.

**6. Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

# Before you can print this form **Affidavit** must correct the following errors:

Each of you, individually or jointly as an authorized official, certify that you have read and understand their obligations under the Equitable Sharing Agreement and that the information submitted in conjunction with this Document is an accurate and true statement of fact.

**Enter the Agency name on page 1.**

**Enter an NCIC/ORI/Tracking Number on page 1.**

**Enter the Agency state on page 1.**

**Enter the first name of the Finance Contact on page 1.**

**Enter the last name of the Finance Contact on page 1.**

**Enter the e-mail address for the Finance Contact on page 1.**

**Enter the phone number for the Finance Contact on page 1.**

**Enter the e-mail address for the Independent Public Accountant on page 1.**

**Enter the Agency's fiscal year end date on page 1.**

**Indicate if this form is for a "New Participant", "Existing Agency", or an "Amended Form" on Page 1**

**You must answer the Civil Rights question in the blue box on 5.**

**You must enter the name of the Agency Head on page 5.**

**You must enter the title of the Agency Head on page 5.**

**You must enter the e-mail address of the Agency Head on page 5.**

**You must enter the name of the Governing Body Head on page 5.**

**You must enter the title of the Governing Body Head on page 5.**

**You must enter the e-mail address of the Governing Body Head on page 5.**

**Subscribe to Equitable Sharing Wire:**

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.

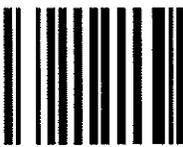

### Final Instructions:

Step 1: Click to save for your records

Step 2: Click to save in XML format

Step 3: E-mail the XML file to

Step 4: Fax THIS SIGNED PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY		
Entered by _____		
Entered on _____		
<input type="radio"/> FY End: _____		
<input type="radio"/> NCIC: _____	Date Printed: January 16, 2014 09:33	Phone: _____
<input type="radio"/> State: _____	Agency: _____	E-mail: _____
_____	Finance Contact: _____	_____

## BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
 SERIES OF 2014

COUNCIL BILL NO. 4  
 INTRODUCED BY COUNCIL  
 MEMBER OLSON

AN ORDINANCE AUTHORIZING AN APPLICATION FOR AND ACCEPTANCE OF THE 2014 COLORADO DIVISION OF EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO DIVISION OF EMERGENCY MANAGEMENT FOR ENGLEWOOD'S EMERGENCY MANAGEMENT PROGRAM.

WHEREAS, the Emergency Management Performance Grant (EMPG) program is designed to provide supplemental funds for strengthening of local government emergency management offices in preparing their communities for disaster planning, mitigation, response and recovery, while conserving local resources; and

WHEREAS, the City of Englewood received grants starting with the FY2007-Supplemental Grant to assist in the development of the disaster preparedness for the City of Englewood; and

WHEREAS, the Colorado Division of Homeland Security and Emergency Management – Office of Emergency Management has stated that the EMPG program is expected to continue for the foreseeable future and has encouraged the City's participation; and

WHEREAS, the City of Englewood has an emergency management program that is growing in both achievement and capability, engaging staff members from across the full array of City services; and

WHEREAS, the passage of this Ordinance will approve an application for the 2014 Emergency Management Performance Grant (EMPG) program for funds of up to \$85,421.25, to fund the City's emergency management program by:

- Fully funding the Emergency Management Specialist position, currently a 30-hour per week position.
- Reimbursing the City for a portion of the salary for the City's Emergency Management Coordinator's position.
- Training City staff in emergency management related activities.
- Purchasing equipment to assist the City's efforts in preparedness, resiliency and continuity of operations capabilities.
- Other expenses related to emergency management, including the City's continuity of operations planning process and hazard mitigation, response and recovery planning.

WHEREAS, the applications are made through the State of Colorado, who manages the distribution of the EMPG funds, which originate at the Federal level with Federal Emergency Management Agency (FEMA); and

WHEREAS, the City has, to date, only used soft matches to meet the requirements of this grant process, which does not require the City to provide a hard (cash) match in order to receive an award; and

WHEREAS, the 50% City's match will be from funds already allocated for this purpose in the 2014 Budget.

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, Colorado hereby authorizes an application for 2014 Emergency Management Performance (EMPG) program for funds up to \$85,421.25, attached hereto as Exhibit A.

Section 2. The City Manager is hereby authorized to sign the 2014 Emergency Management Performance (EMPG) Grant Application, for and on behalf of the City of Englewood.

Section 3. The City Council of the City of Englewood, Colorado hereby authorizes the acceptance of a 2014 Emergency Management Performance (EMPG) Grant upon award by the State of Colorado.

Section 4. Upon award of the 2014 Emergency Management Performance (EMPG) Grant the Mayor is hereby authorized to sign for and on behalf of the City of Englewood, Colorado in accepting this grant

Section 5. There are Federal Emergency Management Agency (FEMA) funds being received for the 2014 Emergency Management Performance (EMPG) Grant.

Introduced, read in full, and passed on first reading on the 21st day of January, 2014.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 24th day of January, 2014.

Published as a Bill for an Ordinance on the City's official website beginning on the 22<sup>nd</sup> day of January, 2014 for thirty (30) days.

Read by title and passed on final reading on the 3rd day of February, 2014.

Published by title in the City's official newspaper as Ordinance No. \_\_\_\_, Series of 2014, on the 7<sup>th</sup> day of February, 2014.

Published by title on the City's official website beginning on the 5th day of February, 2014 for thirty (30) days.

---

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 2014.

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Loucrishia A. Ellis



**Colorado Office of Emergency Management (COEM)  
Emergency Management Program Grant (EMPG)  
Local Emergency Manager Support (LEMS)  
Program Funding Application**

**Staffing Pattern and Program Funding for FFY2014**

Note: This for MUST be resubmitted *whenever the jurisdiction has personnel changes.*

**JURISDICTION:**

Salaries & Benefits		
A	LEMS Eligible Salary (Staffing Report Block 10 Total):	\$104,121
B	LEMS Eligible Benefits (Staffing Report Block 11 Total):	\$10,156
C	<b>Total Salary and Benefits (a+b): \$ \$114,277</b>	
Travel Expenses		
D	Local Travel (mileage, fleet expense, or other):	\$ 604.00
E	Out of State Travel:	
F	Conference & Seminars (Registration Fees, Hotels, etc.):	\$ 480.00
G	Training (Registration Fees, hotels, etc.):	
H	Per Diem:	\$ -
I	Other (Dues, Certifications and Membership Fees):	\$ 90.00
J	<b>Total Travel Expenses (D+E+F+G+H+I): \$ \$ 1,174.00</b>	
Office Support Expenses (more than \$200 for year)		
K	Equipment for response command vehicle	\$ 5,000.00
L	Equipment Purchase:	\$ 150.00
M	Equipment Lease:	\$ 132.00
N	Contractor support for HRIA development	\$ 30,000.00
O	Printing & Copying:	\$ 109.20
P	Connectivity for Management personnel	\$ 8,000.00
Q	IT managed remote data backup	\$ 12,000.00
R	<b>Total Office Support Expenses (K+L+M+N+O+P+Q): \$ \$ 55,391.20</b>	
S	<b>Total Request (C+J+R): \$ 170,842.50</b>	
T	<b>Federal (Eligible for Reimbursement) Amount (One half of S): \$ 85,421.25</b>	

\_\_\_\_\_  
Jurisdiction Emergency Manager Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jurisdiction Chief Financial Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
COEM Regional Field Manager Signature

\_\_\_\_\_  
Date

**Englewood Office of Emergency Management**

**Annual Projected Expenses - October 2013 through September 2014**

<b>Salaries and Benefits</b>		
<b>Personnel</b>	<b>Hours dedicated to EM</b>	<b>Compensation Related to OEM</b>
Steve Green	20 hours per week	\$49,690
Rose Lynch	30 hours per week	\$39,000
Christian Contos	4 hours per week	\$8,700
Tim Englert	6 hours per week	\$16,887
<b>Travel expenses</b>		
		<b>Annual Expense</b>
Local mileage	90 miles per month @.56	\$604.08
Conferences (registration fees)	Annual State EM conference \$160.00 x 3 personnel	\$480.00
Training (registration fees, hotel)		
Other (membership dues, certifications)	Annual CEMA membership \$45.00 x 2 personnel	\$90.00
<b>Office support expenses</b>		
		<b>Expense</b>
Equipment purchases	Equipment related to full-scale exercise	\$150.00
Equipment lease	Porta potties for use during full scale exercise	\$132.00
Printing/copying	Approx. 3640 x .03	\$109.20
Other: IT Managed Remote Data Backup		\$12,000.00
Connectivity for management personnel		\$8,000.00
Equipment for Command vehicle		\$5,000.00
Contractor support	Development of Hazard Risk Identification and Assessment	\$30,000
<b>Total:</b>		<b>\$170,842.50</b>

**Budget approved by:**

\_\_\_\_\_  
 Chief Andrew Marsh  
 Englewood Fire Department

**Part I**  
**FFY 2014 EMPG-LEMS Grant Activities**  
**Work Plan Template**

**Instructions**

Use the 15 EMF categories as a framework for planning your annual work program and consider identified capability gaps or shortfalls that need to be addressed. This can be done in four steps.

1. First, consider your community's long-term strategy for developing and sustaining an all-hazards preparedness strategy, including initiatives that can be accomplished during the grant performance period as well as those objectives that will need to be phased over multiple years.
2. Second, identify Planned Activities that, when completed, will assist you in achieving your long-term strategy. Complete the Work Plan Template by identifying Planned Activities for each Emergency Management Function (EMF) that is relevant to your strategy. Identify to the extent possible the measurable outcome for each Planned Activity.
3. Third, place those activities that can be accomplished during the current performance period in the quarter that you expect the activity to be completed (it is recognized that schedules and priorities change and that activities may actually be accomplished in a different quarter than the one projected).
4. Finally, submit the finished document to your assigned COEM Regional Field Manager.

Please don't hesitate to contact your COEM Regional Field Manager for assistance in completing this Work Plan Template.

**Signatures**

Must be signed (in ink) or (Adobe Acrobat digital signature) by the emergency manager and forwarded to the assigned COEM Regional Field Manager for approval.

By signing, the applicant acknowledges that he/she has read and understands the FFY 2014 Program Guidelines and Application Kit.

Jurisdiction: \_\_\_\_\_ City of Englewood \_\_\_\_\_

Emergency Manager of Jurisdiction: \_\_\_\_\_ Steve Green \_\_\_\_\_

Date: \_\_\_\_\_

COEM Regional Field Manager: \_\_\_\_\_

Date: \_\_\_\_\_

Part I  
 FFY 2014 EMPG-LEMS Grant Activities  
 Work Plan Template

FFY 2014 EMPG-LEMS Grant Activities		
<b>EMF-1</b>		
<b>Finance and Administration</b>		
Objective(s) of Planned Activities: <i>Budget preparation, grant administration, LEMS application, expense tracking, quarterly reimbursement requests, quarterly performance reports, equipment monitoring</i>		
Mandatory Federal Activities for this EMF: Submit updated FFATA		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Submit completed 2014EMPG application packet. Submit 1 <sup>st</sup> Quarter report and reimbursement request.	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Submit 2 <sup>nd</sup> Quarter report and reimbursement request.  Work with Finance Department to establish emergency spending protocols.	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Submit 3rd Quarter report and reimbursement request.	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Submit 4th Quarter report and reimbursement request.  Integrate Finance Department staff into resource mobilization planning.	Results:

FFY 2014 EMPG-LEMS Grant Activities		
<b>EMF-2</b>		
<b>Laws and Authorities</b>		
Objective(s) of Planned Activities: <i>Ordinances, resolutions, emergency declarations, EMAP accreditation,</i>		

<i>compliance with laws and regulations</i>		
Mandatory Federal Activities for this EMF: None		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities:	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities:	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities:	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities:	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-3		
Risk Assessment		
Objective(s) of Planned Activities: <i>Development/upgrade of local/tribal THIRA (Threat and Hazard Risk Identification and Assessment) or (HiRA Hazard Risk Identification and Assessment), development of corresponding risk management strategies</i>		
Mandatory Federal Activities for this EMF: None		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Assist with UASI THIRA development process.	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities:  Meet with Water Treatment plant to assess the risk of a dam failure at McClellan Reservoir.  Research cost and necessary man power associated with conducting a HIRA.	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities:  Meet with Littleton OEM to discuss	Results:

	<p>preparedness strategies and potential TTX for dam failure.</p> <p>Begin HIRA process (dependent on availability of funding).</p>	
<p>4<sup>th</sup> Quarter 7/1/14 – 9/30/14</p>	Planned Activities:	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-4		
Hazard Mitigation Plans and Projects		
Objective(s) of Planned Activities: <i>Development of local/tribal hazard mitigation plans, implementation of hazard mitigation projects, coordination of Environmental and Historic Preservation (EHP) reviews</i>		
Mandatory Federal Activities for this EMF: None		
<p>1<sup>st</sup> Quarter 10/1/13 – 12/31/13</p>	Planned Activities:	Results:
<p>2<sup>nd</sup> Quarter 1/1/14 – 3/31/14</p>	Planned Activities:	Results:
<p>3<sup>rd</sup> Quarter 4/1/14 – 6/30/14</p>	Planned Activities:	Results:
<p>4<sup>th</sup> Quarter 7/1/14 – 9/30/14</p>	Planned Activities:	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-5		
Emergency Operations Plans		
Objective(s) of Planned Activities: <i>Development/upgrades of local/tribal emergency operations plans (EOPs) in accordance with CPG-101, Version 2.0, fostering partnerships with EOP stakeholder agencies and organizations</i>		
Mandatory Federal Activities for this EMF: All EMPG Program grantees/sub-grantees must maintain, or revise as necessary, jurisdiction-wide all-hazards Emergency Operations Plans that are consistent with CPG-101 v.2 (November 2010) and provide copies of new and revised EOPs/Annexes to COEM Regional		

Field Manager.		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Submit current EOP to Field Manger  Assist Englewood High Scholl with evacuation plan and drill.	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Update elements of the EOP that are more than 3 years old  Assist Englewood school District in development of district-wide emergency plan.	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Update elements of the EOP that are more than 3 years old  Assist Englewood High School with school emergency plan and drills.	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Submit revised EOP to FM	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-6		
Recovery Plans		
Objective(s) of Planned Activities: <i>Development/upgrades of local/tribal recovery plans, fostering partnerships with recovery stakeholder agencies and organizations</i>		
Mandatory Federal Activities for this EMF: None		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities:	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Tailor the Denver UASI's Regional Recovery plan to Englewood specific.	Results:
3 <sup>rd</sup> Quarter	Planned Activities:	Results:

4/1/14 – 6/30/14	Tailor the Denver UASI's Regional Recovery plan to Englewood specific	
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Tailor the Denver UASI's Regional Recovery plan to Englewood specific	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-7		
Training		
Objective(s) of Planned Activities: <i>NIMS training delivery, staff professional development, development of Training &amp; Exercise Plans (TEPs)</i>		
Mandatory Federal Activities for this EMF: (1) Update NIMSCAST data by 8-31-2013, (2) all EMPG program funded personnel (State/Local/Tribal) must complete the following NIMS training courses and record proof of completion: IS 100; IS 200; IS 700; and IS 800; FEMA Professional Development Series: IS 139; IS 230.a; IS 235.a; IS 240.a; IS 241.a; IS 242.a; and IS 244.a, (3) all grantees and sub-grantees are required to develop a Multi-Year TEP that incorporates linkages to core capabilities and update it annually.		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Update multi-year training and exercise plan. This plan should include required training for EMPG funded personnel  Report completed training for EMPG funded personnel.  Review lessons learned from FSE to identify training needs.	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Submit updated TEP to FM  Report completed training for EMPG funded personnel.  Meet with regional police partners to discuss multijurisdictional training and exercising.  Identify and meet with EOC staffing	Results:

	personnel to begin regular EOC trainings.	
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Implement training plan  Report completed training for EMPG funded personnel.  Conduct EOC training.	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Implement training plan  Report completed training for EMPG funded personnel.  Participate in the Regional TEPW  Conduct EOC training.	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-8		
Exercises		
Objective(s) of Planned Activities: <i>Participation in exercises as "Sponsoring" and/or "Participating" agencies</i>		
Mandatory Federal Activities for this EMF: (1) All EMPG program funded personnel (State/Tribal/Local) must participate in at least three exercises in a 12-month period. Sub-grantees may sponsor and/or participate in other sponsor's exercises to fulfill this requirement, (2) all grantees and sub-grantees are required to develop a Multi-Year TEP that incorporates linkages to core capabilities and update it annually.		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Implement exercise program as outlined in the TEP Develop plan to meet FEMA exercise requirement and review with FM.  Report on completed exercises include AAR or CAP  Conduct multi-jurisdictional full scale active shooter exercise.  Participate in the regional TEPW	Results:

	Participate in regional Training and Exercise Committee	
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Implement exercise program as outlined in the TEP  Report on completed exercises include AAR or CAP  Participate in regional Training and Exercise Committee	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Implement exercise program as outlined in the TEP  Report on completed exercises include AAR or CAP  Participate in regional Training and Exercise Committee	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Implement exercise program as outlined in the TEP  Report on completed exercises include AAR or CAP  Participate in regional Training and Exercise Committee	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-9		
Incident Management		
Objective(s) of Planned Activities: <i>EOC management, COG, multi-agency coordination, support of incident command operations</i>		
Mandatory Federal Activities for this EMF: None		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Will meet with Arapahoe County to discuss coordination during incidents.  Continue to meet with neighboring jurisdictions to plan for coordinated incident response.	Results:

<p>2<sup>nd</sup> Quarter 1/1/14 – 3/31/14</p>	<p>Planned Activities: Will investigate joining South Metro Fire's IMT.</p> <p>Continue to meet with neighboring jurisdictions to plan for coordinated incident response.</p> <p>Outfit vehicles with command equipment to increase response capability.</p>	<p>Results:</p>
<p>3<sup>rd</sup> Quarter 4/1/14 – 6/30/14</p>	<p>Planned Activities: Continue to meet with neighboring jurisdictions to plan for coordinated incident response.</p>	<p>Results:</p>
<p>4<sup>th</sup> Quarter 7/1/14 – 9/30/14</p>	<p>Planned Activities: Continue to meet with neighboring jurisdictions to plan for coordinated incident response.</p>	<p>Results:</p>

FFY 2014 EMPG-LEMS Grant Activities		
EMF-10		
Communications		
Objective(s) of Planned Activities: <i>Activities supporting interoperability, including cooperative planning, equipment tests, drills, radio checks, purchases, etc</i>		
Mandatory Federal Activities for this EMF: None		
<p>1<sup>st</sup> Quarter 10/1/13 – 12/31/13</p>	<p>Planned Activities: Participate in Tri-County Health's quarterly radio checks. Will continue to work with our dispatch center on multijurisdictional communications plan.</p>	<p>Results:</p>
<p>2<sup>nd</sup> Quarter 1/1/14 – 3/31/14</p>	<p>Planned Activities: Participate in Tri-County Health's quarterly radio checks. Will continue to work with our dispatch</p>	<p>Results:</p>

	center on multijurisdictional communications plan.	
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Participate in Tri-County Health's quarterly radio checks. Will continue to work with our dispatch center on multijurisdictional communications plan.	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Participate in Tri-County Health's quarterly radio checks. Will continue to work with our dispatch center on multijurisdictional communications plan.	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-11		
Operations Procedures		
Objective(s) of Planned Activities: <i>Development/maintenance of systems (e.g., Web EOC), processes (e.g., resource order process), capabilities (e.g., EOC management training), and Plans (e.g., COOP) to support incident operations</i>		
Mandatory Federal Activities for this EMF: None		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Before February 28 2014 hold a meeting with the jurisdiction's emergency services and partner agencies to include: law enforcement, fire, EMS, public works, health and medical, behavioral health, mass care (human services, Red Cross, VOAD), schools, public utilities, public information, and other relevant stakeholders. Develop the agenda Provide minutes and sign in sheet to your Regional Field Manager	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Meet with neighboring jurisdictions to	Results:

	<p>discuss development of an active shooter response plan. Review and revise EOC processes and train personnel as needed.</p>	
<p>3<sup>rd</sup> Quarter 4/1/14 – 6/30/14</p>	<p>Planned Activities: Before September 30 2014 hold a second meeting with the jurisdiction's emergency services and partner agencies to include: law enforcement, fire, EMS, public works, health and medical, behavioral health, mass care (human services, Red Cross, VOAD), schools, public utilities, public information, and other relevant stakeholders. Develop the agenda with your Regional Field Manager. Provide minutes and sign in sheet to your Regional Field Manager</p> <p>Meet with neighboring jurisdictions to discuss development of an active shooter response plan</p> <p>Review and revise EOC processes and train personnel as needed.</p>	Results:
<p>4<sup>th</sup> Quarter 7/1/14 – 9/30/14</p>	<p>Planned Activities: Meet with neighboring jurisdictions to discuss development of an active shooter response plan.</p> <p>Finalize EOC processes and train personnel as needed.</p>	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-12		
Mutual Aid		
Objective(s) of Planned Activities: <i>Maintenance of local, interagency, regional and statewide intergovernmental agreements</i>		
Mandatory Federal Activities for this EMF: None		
<p>1<sup>st</sup> Quarter 10/1/13 – 12/31/13</p>	<p>Planned Activities: Schedule mutual aid meeting with all mutual aid partners for 2<sup>nd</sup> Qtr</p>	Results:

2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Hold mutual aid meeting with all mutual aid partners	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Revise mutual aid agreements as necessary	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Revise mutual aid agreements as necessary	Results:

FFY 2014 EMPG-LEMS Grant Activities		
<b>EMF-13</b>		
Resource Management		
Objective(s) of Planned Activities: <i>Development/maintenance of resource mobilization plans and processes, including database management systems, financial controls and relevant forms</i>		
Mandatory Federal Activities for this EMF: None		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Begin development of draft resource management annex to jurisdiction EOP Submit working draft to Field Manager  Review and maintenance of all resource data in the WebEOC Resource Management System	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Complete draft plan Submit draft to Field Manager	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Meet with Field Manager to review plan  Conduct a resource management drill with EOC personnel, local resource management personnel from jurisdictional agencies, and your OEM Regional Field Manager	Results:

4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Finalize plan and adopt in accordance with local procedures Submit adopted plan to FM	Results:
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FFY 2014 EMPG-LEMS Grant Activities		
EMF-14		
Facilities Management		
Objective(s) of Planned Activities: <i>Monitoring &amp; maintenance of EOC/Alternate EOC facilities and equipment</i>		
Mandatory Federal Activities for this EMF: None		
1 <sup>st</sup> Quarter 10/1/13 – 12/31/13	Planned Activities: Conduct monthly "activation" to ensure equipment and processes are in a state of ready.	Results:
2 <sup>nd</sup> Quarter 1/1/14 – 3/31/14	Planned Activities: Conduct monthly "activation" to ensure equipment and processes are in a state of ready	Results:
3 <sup>rd</sup> Quarter 4/1/14 – 6/30/14	Planned Activities: Conduct monthly "activation" to ensure equipment and processes are in a state of ready	Results:
4 <sup>th</sup> Quarter 7/1/14 – 9/30/14	Planned Activities: Conduct monthly "activation" to ensure equipment and processes are in a state of ready	Results:

FFY 2014 EMPG-LEMS Grant Activities		
EMF-15		
Crisis Communication, Public Information and Education		
Objective(s) of Planned Activities: <i>Development/maintenance of Joint Information System (JIS) protocols and procedures, web page management, and procedures for utilizing social media. Development and maintenance of Alert and Warning Plans and procedures.</i>		
Mandatory Federal Activities for this EMF: None		

<p><b>1<sup>st</sup> Quarter</b> 10/1/13 – 12/31/13</p>	<p><b>Planned Activities:</b> Review status of alert and warning plan with the Regional Field Manager</p>	<p><b>Results:</b></p>
<p><b>2<sup>nd</sup> Quarter</b> 1/1/14 – 3/31/14</p>	<p><b>Planned Activities:</b> Alert and warning plan development</p> <p>Citizens educated and encouraged to “opt in” to Arapahoe County’s Citizen Alert Program.</p> <p>Keep EM website updated with seasonal and disaster preparedness information</p>	<p><b>Results:</b></p>
<p><b>3<sup>rd</sup> Quarter</b> 4/1/14 – 6/30/14</p>	<p><b>Planned Activities:</b> Alert and warning plan training and testing</p> <p>Citizens educated and encouraged to “opt in” to Arapahoe County’s Citizen Alert Program.</p> <p>Keep EM website updated with seasonal and disaster preparedness information</p>	<p><b>Results:</b></p>
<p><b>4<sup>th</sup> Quarter</b> 7/1/14 – 9/30/14</p>	<p><b>Planned Activities:</b></p> <p>Citizens educated and encouraged to “opt in” to Arapahoe County’s Citizen Alert Program.</p> <p>Keep EM website updated with seasonal and disaster preparedness information</p>	<p><b>Results:</b></p>

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2014

COUNCIL BILL NO. 5  
INTRODUCED BY COUNCIL  
MEMBER OLSON

AN ORDINANCE APPROVING SUPPLEMENT NO. 5 TO THE VALLEY SANITATION DISTRICT AND COLUMBINE WATER AND SANITATION DISTRICT CONNECTOR'S AGREEMENT FOR THE INCLUSION OF LAND WITHIN THE COLUMBINE SANITATION DISTRICT BOUNDARIES.

WHEREAS, the City of Englewood and the predecessor in interest to Valley Sanitation District entered into an agreement dated April 18, 1955; and

WHEREAS, the City of Englewood, the predecessor in interest to Valley and the predecessor in interest to Columbine entered into an agreement dated April 18, 1955 and subsequent agreements, providing for the transport and treatment of effluent from an additional 800 taps by which the effluent is carried through Valley outfall lines to be treated by City's sewage treatment plant; and

WHEREAS, Valley and Columbine entered into an agreement dated March 20, 1956, and subsequent agreements, relating to the transportation of effluent through Valley outfall lines; and

WHEREAS, the previous Agreements and subsequent agreements between the parties place certain limitations upon the number of taps that can be serviced by the City, Valley and Columbine; and

WHEREAS, it is the intent of the Parties to this Agreement to specifically allow for an inclusion into Columbine of a residential development consisting of 31 taps which shall be serviced by the Parties to Supplement No. 5; and

WHEREAS, Columbine Sanitation District recommends the inclusion of approximately 9.53 acres into the Districts; and

WHEREAS, said inclusion is located on the Southeast corner of West Bowles Avenue and Middlefield Road in the Town of Columbine Valley; and

WHEREAS, the zoning of this property is primarily residential and the proposed use is to remain the same with the residential development of 31 patio homes; and

WHEREAS, said annexation of this additional parcel of land will not increase the tap allocation to the Columbine Sanitation District; and

WHEREAS, the Englewood Water and Sewer Board recommended approval of Supplement No. 5 to the Valley Sanitation District at the October 8, 2013 meeting;

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

Section 1. The Agreement between the City of Englewood and Valley Sanitation District and Columbine Water and Sanitation District entitled "Supplement No. 5, to Connector's Agreement", which includes approximately 9.63 acres located southeast corner of West Bowles Avenue and west of Middlefield Road in the town of Columbine Valley, is hereby accepted and approved by the Englewood City Council. A copy of said Agreement is attached hereto as "Exhibit 1" and incorporated herein by reference.

Section 2. The Mayor and City Clerk are hereby authorized to sign and attest, respectively, the said Agreement for and on behalf of the City Council and the City of Englewood, Colorado.

Introduced, read in full, and passed on first reading on the 21<sup>st</sup> day of January, 2014.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 24th day of January, 2014.

Published as a Bill for an Ordinance on the City's official website beginning on the 22nd day of January, 2014 for thirty (30) days.

Read by title and passed on final reading on the 3rd day of February, 2014.

Published by title in the City's official newspaper as Ordinance No. \_\_\_\_, Series of 2014, on the 7<sup>th</sup> day of February, 2014.

Published by title on the City's official website beginning on the 5th day of February, 2014 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 2014.

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Loucrishia A. Ellis

SUPPLEMENT NO. 5 TO CONNECTOR'S AGREEMENT

THIS AGREEMENT, made and entered into by and between the CITY OF ENGLEWOOD, acting by an through its duly authorized Mayor and City Clerk, hereinafter called the "City," and COLUMBINE WATER AND SANITATION DISTRICT, Arapahoe and Douglas Counties, Colorado, hereinafter called the "District,"

WITNESSETH:

WHEREAS, on the 18 day of April, ~~20~~ 1955 the City and the District entered into an Agreement in which the city agreed to treat sewage originating from the District's sanitary sewer system within the area served by the District, which Agreement was renewed by Connector's Agreement dated February 23, ~~30~~ 1989

WHEREAS, said Connector's Agreement provides that the district may not enlarge its service area without the written consent of the City;

NOW, THEREFORE, in consideration of the mutual covenants and undertakings herein set forth, the parties agree as follows:

1. The City hereby consents to the inclusion of certain additional area located in Arapahoe County, Colorado, owned by Taylor Morrison of Colorado, Inc. and more fully described on Exhibit A attached hereto and incorporated herein by reference, into Columbine Water and Sanitation District. The City agrees that said additional area may be served with the sewer facilities of the district, and that the City will treat the sewage discharged into the City's trunk line from said additional area, all in accordance with the Connector's Agreement dated April 18, ~~20~~ 1955 and Amended February 23, ~~30~~ 1989. Accordingly, Exhibit A referred to in Paragraph 1 of the Connector's Agreement dated April 15, ~~20~~ 1955 and Amended February 23, 1989, is hereby amended to include such additional area.

2. Each and every other provision of the said Connector's Agreement dated April 15, 1955 and Amended February 23, 1989, shall remain unchanged.

IN WITNESS WHEREOF, the parties have set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**CITY OF ENGLEWOOD**

BY \_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK  
(SEAL)

**COLUMBINE WATER & SANITATION  
DISTRICT,  
ARAPAHOE COUNTY, COLORADO**

By: \_\_\_\_\_

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
SECRETARY  
(SEAL)



**FLATIRONS, INC.**  
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655 Fourth Avenue, Longmont, CO 80501  
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THE COTTAGES AT COLUMBINE VALLEY  
LEGAL DESCRIPTION

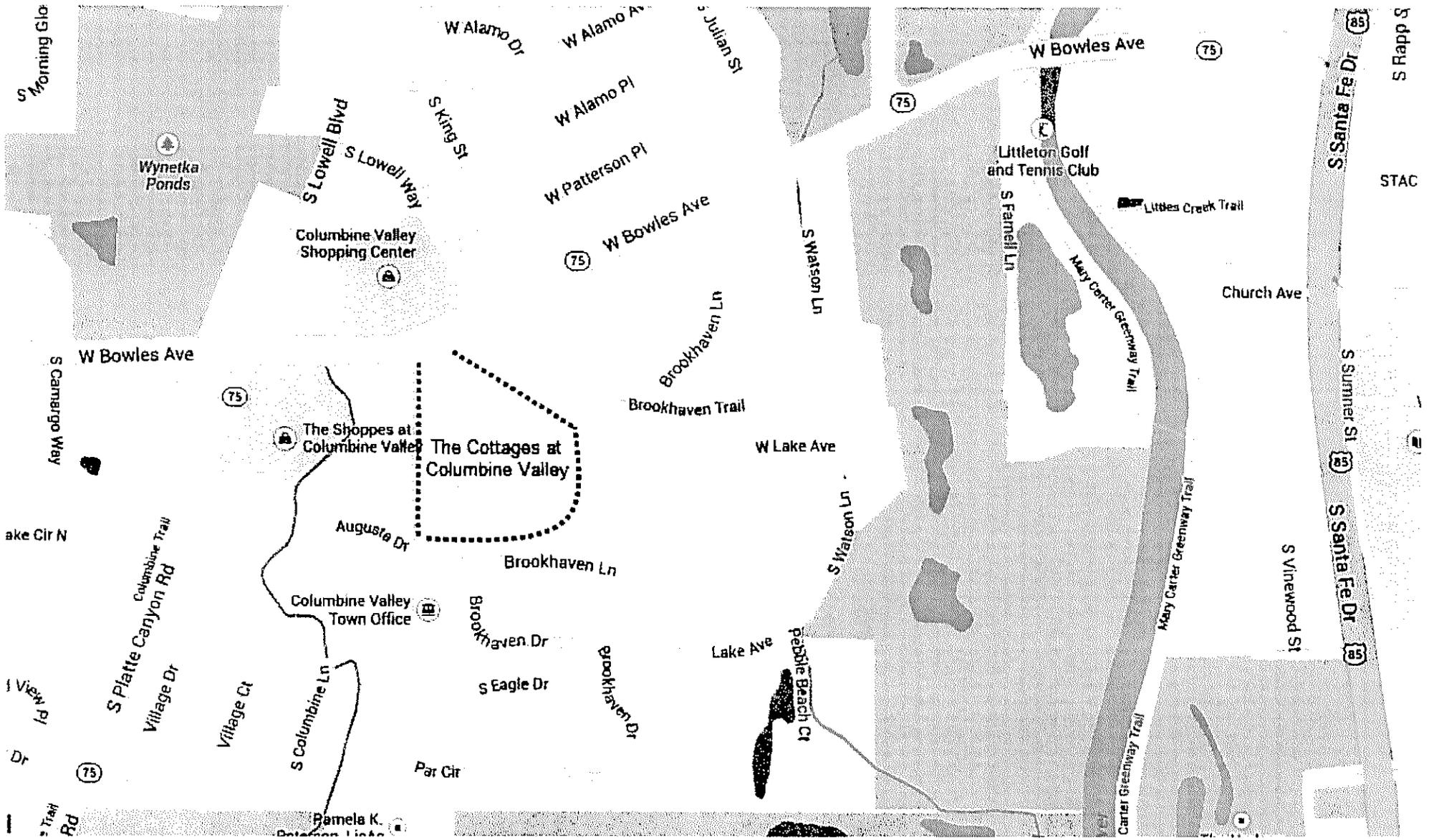
(PREPARED BY FLATIRONS, INC.)

A PORTION OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF TRACT B, FIRST ADMINISTRATIVE AMENDMENT BROOKHAVEN AT COLUMBINE VALLEY AND THE EAST RIGHT-OF-WAY LINE OF SOUTH MIDDLEFIELD ROAD THENCE NORTH  $00^{\circ}31'33''$  EAST, A DISTANCE OF 833.85 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST BOWLES AVENUE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE NORTH  $63^{\circ}38'05''$  EAST, A DISTANCE OF 222.38 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE WESTERLY AND SOUTHERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED RECORDED IN BOOK 907, PAGE 0728 THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH  $00^{\circ}01'55''$  WEST, A DISTANCE OF 352.60 FEET;
  - 2) THENCE SOUTH  $29^{\circ}58'45''$  EAST, A DISTANCE OF 149.96 FEET;
  - 3) THENCE NORTH  $89^{\circ}42'07''$  EAST, A DISTANCE OF 309.39 FEET;
- THENCE ALONG THE WESTERLY, SOUTHERLY & NORTHERLY LINES OF FIRST ADMINISTRATIVE AMENDMENT BROOKHAVEN AT COLUMBINE VALLEY, RECORDED IN THE RECORDS OF ARAPAHOE COUNTY AT RECEPTION NO. B0161325, THE FOLLOWING SIX (6) COURSES:
- 1) SOUTH  $04^{\circ}10'21''$  EAST, A DISTANCE OF 89.41 FEET;
  - 2) THENCE NORTH  $84^{\circ}13'23''$  EAST, A DISTANCE OF 100.18 FEET;
  - 3) THENCE SOUTH  $00^{\circ}20'00''$  WEST, A DISTANCE OF 152.16 FEET;
  - 4) THENCE NORTH  $87^{\circ}39'57''$  EAST, A DISTANCE OF 150.59 FEET;
  - 5) THENCE SOUTH  $00^{\circ}02'25''$  EAST, A DISTANCE OF 202.23 FEET;
  - 6) THENCE SOUTH  $88^{\circ}21'14''$  WEST, A DISTANCE OF 847.27 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SOUTH MIDDLEFIELD ROAD, SAID POINT ALSO BEING THE POINT OF BEGINNING.





S Morning Glo

Wynetka Ponds

Columbine Valley Shopping Center

The Shoppes at Columbine Valley

The Cottages at Columbine Valley

Columbine Valley Town Office

Littleton Golf and Tennis Club

Little Creek Trail

Church Ave

W Lake Ave

Pebble Beach Ct

S Santa Fe Dr

S Summit St

S Santa Fe Dr

S Vinewood St

S Rapp St

STAC

W Bowles Ave

W Bowles Ave

W Bowles Ave

Lake Cir N

S View Pl

Dr

Trail Rd

Pamela K. Peterson

Par Cir

Lake Ave

Carier Greenway Trail

Many Carter Greenway Trail

S Farnell Ln

Mary Carter Greenway Trail

S Watson Ln

S Watson Ln

Brookhaven Ln

Brookhaven Trail

Brookhaven Ln

Brookhaven Dr

S Eagle Dr

Brookhaven Dr

Augusta Dr

Village Ct

S Columbine Ln

Village Dr

S Platte Canyon Rd

Columbine Trail

75

75

75

75

85

85

85

75

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2014

COUNCIL BILL NO. 6  
INTRODUCED BY COUNCIL  
MEMBER WILSON

AN ORDINANCE AMENDING THE RULES OF ORDER AND PROCEDURE FOR THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO SECTION VI, DUTIES AND PRIVILEGES OF COUNCIL MEMBERS, SUBSECTION H – VOTING.

WHEREAS, Section 27 of the Englewood Home Rule Charter provides that City Council shall by ordinance prescribe procedure governing meetings; and

WHEREAS, by the passage of Resolution No. 66, Series of 1990, the Englewood City Council adopted Rules of Order and Procedure for the City Council of the City of Englewood, Colorado; and

WHEREAS, by the passage of Ordinance No. 1, Series of 1995, the City Council amended the Rules of Order and Procedure for the City Council of the City of Englewood, Colorado to streamline the meeting process while maintaining public input; and

WHEREAS, by the passage of Ordinance No. 36, Series of 2004 the City Council amended the Rules of Order and Procedure for the City Council of the City of Englewood, Colorado pertaining to the public comment; and

WHEREAS, the passage of this Ordinance amends the Rules of Order and Procedure for the City Council of the City of Englewood by amending Section VI, Subsection H, pertaining to abstentions; and

WHEREAS, the Englewood Home Rule Charter was modified in 1997 removing Councils authority to remove a member for misconduct, making language in the current policy without legal consequence.

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 approves amending the Rules of Order and Procedure for the Englewood City Council of the City of Englewood, Colorado Section VI, Subsection H, to read as follows:

**RULES OF ORDER AND PROCEDURE  
FOR THE ENGLEWOOD CITY COUNCIL**

VI. Duties and Privileges of Council Members

H. Voting

A vote shall be taken by recording "Aye" and "Nay" votes by use of voting lights, with the "Aye" and "Nay" being read into the permanent record by the City Clerk or a deputy. A vote shall be taken upon the passage of all ordinances and resolutions, on the appointment of any officer, on all motions concerning the expenditures of funds, and entered in the minutes of the City Council proceedings. Every ordinance shall require the affirmative vote of the majority of all members of the City Council for passage. No member of the City Council shall vote on any question in which he/she has a financial interest other than the common public interest or on any question concerning his/her own conduct but on all other questions each member who is present shall vote unless excused by the unanimous consent of the remaining members present.

~~Any member refusing to vote except when not so required by this paragraph shall be guilty of misconduct in office.~~ Application to be excused from voting must be made before the votes are called for. The member having briefly stated the reason for his/her request, the decision thereon shall be made without debate.

Introduced, read in full, and passed on first reading on the 21st day of January, 2014.

Published by Title as a Bill for an Ordinance in the City's official newspaper on the 24<sup>th</sup> day of January, 2014.

Published as a Bill for an Ordinance on the City's official website beginning on the 22nd day of January, 2014 for thirty (30) days.

Read by title and passed on final reading on the 3rd day of February, 2014.

Published by title in the City's official newspaper as Ordinance No. \_\_\_\_, Series of 2014, on the 7<sup>th</sup> day of February, 2014.

Published by title on the City's official website beginning on the 5th day of February, 2014 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 2014.

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Loucrishia A. Ellis

## COUNCIL COMMUNICATION

<b>Date:</b> February 3, 2014	<b>Agenda Item:</b> 10 a	<b>Subject:</b> Public Hearing for an Ordinance Adopting Amendments to Title 16 Concerning Home Occupations
<b>Initiated By:</b> Community Development Department		<b>Staff Source:</b> Chris Neubecker, Senior Planner

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

Council directed staff to work on this topic at the May 20, 2013 study session. On January 21, 2014 the Council approved the first reading of an ordinance, and set the date of February 3, 2014 for a public hearing.

### PREVIOUS PLANNING COMMISSION ACTION

The Planning and Zoning Commission conducted a public hearing on October 8, 2013 to consider the proposed amendments to Title 16: Unified Development Code amending regulations concerning Home Occupations. Two members of the public were present, and one member testified. Following discussion, the Commission voted in favor of forwarding to City Council proposed amendments to Title 16, Chapter 5: Use Regulations.

### RECOMMENDED ACTION

The Community Development Department recommends conducting a public hearing and taking testimony on the proposed ordinance concerning amendments to Title 16: Unified Development Code regarding Home Occupations.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

In May 2013, the City Council raised concerns about limitations of the current Home Occupations regulations, which currently prohibit Home Occupations in the R-1-A zone district. The Council asked staff and the Planning and Zoning Commission to research this issue as it pertains to R-1-A, in order to allow uses that do not impact the neighborhood, such as bookkeeping, internet based businesses, consulting services, and similar uses which do not require clients coming to the home.

The Planning and Zoning Commission reviewed the proposed changes on June 4, July 3, and August 8, 2013. On October 8, 2013 the Commission held a public hearing and recommended that City Council approve an ordinance to amend the Home Occupations regulations. The proposed changes would allow

Home Occupations in the R-1-A zone district, as well as any other district or PUD where residential uses are approved.

Some of the key elements of this proposal include the following:

- Home Occupations would be allowed in R-1-A zone districts.
- Window displays and outdoor merchandise would be prohibited in all zone districts.
- Exterior signage would be prohibited in R-1-A zone districts. This is to protect the special character and exclusivity of the R-1-A zone district.
- As amended by the Council on January 21, 2014, Home Occupations would be prohibited in accessory structures such as garages.
- Limitations on use of electric motors would be removed from the regulations. Noise and other impacts to neighbors would be addressed by referring to Title 15 dealing with nuisances.
- New prohibited uses include manufacture of alcohol, and landscaping industries. As amended by City Council on January 21, 2014, food preparation would be allowed, to align with the Colorado "Cottage Food Act".
- Additional language is proposed to clarify that the administrative or clerical functions of businesses would be allowed for home occupations that are otherwise prohibited. (Example: Bookkeeping and office functions of a landscaping business would be allowed).
- The limitation of only one (1) home occupation per dwelling unit would be removed from the existing regulations. The Commission wanted to allow multiple businesses in one residence, since there may be several members of a household each operating a business.

Other changes are proposed to clarify these regulations, include the following:

- Deleting the word "incidental" in favor of the word "secondary" in the introductory paragraph. This was done since "incidental" implies something that happens merely by chance or without intention. However, starting a new business deserves extensive thought and planning, and is usually not incidental.
- Require that all materials used in the home occupation shall be stored indoors.
- Remove the requirement to register home occupations with the City, based on the amendment by City Council on January 21, 2014.

## **ANALYSIS**

Home based businesses are a growing trend around the world. Modern telecommunications allow people to work from almost any location for many industries. Advances in e-commerce, based primarily around the internet, allow individuals to run businesses from their homes with virtually no impact to surrounding residential uses. Prices for desktop and laptop computers continue to fall while becoming more powerful tools and providing faster connections to potentially billions of customers around the globe. Parcel delivery services also allow businesses to send and receive packages to customers and clients with the same efficiency as traditional offices.

However, some types of Home Occupations still have the potential to cause disturbance, noise, odors and safety impacts to nearby residents. Some industries have more potential impact on public health, or require greater space (such as vehicle and equipment storage). The amended ordinance keeps in place a list of prohibited home occupations.

Staff has some concerns with a few of the changes included within the ordinance during first reading on January 21, 2014. These include the following concerns:

“No physical customer visits or deliveries relating to the Home Occupation shall be allowed in the R-1-A District”:

Staff believes that prohibiting deliveries would place a severe burden on operating a business. A strict reading of this language would prohibit the business from receiving U. S. mail as well as parcels from Federal Express and United Parcel Service. This restriction does not apply to non-business deliveries, and distinguishing between personal and business deliveries will make enforcement of this regulation difficult, if not impossible.

“Registration. All home occupations shall register with the City prior to the start of operations.”

Requiring a registration for a business is commonplace. Currently, registration of a home occupation is required once at no cost. This allows the City staff to explain the regulations to an applicant, and ensure that applicants understand what activities are allowed, and what are prohibited within a home occupation. This helps to reduce potential violations.

If sales tax licenses are required, the registration process will help to ensure that proper taxes are collected, and that revenue due to the City is paid. Without registering a home occupation, staff will have no information on the number of home occupations in the City, and will have no easy way to get in touch with business owners if problems arise, or if programs to support the business are implemented. If hazardous materials are used on site, registration could also help the Fire Department to know where such materials are used. We believe that registration is a small step for the business owner, but it is very useful to the City staff to understand where businesses are operating in residential areas.

## **FINANCIAL IMPACT**

There could be a financial impact to the City if businesses are not required to register with the City. Some of those businesses that are otherwise required to obtain a sales tax license may not obtain a license, and taxes may not be collected (or remitted) to the City. Over the past 10 years, approximately 720 Home Occupations have registered with the City. In the past, no fee has been charged to register a home occupation.

Indirectly, it is anticipated that this ordinance will have a positive financial impact on the community by encouraging existing entrepreneurs to open businesses at home, encouraging new home buyers to locate in the City, and preventing “leakage” of sales tax dollars when home based businesses owners shop locally.

## **LIST OF ATTACHMENTS**

Planning and Zoning Commission Staff Report – October 8, 2013  
Planning and Zoning Commission Minutes – October 8, 2013  
Planning and Zoning Commission Findings of Fact - Case No. 2013-04  
Bill for an Ordinance



# M E M O R A N D U M

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**TO:** Planning & Zoning Commission

**THRU:** Alan White, Community Development Director

**FROM:** Chris Neubecker, Senior Planner

**DATE:** October 8, 2013

**SUBJECT:** Case 2013-04 – Public Hearing  
Home Occupations

**Recommendation:**

The Community Development Department requests that the Planning and Zoning Commission review, take public testimony, and forward to City Council a recommendation for adoption proposed amendments to the Unified Development Code of the Englewood Municipal Code Title 16, Chapter 5, Use Regulations, relating to Home Occupations.

**Background:**

On August 6, 2013, the Planning and Zoning Commission reviewed a proposal to modify the existing policy on Home Occupations (EMC 16-5-4 C 1). This review was in response to City Council concerns about existing restrictions that prohibit home occupations in the R-1-A district, which is the residential district with the largest single family lots in the city. The Planning and Zoning Commission supported most of the proposed changes, but raised concerns about some of the proposed restrictions on commercial vehicles in light of the Citizen Referendum 2D, codified as Ordinance 1, Series 2011/2012.

Some Commissioners also raised concerns about prohibiting customers, clients and vendors from visiting a home occupation, although the majority supported this restriction.

**Analysis:**

Home Occupations are currently allowed as an Accessory Use in the following zoning districts: R-1-B, R-1-C, R-2-A, R-2-B, MU-R-3-A, and MU-R-3-B. Staff believes that home occupations could also be allowed in the R-1-A district (and any other district where residential uses are allowed) with certain restrictions to protect the residential character of neighborhoods. These proposed restrictions include:

All zoning districts:

- Require materials and equipment used in the home occupation to be stored indoors.
- Allow only one sign per residence, up to one square foot

R-1-A zoning district:

- Prohibit customers, sales and display of goods in the R-1-A district
- Prohibit exterior business signs in the R-1-A district

### **Commercial Vehicles:**

At the last meeting on this topic, some Commissioners raised concerns about prohibiting parking of commercial vehicles at home occupations in the R-1-A zone district. This idea was proposed to preserve the residential character and exclusivity in the R-1-A districts. However, enforcement of this rule may be a challenge. While some commercial vehicles may fit within a garage out of sight from the neighbors, others will be forced to park in a driveway or on the public street. Also, it may be difficult to distinguish between a commercial vehicle used in a home occupation from a commercial vehicle on a normal service call, or a vehicle that an employee takes home from work. Due to these concerns, and those raised by the Commission about Ballot Question 2D concerning parking vehicles on private property, the draft language on parking has been removed from the attached version.

### **On Site Sales:**

The Commission did not reach a consensus on sales of goods or services at a home occupation in the R-1-A zone district. Some agreed that sales, customers and clients should be prohibited at home occupations to preserve the residential character. Others felt that customers and clients coming to a residential property is a vital part of operating a home based business. The concern focused on the number of people and cars per day, which could be significant at times. One example was a tax accountant in March and April, which could generate many daily visits during the busiest times of the tax season.

Staff does not believe that customer traffic will be significant in most cases. Also, we believe that most of the potential impacts of home occupations are addressed by limiting uses, prohibiting exterior signs and display of merchandise, and prohibiting employees not residing at the property.

### **Recommendation**

Staff believes that the proposed draft code changes capture the intent and consensus of the Commission from the meeting of August 6. We believe that these changes help support new business development but will also help protect community character in the R-1-A districts.

A motion to recommend approval of the ordinance to City Council is needed.

### **Next Steps**

We hope to develop a consensus of the Planning and Zoning Commission at this hearing. If the Planning & Zoning Commission recommends approval, we intend to move forward with first reading of an ordinance by City Council.

### **Attachments:**

Amendments to Title 16 pertaining to Home Occupations

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
October 8, 2013**

**Minutes and audio are available at:**

<http://www.englewoodgov.org/Index.aspx?page=152>



**I. CALL TO ORDER**

The regular meeting of the City Planning and Zoning Commission was called to order at 7:00 p.m. in the City Council Chambers the Englewood Civic Center, Chair Brick presiding.

Present: Bleile, Townley Knoth, Roth, Welker, Kinton, Freemire (alternate), Brick

Absent: King (excused), Fish (excused)

Staff: Alan White, Director of Community Development

Chris Neubecker, Senior Planner

Nancy Reid, Assistant City Attorney



**II. APPROVAL OF MINUTES**

September 17, 2013

Knoth moved:

Roth seconded: TO APPROVE THE September 17, 2013 MINUTES

Chair Brick asked if there were any modifications or corrections.

AYES: Bleile, Knoth, Roth, Kinton, Brick

NAYS: none

ABSTAIN: Townley, Welker

ABSENT: King, Fish

Motion carried.



### **III. STUDY SESSION**

Case #2013-04 Home Occupations

Chair Brick and Mr. Knoth stated for the record that they live in the R1A Zone District but that it will not affect their objectivity.



Motion to Open Public Hearing

Roth moved;

Welker seconded to open Public Hearing for Case #2013-04 Home Occupations

AYES: Bleile, Townley, Knoth, Roth, Welker, Kinton, Brick

NAYS: none

ABSTAIN: none

ABSENT: King, Fish

Chris Neubecker, Senior Planner, was sworn in. Proof of Publication was provided for Public Hearing.

Mr. Neubecker gave a summary of the need for the proposed changes, which were to allow home occupations in R-1-A zones, but to limit potential negative impacts. Some of the issues that have not yet been agreed upon by the Commission include commercial vehicles and on-site sales. As proposed, no customers, vendors or clients would be allowed at home occupations in R-1-A. Also, no exterior signs would be allowed in R-1-A.



Doug Cohn, 3051 S South Marion, was sworn in.

Motion to Close Public Hearing

Knoth moved;

Townley second

AYES: Bleile, Townley, Knoth, Roth, Welker, Kinton, Brick

NAYS: none

ABSTAIN: none

ABSENT: King, Fish



Motion: Case #2013-04 Home Occupations Favorable recommendation of the request as written in the staff report.

Welker moved  
Knoth seconded

Discussion



Mr. Welker made the following friendly amendment. Mr. Knoth accepted.

Section 1 e. (1) shall read:

“No assistants or employees that are not residents of the principal dwelling unit shall work at the residence.”

Ms. Reid advised that staff will refine the wording of Section 1 e. (1) if necessary.  
Vote on original motion with friendly amendment

AYES: Bleile, Townley, Knoth, Welker, Kinton

NAYS: Brick, Roth

ABSTAIN: none

ABSENT: King, Fish

Motion passes 5-2

Mr. Welker moved to delete section 1 h. (1)  
Mr. Knoth seconded

“No customers, vendors, or clients shall be allowed at the site of the home occupation in the R-1-A district.”

Discussion



AYES: Bleile, Townley, Knoth, Welker, Kinton, Roth

NAYS: Brick

ABSTAIN: None

ABSENT: King, Fish

6-1 vote passes.



**IV. PUBLIC FORUM**

Dr. Robert Farris was sworn in. He came in after the public hearing and wanted to ask questions about entertaining clients at his home. Mr. Neubecker provided a business card and suggested he contact staff since the public hearing was closed on Home Occupations.



**V. ATTORNEYS CHOICE**

None



**VI. STAFFS CHOICE**

Mr. Neubecker stated that he is still pursuing an area to study and commission field trip with regard to pedestrian activity on main thoroughfares.



**VII. COMMISSIONERS CHOICE**

The meeting adjourned at 8:00 p.m.

Julie Bailey, Recording Secretary

**CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION**

<b>IN THE MATTER OF CASE #2013-04,</b>	)	
<b>FINDINGS OF FACT, CONCLUSIONS</b>	)	
<b>AND RECOMMENDATIONS RELATING</b>	)	<b>FINDINGS OF FACT AND</b>
<b>TO THE UNIFIED DEVELOPMENT CODE</b>	)	<b>CONCLUSIONS OF THE</b>
<b>HOME OCCUPATIONS</b>	)	<b>CITY PLANNING AND</b>
	)	<b>ZONING COMMISSION</b>
	)	
	)	
<b>INITIATED BY:</b>	)	
<b>Community Development Department</b>	)	
<b>1000 Englewood Parkway</b>	)	
<b>Englewood, CO 80110</b>	)	

Commission Members Present:   Bleile, Brick, King, Knoth, Roth, Fish, Welker, Townley, Kinton

Commission Members Absent:   None

This matter was heard before the City Planning and Zoning Commission on October 8, 2013 in the City Council Chambers of the Englewood Civic Center.

Testimony was received from staff. The Commission received notice of Public Hearing, the Staff Report, and a copy of the proposed amendments to Title 16 Unified Development Code which were incorporated into and made a part of the record of the Public Hearing.

After considering the statements of the witness and reviewing the pertinent documents, the members of the City Planning and Zoning Commission made the following Findings and Conclusions.

**FINDINGS OF FACT**

1.   **THAT** the City Council heard concerns from citizens relating to current limitations on home occupations in the R-1-A zone district.
  
2.   **THAT** the City Council directed staff and the Planning Commission to research current limitations in the Unified Development Code concerning home occupations in the R-1-A zone district.
  
3.   **THAT** the residential character of the R-1-A zone district, which contains the largest single family lots in the City, should be protected.

4. **THAT** on October 8, 2013 the Public Hearing on the Unified Development Code (UDC) Home Occupations was brought before the Planning Commission by the Department of Community Development, a department of the City of Englewood.
5. **THAT** notice of the Public Hearing was on the City of Englewood website from September 17, 2013 through October 8, 2013. Notice was published in the Englewood Herald September 27, 2013.
6. **THAT** the Staff Report was made part of the record.
7. **THAT** Home Occupations are currently allowed as an Accessory Use in the following zoning districts: R-1-B, R-1-C, R-2A, R-2B, MU-R-3-A and MU-R-3-B.
8. **THAT** staff believes home occupations should also be allowed in the R-1-A district (and any other district where residential uses are allowed) with certain restrictions to protect the residential character of neighborhoods.
9. **THAT** Planning and Zoning Commission determined that no assistants or employees of the business who are not a resident of the home shall perform work at the residence.
10. **THAT** Planning and Zoning Commission determined exterior signage for the home occupation should be prohibited in the R-1-A district.

### CONCLUSIONS

1. **THAT** on October 8, 2013 a Public Hearing on the Unified Development Code Home Occupations Amendment was brought before the Planning Commission by the Department of Community Development, a department of the City of Englewood.
2. **THAT** notice of the Public Hearing was on the City of Englewood website from September 17, 2013 through October 8, 2013 and was published in the Englewood Herald September 27, 2013.
3. **THAT** the zoning amendments will enhance business opportunities in the City.
4. **THAT** the zoning change conforms to Roadmap Englewood: 2003 Englewood Comprehensive Plan Objective 1-2: Actively engage in attracting new businesses to the City.
5. **THAT** the previously discussed revised amendments be forwarded to City Council.

**DECISION**

**THEREFORE**, it is the decision of the City Planning and Zoning Commission that Case #2013-04 Unified Development Code Home Occupations be referred to the City Council with a favorable recommendation.

This decision was reached upon a vote on a motion made at the meeting of the City Planning and Zoning Commission on October 8, 2013, by Mr. Welker, seconded by Mr. Knoth, which motion states:

*CASE#2013-04, AMENDMENTS TO TITLE 16: UNIFIED DEVELOPMENT CODE RELATED TO HOME OCCUPATIONS BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION WITH THE FOLLOWING CONDITIONS:*

1. *SECTION 1 h. (1) BE REMOVED:*

*“NO CUSTOMERS, VENDORS, OR CLIENTS SHALL BE ALLOWED AT THE SITE OF THE HOME OCCUPATION IN THE R-1-A DISTRICT.”*

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

Motion carried.

Welker moved;  
Knoth seconded:

*FURTHER THAT SECTION 1 E. (1) SHALL READ AS FOLLOWS:*

*“NO ASSISTANTS OR EMPLOYEES THAT ARE NOT RESIDENTS OF THE PRINCIPAL DWELLING UNIT SHALL WORK AT THE RESIDENCE.”*

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

These Findings and Conclusions are effective as of the meeting on October 8, 2013.

**BY ORDER OF THE CITY PLANNING & ZONING COMMISSION**

\_\_\_\_\_  
John Brick, Chair

BY AUTHORITY

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2013/2014

COUNCIL BILL NO. 60  
INTRODUCED BY COUNCIL  
MEMBER \_\_\_\_\_

A BILL FOR

AN ORDINANCE AMENDING TITLE 16, CHAPTERS 5, 4-C(1)(a) THROUGH (g); 5-4-C(2) AND 11-2-B, OF THE ENGLEWOOD MUNICIPAL CODE 2000 PERTAINING TO HOME OCCUPATIONS AND ALLOWING THEM IN THE R-1-A ZONE DISTRICTS.

WHEREAS, the City has the authority to regulate the use of land from the “Local Government Land Use Control Enabling Act,” C.R.S. 29-20-101 et. seq. and the Englewood Home Rule Charter, Nopro vs. Town of Cherry Hills Village, 504 P.2d 344 (1972); and

WHEREAS, the City has the authority to regulate home occupations, Christiansen vs. City Council of City of Golden, 757 P.2d 1121 (1988) and Jones vs. Board of Adjustments, 204 P.2d 560 (1949); and

WHEREAS, the City has adopted ordinances under its police power regulating the use of signs and creating a comprehensive system of sign standards to provide a balance between the right of businesses to identify themselves, the protection of the uses permitted and compatibility with the surrounding area; and

WHEREAS, there are additional limitations on home occupations in the R-1-A zone district in order to protect the special character and exclusivity of the R-1-A zone district; and

WHEREAS, restrictions on commercial speech are constitutional per Central Hudson Gas and Electric vs. P.S.C., 447 U.S. 557 (1980); and Board of Trustees vs. Fox, 492 U.S. 469 (1989), including prohibiting signs entirely; and

WHEREAS, the Planning and Zoning Commission found window signs for home occupations should be prohibited in R-1-A zone districts to protect the special character and exclusivity of the R-1-A zone district; and

WHEREAS, the Planning and Zoning Commission added to the list of prohibited uses; food preparation, manufacture of alcohol, and landscaping industries because these would:

- be more likely to have impacts on the surrounding area
- likely have too much impact on residential neighborhoods, and change the character of the area;
- have impacts that are more akin to commercial and industrial zones, that people don't want to see in residential zones.

WHEREAS, the City Council finds the “Cottage Food Act” 25-4-1614 C.R.S. and the Nuisance Code provide sufficient safeguards against odors, and other impacts; and

WHEREAS, the Planning and Zoning Commission recommended removing the limitation of only one (1) home occupation per dwelling unit because there may be several members of a household each operating a business; and

WHEREAS, City Council has decided that registration of a home occupations is not necessary for the enforcement of this Ordinance; and

WHEREAS, City Council found that the current 300 square foot limit on a home occupation was too restrictive; and

WHEREAS, enforcement has been identified as problematic by the Police Department and the Prosecutor due to a lack of distinction between a home office and a home occupation; and

WHEREAS, the Planning and Zoning Commission felt further defining a home office and a home occupation was unnecessary; and

WHEREAS, the Planning and Zoning Commission recommended deleting the word "incidental" in favor of the word "secondary" in the introductory paragraph because the structure is still primarily a residence.

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, Colorado hereby authorizes amending Title 16, Chapter 5, Section 4, Subsection(C)(1)(a) entitled "*Home Occupation*" of the Englewood Municipal Code 2000, to read as follows:

[EDITORS NOTE: 16-5-4(A) and (B) contain no change and are therefore not included here]

16-5-4-C: *Accessory Uses Permitted.* Table 16-5-1.1 includes accessory uses and shows in which zoning district a specific accessory use is permitted. If an accessory use is not listed in Table 16-5-1.1, but satisfies all the general standards set forth in subsection 16-5-4.B EMC, the City Manager or designee may allow its establishment according to the procedures and criteria in Section 16-5-1.B EMC, "Unlisted Uses." In addition, all unlisted accessory uses shall be subject to compliance with the general, dimensional, and operational standards set forth in this Section 16-5-4 EMC.

1. Home Occupation. Occupations ~~customarily incidental~~ which are secondary to the principal use as a residence may be allowed when conducted in the same dwelling, provided the following standards are met:
  - a. *Districts Allowed.* Home occupations are allowed in the following districts: R-1-A, R-1-B, R-1-C, R-2-A, and R-2-B, MU-R-3-A, MU-R-3-B, MU-R-3-C, M-1, M-2, MO-2, and TSA. Only one (1) home occupation shall be permitted per dwelling unit. Home occupations may be permitted accessory to principal residential uses located in nonresidential districts (e.g., in a manufactured home park located in an industrial district, in a PUD that allows residential uses, or in any residential dwelling unit otherwise approved by the City) provided the home occupations ~~complies~~ with all requirements of residential district home occupations herein.

i. Additional Restrictions in the R-1-A District:

(a) Within the R-1-A District, the following additional restrictions shall apply for Home Occupations.

(i) Home Occupations in the R-1-A District shall be limited to activities normally conducted in an office. By way of example but not limitation, this would include the management, marketing, or accounting for a business; telecommuting (meaning working in the home using a computer terminal or video connected by wire or wireless to a business); conducting business services or operations via the internet; or writing.

(ii) No physical customer visits or deliveries relating to the Home Occupations shall be allowed in the R-1-A District.

(iii) No exterior signage shall be allowed in the R-1-A District.

Section 2. The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 5, Section 4, Subsections(C)(1)(b) through (g) entitled "*Home Occupation*" of the Englewood Municipal Code 2000, to read as follows:

- b. *Where Allowed on Site.* The home occupation shall be operated entirely within the dwelling unit and only by the person or persons maintaining a dwelling unit therein. The home occupation shall not have a separate outside entrance. The home occupation shall not be conducted in a detached accessory structure.
- e. ~~*Registration.* All home occupations shall register with the City.~~
- c. *Sales.*
  - (1) On the Premises. The sale on the premises of items that have been made, grown, or prepared on the premises shall be permitted. The sale on the premises of any item that has not been made, grown, or prepared on the premises shall be prohibited.
  - (2) Off the Premises. Sales off the premises of such items as personal or household goods such as those products offered by Avon, Amway, Fuller Brush, Watkins, etc., shall be permitted.
- d. *Operational Requirements.*
  - (1) No assistants or employees that are not residents of the principal dwelling unit shall be work-employed-in at the home-occupation residence/dwelling unit.
  - (2) The hours and manner of such uses and the ~~noise-~~ impacts created thereby shall not interfere with the peace, quiet, or dignity of the neighborhood and adjoining properties which creates a nuisance under Title 15 of this Code.

- (3) Incidental storage shall be allowed for items made on the premises and/or sold off the premises consistent with this Section. All storage shall be indoors, including all materials, equipment, inventory and supplies.
  - (4) The home occupation, including storage of materials, equipment, inventory, and/or supplies, shall not utilize more than ~~three hundred (300) square feet~~ fifty percent (50%) of indoor space of the dwelling unit; provided, however, that this does not apply to permitted home care accessory uses.
  - (5) ~~The use of electric motors shall be limited in power, with a total limitation of one and one half (1½) horsepower, and no single unit over three fourths (¾) horsepower.~~ Only one exterior sign, up to a maximum of one (1) square foot in area, shall be allowed. The sign shall be affixed to the building, and shall be unlighted and unanimated. A Sign Permit shall be required.
  - (6) No window displays shall be allowed and no sample commodities shall be displayed outside the dwelling.
- f. *Prohibited Uses.* In no event shall any home occupation include the following business or commercial activities (except for the administrative or clerical functions related to these businesses, such as bookkeeping, marketing, and customer phone calls):
- (1) Animal hospital or kennel, animal daycare, breeders, except licensed canine and feline breeders.
  - (2) Asphalt paving business.
  - (3) Barbers, hairdressers, cosmetologists, beauticians or any activity involving the skin, hair or nails.
  - (4) Body, mechanical repair, or modification of motor vehicles.
  - (5) The sale, storage, manufacture, or assembly of guns, knives or other weapons or ammunition.
  - (6) Dump trucks.
  - (7) Restaurants.
  - (8) Towing business.
  - (9) Processes involving the dispensing, use, or recycling of hazardous or flammable substances and materials.
  - (10) Automotive vehicles sales requiring a state dealer's license.
  - (11) Medical Marijuana Centers.

- (12) Medical Marijuana-Infused Products manufacturers.
- (13) Medical Marijuana Optional Premises Cultivation Operation.
- (14) Manufacture of wine, distilled spirits, or malt beverages.
- (15) Landscaping supplies, installation, maintenance or repair.

Section 3. The City Council of the City of Englewood, Colorado hereby makes no amendments to Title 16, Chapter 5, Section 4, Subsection(C)(2) entitled “*Parking Area*” through Subsection D(2) of the Englewood Municipal Code 2000, to read as follows:

2. Parking Area.

- a. *Parking Area, (R-2-B District Only).* When an R-2-B district abuts or is adjacent to a MU-B-2 district, the parking area must be screened from the residential portion of the lot by a six foot (6') opaque fence. Side yard fences must also be provided to screen adjacent property. These fences shall also be six feet (6') in height except that, within ten feet (10') of the rear property line, the fences cannot exceed thirty inches (30") in height or be less than fifty percent (50%) open.
  - (1) The parking area shall not have a grass surface.
  - (2) Parking stops or other devices allowing snowfall maintenance must be placed in the parking area to prevent damage to the fence by vehicles.
  - (3) Provisions must be made for the collection of trash as per City ordinance.
  - (4) The minimum width of the parking area shall be fifty feet (50').
- b. *Parking Area, Surface (TSA District Only).* Surface parking areas, noncommercial and accessory to a principal use, are allowed subject to the following additional conditions:
  - (1) General. Such surface parking area shall be maintained as long as the principal permitted use is maintained, or until alternative parking is provided for such principal use.
  - (2) Location.
    - (a) An accessory surface parking area may be located within six hundred feet (600') of the lot containing the principal use, either within the TSA district or within a zone district that permits noncommercial parking lots, subject to a City-approved alternative parking plan and pursuant to the Station Area Standards and Guidelines, as applicable.
- c. *Remote Parking Areas.* Pursuant to Section 16-6-4 EMC, required parking may be provided as an accessory use within four hundred feet (400') of the principal

use, either within the same district or within a district that permits noncommercial parking lots. Such parking lots must be maintained as long as the principal permitted use is maintained, or alternate parking provided. Approval of an alternative parking plan is required (administrative process), pursuant to Section 16-6-4.D EMC. Such lots shall be paved, shall require a building permit, and shall be subject to the landscaping requirements of Section 16-6-7.M EMC.

3. **Satellite Dish Antenna.**

a. *Small Satellite Dish Antennas.* Satellite dish antennas of one (1) meter or less in diameter are permitted accessory uses in all residential and nonresidential zoning districts. Such dishes shall not be located within the public right-of-way.

b. *Large Satellite Dish Antennas.*

(1) Satellite dish antennas measuring one (1) meter or more are permitted accessory uses in all zoning districts. Any roof-mounted dishes shall submit an engineer's certificate to the City. Such dishes shall not be located within the public right-of-way.

(2) As applied only to large satellite dish antennas accessory to a principal residential use, to the maximum extent feasible, but only where there is no substantial impairment to acceptable signal quality, such antennas shall:

(a) Be located in the rear yard of the residential use; and

(b) Be screened from view from adjacent public rights-of-way; and

(c) Be of a color harmonious with their surroundings. There shall be no advertising in words or pictures, other than the manufacturer's name in small letters.

4. **Service Unit or Facility.** Service units or facilities shall be allowed as accessory uses in the MU-R-3-B district. Such uses include, but are not limited to, barber or beauty shops, gift shops, coffee shops, and dining facilities for the convenience of the tenants. Such uses shall comply with underlying zone district requirements, including the dimensional requirements set forth in Section 16-6-1 EMC.

5. **Swimming Pool.** Swimming pools are allowed as accessory uses in all districts. See Title 8 EMC.

6. **Wholesale Sales and Distribution.** Wholesale sales and distribution shall be allowed as an accessory use in MU-B-1 and MU-B-2 districts provided the principal use maintains an active retail license and is open to the public for retail trade.

D. *Prohibited Accessory Uses.*

1. *Prohibited in All Zoning Districts.* The following activities shall not be regarded as accessory to a principal use on any site and are prohibited in all zoning districts:

- a. *Use of Travel Trailer or Recreational Vehicle (RV) as a Residence.* The use of a travel trailer as a residence, permanent or temporary, with the exception of a trailer approved as a temporary use for security under Section 16-5-5 EMC, shall be prohibited in all zoning districts.
  - b. *Use of Motor Vehicle or Trailer for Sales, Service, Storage, or Other Business.* The use of any motor vehicle, trailer, mini-mobile storage container, or shipping container as a structure in which, out of which, or from which any goods are sold or stored, any services performed, or other businesses conducted, shall be prohibited in all zoning districts. However, this subsection shall not prohibit the following:
    - (1) The sale of goods or merchandise at a City-approved or sponsored event; or
    - (2) Use of a motor vehicle, trailer, or shipping or storage container in connection with an approved recycling operation; or
    - (3) Use of a trailer or shipping or storage container in conjunction with construction authorized by a valid building permit; or
    - (4) Use of a trailer, shipping, or storage container for the temporary loading and unloading of goods, provided that no individual trailer or container is in place longer than forty-eight (48) hours.
2. *Prohibited in Residential Zoning Districts.* The following activities shall not be regarded as accessory to a residential principal use and are prohibited in all residential (R) districts:
- a. *Automotive Repair.* Automotive repair, including engine, body, or other repair or repainting of more than one (1) vehicle at any one time owned by a person not residing at that address, regardless of whether compensation was paid for the service.
  - b. *Outdoor Storage of Inoperative Vehicles.* The outdoor storage of inoperable vehicles shall comply with Title 15 EMC.
  - c. *Parking of Commercial Vehicles.*
    - (1) No commercial vehicle shall be stored on public property or in the public right-of-way.

**[EDITORS NOTE:** Parking on private property issues were passed by initiative Ballot Question 2D on November 1, 2011 and can only be revised, repealed, or amended by electoral vote. (Englewood Home Rule Charter Article VI, Section 48.)

**Section 4.** The City Council of the City of Englewood, Colorado hereby authorizes amending Title 16, Chapter 11, Section 2, Subsection B, entitled “*Definition of Words, Terms, and Phrases*” of the Englewood Municipal Code 2000, to read as follows:

*Home Occupation:* Any use conducted entirely within a dwelling and carried on by the occupants thereof, which is clearly incidental and secondary to the primary use of the dwelling for dwelling purposes and does not change the character thereof. Such uses must meet all conditions and requirements for the particular zone in which such use is located.

[EDITORS NOTE: The remaining definitions contain no changes and are therefore not included here]

Section 3. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

Section 5. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 6. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 7. Penalty. The Penalty Provision of Section 1-4-1 EMC shall apply to each and every violation of this Ordinance.

Introduced on first reading on the 18<sup>th</sup> day of November, 2013 and tabled.

Introduced, read in full, amended and passed as amended on first reading on the 21st day of January, 2014.

Published by Title as amended a Bill for an Ordinance in the City's official newspaper on the 24th day of January, 2014.

Published as amended a Bill for an Ordinance on the City's official website beginning on the 22nd day of January, 2014 for thirty (30) days.

ATTEST:

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

\_\_\_\_\_  
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 Bill for an Ordinance as amended, introduced, read in full, and passed on first reading on the 21<sup>st</sup> day of January, 2014.

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Loucrishia A. Ellis

## COUNCIL COMMUNICATION

<b>Date:</b> February 3, 2014	<b>Agenda Item:</b> 11 c i	<b>Subject:</b> Resolution appropriating funds to hire a Permit Technician for the remainder of 2014
<b>Initiated By:</b> Finance and Administrative Services Department		<b>Staff Source:</b> Frank Gryglewicz, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council has continually supported excellent customer service. City Council discussed hiring an additional Permit Technician at the January 21, 2014 Study Session. Council determined the additional position was warranted and directed staff to take the necessary actions to appropriate funds and begin the hiring process.

### RECOMMENDED ACTION

Staff recommends City Council approve the attached resolution for a supplemental appropriation to the 2014 Budget for the following:

#### SOURCES AND USES OF FUNDS:

##### GENERAL FUND:

##### SOURCE OF FUNDS:

Unassigned Fund Balance \$45,000

##### USE OF FUNDS:

Fire Department, Building Division - Permit Technician \$45,000

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

Prior to 2014, the City employed two Permit Technicians. One Permit Technician retired in September 2013. It was believed when the 2014 Budget was developed that one Permit Technician would be adequate, but the elimination of the second Permit Technician has caused customer service to decline below acceptable levels. Building Division requested that Council fund the hiring of a second Permit Technician to bring customer service back to acceptable levels.

The amount appropriated is for the remainder of 2014 only; the annual cost of salary and benefits is estimated at \$54,000.

### FINANCIAL IMPACT

This action will reduce the General Fund's Unassigned Fund Balance by \$45,000.

### LIST OF ATTACHMENTS

Proposed Resolution

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF FUNDS TO THE  
2014 BUDGET.

WHEREAS, the City of Englewood is required by City Charter to ensure that expenditures do not exceed legally adopted appropriations; and

WHEREAS, the 2014 Budget was submitted and approved by the Englewood City Council on October 21, 2013; and

WHEREAS, the Englewood City Council has continually supported excellent customer service; and

WHEREAS, prior to 2014 the City Building Department employed two Permit Technicians; and

WHEREAS, due to the retirement of one Permit Technician in 2013, the 2014 Budget was developed with only one Permit Technician; and

WHEREAS, due to a decline in the City Building Department customer service levels the City would like to hire a second Permit Technician for the remainder of 2014 in order to bring the customer service level back to acceptable levels.

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

Section 1. The Budget for the General Fund of the City of Englewood, Colorado, is hereby amended for the year 2014, as follows:

**GENERAL FUND:**

**SOURCE OF FUNDS:**

Unassigned Fund Balance	\$45,000
-------------------------	----------

**USE OF FUNDS:**

Fire Department, Building Division – Permit Technician	\$45,000
--	----------

Section 2. The City Manager and the Director of Finance and Administrative Services are hereby authorized to make the above changes to the 2014 Budget for the City of Englewood.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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Loucrishia A. Ellis, City Clerk

## COUNCIL COMMUNICATION

<b>Date:</b> February 3, 2014	<b>Agenda Item:</b> 11 c ii	<b>Subject:</b> EMTS Provider Grant FY2014
<b>Initiated By:</b> Fire Department		<b>Staff Source:</b> Andrew Marsh, Chief Steve Green, EMS Coordinator

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

Staff continues to maximize City resources by seeking alternative funding for needed resources.

### RECOMMENDED ACTION

Staff seeks for Council approval to apply for a grant from the Colorado Department of Public Health and Environment (CDPHE) to assist with the purchase of three new LifePak 15 cardiac monitor/defibrillators.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The Colorado Emergency Medical and Trauma Services (EMTS) Provider Grant program, a part of CDPHE, is intended to assist public and private organizations in maintaining, improving and expanding the emergency medical and trauma services system in Colorado.

The monitor/defibrillators currently in use by the fire department are experiencing an increasing level of down time per unit, due to age and high usage. New units are necessary for the fire department to continue to be able to acceptably perform the advanced life support care that makes up about 83% of their EMS call volume.

A minimum of a 50% cash match is required. Funds from the EMTS grant program may be used to improve emergency medical services by assisting with the funding of ambulances, communication, data collection, EMS equipment and EMS related education programs.

### FINANCIAL IMPACT

The State grant requires a minimum of a 50% match. The City is required to fund the remainder of the cost of the equipment. Money has already been approved in the budget for this purpose. Because this equipment will have to be purchased in the near future, one way or another, the use of grant funding to support that purchase will in essence save the City 50% of the cost.

### LIST OF ATTACHMENTS

Proposed resolution

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

A RESOLUTION AUTHORIZING AN APPLICATION FOR A "COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CDPHE) GRANT" BETWEEN THE CITY OF ENGLEWOOD, COLORADO AND THE STATE OF COLORADO.

WHEREAS, the Colorado Emergency Medical and Trauma Services (EMTS) Provider Grant program, a part of the Colorado Department of Public Health and Environment (CDPHE), is intended to assist public and private organizations in maintaining, improving and expanding the emergency medical and trauma services in Colorado; and

WHEREAS, the City of Englewood, Colorado, desires to apply for the Colorado Department of Public Health and Environment (CDPHE) Provider Grant from the State of Colorado to assist with the purchase of three new LifePak 15 cardiac monitor/defibrillators; and

WHEREAS, the LifePak 15 cardiac monitor/defibrillators are necessary for the fire department to continue to be able to perform advanced life support care that comprises about 83% of the EMS call volume; and

WHEREAS, with the passage of this Resolution the City of Englewood will approve an application for the Colorado Department of Public Health and Environment (CDPHE) Provider Grant Application for and on behalf of the City of Englewood; and

WHEREAS, the Colorado Department of Public Health and Environment (CDPHE) Grant is a matching grant requiring a minimum of a 50% match, the City's share will be \$51,044.23.

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, hereby authorizes an application for the Colorado Emergency Medical and Trauma Services (EMTS) Provider Grant program from the State of Colorado, attached hereto as Exhibit A.

Section 2. The Mayor is hereby authorized to sign the Colorado Emergency Medical and Trauma Services (EMTS) Provider Grant application for and on behalf of the City Council and the City of Englewood.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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Loucrishia A. Ellis, City Clerk

# Colorado EMTS Provider Grant Request

Close  
Englewood Fire Department (1521)

Date submitted: In Progress

## Agency Information

- |                            |   |
|----------------------------|---|
| 1. Legal Name of Agency:   | Englewood Fire Department                                 |
| 2. Business Name:          | Englewood Fire Department                                 |
| 3. Federal Tax ID:         | 84-6000583  |
| 4. Grant Contact:          | Steve Green   |
| 5. Agency Mailing Address: | EMS Coordinator<br>3615 S Elati St<br>Englewood, CO 80110 |
| 6. Primary Phone Number:   | 303-762-2476  |
| 7. Fax:                    | 303-762-2406  |
| 8. E-Mail:                 |   |
| 9. Completed by:           | Steve Green   |

## Grant Options

- |  |          |
|--|----------|
| 1. Organization Match Percentage:  | 50%      |
| 2. Is this a multi-organizational Application?                           | No       |
| 3. Select the counties that this grant project impacts:                  | Arapahoe |
| 4. Does your organization provide services outside the Colorado borders? | No       |
| 5. Please describe your overall grant request in ten sentences or less:  |          |
- We are requesting assistance with the purchase of three LifePak 15 cardiac monitor/defibrillators.

Our current equipment, three LifePak 12s, is at the end of its service life and has become unreliable, despite regular service and quality maintenance and repairs. Our service runs about 83 percent ALS related calls, so the cardiac monitor is vital to our ongoing ability to provide that service.

## Categories Selected

Category	Total Price	Match	Agency Amount	State Amount	Amount Funded
EMS and Trauma Equipment	\$102,088.45	50%	\$51,044.23	\$51,044.22	
<b>Total for All Categories</b>	<b>\$102,088.45</b>		<b>51,044.23</b>	<b>\$51,044.22</b>	

## EMS and Trauma Equipment Category Request

### Items Requested:

Quantity	Description	Price Each	Total Price
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				Percent Match	Agency Amount	State Amount	Amount Funded
3	LP15 Monitor/Defibrillator	\$24,595.90	\$73,787.70	50%	\$36,893.85	\$36,893.85	
1	All chargers and support equipment for three LP15	\$8,770.75	\$8,770.75	50%	\$4,385.38	\$4,385.37	
3	Service contract EMS and Trauma	\$6,510.00	\$19,530.00	50%	\$9,765.00	\$9,765.00	
	Equipment Category Total		\$102,088.45		\$51,044.23	\$51,044.22	

**Service Needs:**

1. Briefly explain what EMS or trauma equipment you are requesting and why it is needed:  
Cardiac monitor/defibrillators are essential for our ALS service. Our current equipment has become unreliable and is requiring a rapidly increasing level of repairs to remain in service.
2. Describe where the equipment will be placed and how it be utilized:  
Two of the LP15's will be placed in front line service. The third will be a reserve unit that can also be used to place a third medic apparatus in service for special events, mutual aid and disaster response.
3. How will current provider services be enhanced with the requested equipment?  
Our current monitor/defibrillators are showing their age and the amount of use they have had has taken a toll on them. They will not be supported by the manufacturer much longer and are considered outdated. Our ability to continue to function as a 911 response agency will be compromised if we are not able to replace our current monitor/defibrillators.
4. Describe local support for this project and how this support will help ensure successful completion:  
As we provide 911 response and mutual aid, this project will support our jurisdiction as well as Denver, Littleton and South Metro response districts.

**Priority to Underdeveloped or Aged Systems:**

5. Explain how this proposed project addresses an underdeveloped or aged component of Colorado's EMS and trauma system:  
As noted in item 3, our current equipment is 8-10 years old and is used on about 2,100 calls per year. It is becoming unreliable and although it has not yet compromised patient care, that is certainly a possibility.

**Cost Effectiveness:**

6. Briefly describe the alternatives your agency considered and why this is the most cost effective alternative:  
Our agency has used the Physio-Control equipment for decades. We have historically received a reasonable discount from them for new equipment. It is also compatible with neighboring agencies, allowing for mutual aid and transfer of care with minimal cost to the patient or to other agencies.
7. Briefly describe the process used to select the equipment vendor(s):  
This equipment is compatible with our other existing equipment (AEDs) and neighboring jurisdictions. We did not put it out to bid, as it is more cost effective for us to replace aged equipment than it is to completely change our system.
8. How will this project be sustained financially in future years?  
We maintain a service contract with Physio Control for our existing equipment and plan to do so in the future. We are looking at establishing a capital equipment replacement fund for much of our EMS equipment, much as is established for vehicle replacement.

**Applicant's qualifications:**

- 9. Explain how adequate resources and experience are available to help ensure successful completion of this project:  
We have over 20 paramedics that are qualified to use this equipment. Our EMS Coordinator will coordinate the purchase of the equipment, training necessary to use it effectively and ongoing upkeep.
- 10. Explain how the applicant's qualifications will help ensure long term sustainability of this project:  
We have budgeted funds for an ongoing service contract for this equipment. We will contract with Physio-Control, the manufacturer, to maintain the equipment in top condition over its lifespan, as we have done in the past.

**Systems Integration:**

- 11. How does this project improve system compatibility and/or reduce duplication?  
LP15 monitor/defibrillators are compatible with all of our neighboring jurisdictions. They are essential for our front line apparatus and there is no known duplication that would conflict with this requested equipment.

**Financial Need:**

- 12. Explain why your organization needs grant funding to complete this project:  
Please see the attached financial statement.
- 13. What would happen if these grant funds were not secured?  
We will most likely delay the purchase of the necessary equipment until we can determine if sufficient funds can be maneuvered to purchase them without support.

**File Attachments**

- 14. Uploads – vendor quote required, letters of support recommended:                      LP15 Quote - Englewood FD 012414.pdf
- 
- 

**Organization Profile for Englewood Fire Department**

**Organization Data**

**A. Agency / Facility Information**

- |  |  |
|--|--|
| <b>1. Legal Name of Organization:</b>          | Englewood Fire Department              |
| <b>ID Number:</b>                              | 1521                                   |
| <b>Profile Year:</b>                           | 2014                                   |
| <b>Submission Date:</b>                        | 1/28/2014                              |
| <b>2. Doing Business Name of Organization:</b> | Englewood Fire Department              |
| <b>3. Physical Address:</b>                    | 3615 S Elati St<br>Englewood, CO 80110 |
| <b>Physical County:</b>                        | Arapahoe                               |
| <b>4. Mailing Address:</b>                     | 3615 S Elati St<br>Englewood, CO 80110 |
| <b>5. Person Filling out this Profile:</b>     | Steve Green                            |
| <b>6. Primary Phone Number:</b>                | 303-762-2470                           |
| <b>7. Fax Phone:</b>                           | 303-762-2406                           |
| <b>8. E-Mail:</b>                              |  |
| <b>9. Web Site:</b>                            | englewoodgov.org                       |
| <b>10. RETAC Affiliated With:</b>              | Mile-High                              |
| <b>11. Population density / Urbanicity</b>     | Urban                                  |

**B. Organization Types**

- |   |     |
|---|-----|
| <b>1. EMS Response:</b>   | Yes |
| <b>2. Medical Facility:</b>   | No  |
| <b>3. EMS Education Program:</b>  | No  |
| <b>4. County officials issuing ambulance licenses or County EMS Councils:</b> | No  |
| <b>5. RETAC:</b>  | No  |
| <b>6. Association / Foundation / Other:</b>                                   | No  |

**C. Geographic Service Area**

- |  |  |
|--|--|
| <b>1. In one or two short paragraphs describe the geographic area serviced by this organization:</b> | <p>The City of Englewood is a full service city of 32,000 residents in an urban area of about 6.4 square miles, located between Denver, Littleton, Sheridan and Cherry Hills. Englewood consists of half rental and half owner-occupied properties, and the resident demographic is described by the US Census as lower middle income. The city is traversed by two highways, US 285 and US 85, heavy rail carrying 44 freight trains a day and light rail.</p> <p>Englewood Fire Department provides the City with fire protection, EMS, building and fire code enforcement, public education, fire and EMS related training and other safety related services, including car seat inspections and CO detector installation.</p> <p>The fire department consists of 51 responders and 5 support staff. Two ambulances provide 24-hour a day, seven day a week advanced life support care and full transport. The fire department responded to 4,224 calls for service in 2013, with 2,898 patient contacts, not including lift assists. About 75 percent of the 2,489 patients transported in 2013 were residents of the city and over 9 percent had no</p> |
|--|--|

address of record.

The fire department is funded by the General Fund. The majority of revenues for this fund are from sales tax. Ambulance transport fees go to the General Fund, not the fire department. The EMS budget lines cover expendable and durable medical supplies, EMS specific training and vendor charges for patient billing and training.

**D. Funding**

- 1. **Is this organization interested in EMTS Section funding programs?** Yes

**EMS Contacts**

**A. EMS Organization**

- 1. **EMS Organization Name:** Englewood Fire Department
- 2. **Licensing:**
  - Is this organization a county licensed ground ambulance service?** Yes
  - Is this organization a Colorado licensed air ambulance service or currently applying for licensure?** No

**B. EMS Service Director**

- 1. **Director's Name:** Andrew Marsh
- Job Title:** Fire Chief
- 2. **Mailing Address:** 3615 S Elati St  
Englewood, CO 80110
- 3. **Primary Phone Number:** 303-762-2481
- 4. **E-Mail:**

**C. EMS Alternate Contact**

- 1. **Alternate Contact's Name:** Richard Petau
- Job Title:** Deputy Fire Chief
- 2. **E-Mail:**

**D. EMS Medical Director**

- 1. **Medical Director's Name:** Dylan Luyten
- 2. **Mailing Address:**

c/o Health One EMS  
 300 E Hampden Ave Suite 100  
 Englewood, CO 80110  
 303-788-6819

- 3. **Primary Phone Number:**
- 4. **E-Mail:**
- 5. **Colorado Medical License Number:** 40919

**E. EMS Data Administrator**

- 1. **EMS Data Administrator Name:** Steve Green  
**Job Title:** EMS Coordinator
- 2. **Primary Phone Number:** 303-762-2476
- 3. **E-Mail:**

**F. Emergency 24 Hour Contact**

- 1. **Emergency Contact Name:** Dispatch Dispatch  
**Job Title:** Englewood Dispatch Center
- 2. **Primary Phone Number:** 303-762-2438
- 3. **E-Mail:**

**Services and Structure**

- 1. **Organizational Structure:** Fire based
- 2. **Corporate / Tax Status:** government
- 3. **Government Type:** Municipal - town / city
- 3a. **Is this EMS service established as a governmental enterprise or enterprise fund?** No
- 3b. **Indicate the Type of Special District for this EMS Service:** N/a
- 4. **Funding Types:** User Fees,  
Tax Funding / Mill Levy,  
grant
- 5. **Billing Method:** Contract Service
- 6. **Primary service provided by your EMS Organization:** Scene response with transport
- 7. **Other services provided by your EMS organization:** Scene response without transport,  
Rescue,  
Hazardous Materials Response
- 8. **What level of provider can your service send to EVERY call?** Paramedic

**Personnel**

Category	Full Time	Part Time	Volunteer	Total
1. First Responder				
2. Emergency Medical Technician (EMT):	26			26
3. Advanced Emergency Medical Technician (AEMT):				

4. Intermediate		
5. Paramedic	23	23
6. Nurse		
7. Physician		
8. Administrative / Other	6	6
9. Full-Time Equivalent Count:		

**Requests for EMS Services**

**A. Requests for Services**

1. Emergency Response with Transport:	2,489
2. Interfacility Transports:	
3. Emergency Response, no Transport:	146
4. Emergency Response Care Transferred / Transport by Other:	31
5. Standby:	
6. Cancelled Calls:	
7. Total:	2,666

**B. EMS Financial Resources**

1. Total Annual EMS Budget for this Organization:	\$65,000.00
2. Billing:	
2a. Total Annual EMS Charges Billed:	\$2,232,016.00
2b. Contractual Allowances and Discounts (if known):	\$0.00
2c. Net Annual EMS Charges Billed:	\$2,232,016.00
3. Total Annual EMS Charges Collected:	\$613,866.00
4. Collection rates:	
4a. Crude Collection Rate:	27.50%
4b. Adjusted Collection Rate:	27.50%

**Counties Licensed In**

1. List all counties where this agency is licensed for Ground transport services:	Arapahoe
---	----------

**EMS Ground Demographics**

**A. Demographics of Service Area for Ground Transport**

1. Employment Type:	Paid
---------------------	------

- 2. **Number of stations for this Service:** 3
- 3. **Average Call Time (Dispatch to Back-In-Service):** 42.00 minutes
- 4. **Average patient mileage per transport:** 3.60 miles
- 5. **Total square miles of your primary service area (land & water):** 7
- 6. **Estimated permanent population of your primary service area:** 32,300
- 7. **Population Density of Service Area:** 4,614.29

**B. Ambulances in Service**

- 1. **How many EMS transport vehicles (ambulances) does this organization own or lease?** 3
- 2. **Given typical conditions, please estimate how many EMS transport vehicles with appropriate staffing could this organization deploy to a state or national emergency outside of the local area?** 2

**C. EMS Ground Billing Rates**

- 1. **BLS Emergency - HCPCS Code A0429:** \$775.00
- 2. **ALS Emergency - HCPCS Code A0427:** \$775.00
- 3. **ALS Level 2 - HCPCS Code A0433:** \$775.00
- 4. **Specialty Care Transport - HCPCS Code A0434:** \$0.00
- 5. **Mileage Rate - HCPCS Code A0425:** \$12.00

**D. System Participation**

- 1. **Is your agency National Incident Management System (NIMS) compliant?** Yes

**Vehicles**

Unit Number	Make / Model / Year	Box Make	Mileage	Equipped For	All Wheel Drive	Type kkk.1822	Bought with EMS Funds	Status
6491	Ford / E-450 / 2001	McCoy Miller	95,463	ALS		I		In Use
6354	Dodge / Ram5500 / 2012	Taylor-made	14,790	ALS		I	Yes	In Use
6353	Chevrolet / Truck / 2009	Medtec	16,500	ALS		I	Yes	In Use

**Funding Information**

- 1. **Legal Name of Organization:** Englewood Fire Department
- 2. **Tax ID Number:** 84-6000583

**Grant Management Contact**

- 1. **Grant Management Contact Name:** Steve Green
- Job Title:** EMS Coordinator
- 2. **Mailing Address:** 3615 S Elad St  
Englewood, CO 80110
- 3. **Primary Phone Number:** 303-762-2476
- 4. **E-Mail:** -----

**Authorized Official**

- 1. **Name of Authorized Official able to sign contracts:** Andrew Marsh
- Job Title:** Fire Chief
- 2. **Is the Authorized Official the chair or president of the governing board for this organization?** No

**Financial Narratives**

- 1. **Briefly Describe how this organization is funded and why it may require EMTS grants:** Please see the attached Financial Narrative
- 2. **Briefly describe any affiliations or partnerships this organization has with any parent or subsidiary organizations:** N/A.
- 3. **File attachments:** No files found

**Past Years Grant History**

Year	Category	Total Requested	State Amount	Funded	Amount Spent
2013	Other	\$3,900.00	\$1,950.00	\$1,950.00	\$0.00
2012	Ambulance and Other Vehicles	\$175,000.00	\$87,500.00	\$72,000.00	\$69,073.91
2011	Ambulance and Other Vehicles	\$163,047.00	\$81,523.50	\$77,674.00	\$77,674.00

**Additional Attachments**

- 1. **Required attachments:** No files found

Close

## Financial narrative

The City of Englewood is a full service city that provides a wide range of services, including police, fire and EMS, public works, utilities, parks and recreation, library and general government services. These governmental activities are supported by the City's General Fund and two capital projects funds. The Englewood Fire Department is a functional unit of the City of Englewood (see Agency Structure) and is funded through the city's General Fund.

The City operates a golf course, water treatment plant and water distribution system, maintains a wastewater collection system and manages a wastewater treatment plant held jointly with the City of Littleton. These activities are accounted for as individual enterprise funds. The funds of these activities are restricted to their own unique use and not available for general governmental activities.

As with many local, state and federal agencies, the current need for funds across the City far outstrips the amount available for spending. The major sources of revenue are sales and use taxes, property taxes, franchise taxes, licenses and permits, intergovernmental revenue (includes grants), charges to customers for goods and services, municipal court fines and investment income.

The City has had a flat revenue stream for the last 15 years, although it is trending slightly upward toward the end of 2013. With declining sales tax revenues and increasing fixed expenses, the ability to budget for replacing necessary durable goods has been limited City wide.

The general fund has not been in a position to fund requests of the capital projects fund for the last twelve years. This includes funding for the replacement of fire apparatus. The use of grant funding was required in order to purchase replacement ambulances in 2011 and 2012. The City is in its tenth year of a status quo budget, or less, with the exception of personnel costs dictated by contract negotiations.

The Fire Department budget has been status quo for over 14 years, with a zero growth bottom line excepting the contract obligations noted above. Cost increases for training, equipment, fuel and other supplies have not been reflected in the budget during that period of time, but absorbed through reductions in other expenditures. This has significantly impacted the ability of the Department to acquire new or replacement equipment and apparatus and to maintain our aging infrastructure.

The patient transport fees generated by Fire Department EMS responses are returned to the General Fund and are not a direct source of revenue for the Department. Regardless, it is a source of revenue for the City as a whole and impacts the bottom line of the general fund. These revenues declined by 10% in 2010 and have not increased significantly since that time. The cost of billing for and collecting ambulance transport fees, about 7% of total revenues, is paid through the Fire Department operating budget.

We will be replacing aged LifePak 12s that have passed the end of their efficient, useful service life. The down-time per unit has risen significantly in the last 12-18 months, as has reliability. If Englewood is awarded this grant, the City will provide the required match through money from the General Fund that is set aside for this purpose.



**Physio-Control, Inc.**  
 11811 Willows Road NE  
 P.O. Box 97023  
 Redmond, WA 98073-9723 U.S.A  
 www.physio-control.com  
 tel 800.442.1142  
 fax 800.732.0956

To: Steve Green  
 Englewood Fire Department  
 3615 South Elati Street  
 ENGLEWOOD, CO 80110  
 Phone: (303) 762-2476

**Quote#:** 1-269739779

Rev#: 1  
 Quote Date: 01/24/2014  
 Sales Consultant: Nikki Kroner  
 800-442-1142 x 72793  
 FOB: Redmond, WA

Terms: All quotas subject to credit approval and  
 the following terms & conditions

Contract: None

Exp Date: 04/24/2014

Line	Catalog # / Description	Qty	Price	Unit Disc	Trade-in	Unit Price	Ext Total
1	<b>99577-001255 - LP15 MONITOR/DEFIB, CPR, Pace, to 360J, SPO2, 12L GL, NIBP, CO2, Trend, BT</b>  THE LIFEPAK 15 IS AN ADAPTIV BIPHASIC FULLY ESCALATING (TO 360 JOULES) MULTI-PARAMETER MONITOR/DEFIBRILLATOR . INCLUDED AT NO CHARGE: 2 PAIR QUIK-COMBO ELECTRODES PER UNIT - 11996-000091, TEST LOAD - 21330-001365, IN-SERVICE DVD - 21330-001486, SERVICE MANUAL CD- 21300-008084 (one per order) and ShlpKit- 41577-000138. HARD PADDLES, BATTERIES AND CARRYING CASE NOT INCLUDED.	3	\$29,995.00	\$5,399.10	\$0.00	\$24,595.90	\$73,787.70
2	<b>11577-000004 - STATION BATTERY CHARGER</b>  AC OPERATION FOR STATIONARY APPLICATIONS, FOR USE WITH THE LI-ION 5.7 AMP BATTERY. INCLUDES AC POWER CORD, MOUNTING BRACKET AND OPERATING INSTRUCTIONS	2	\$1,833.00	\$244.95	\$0.00	\$1,388.05	\$2,778.10
3	<b>21330-001176 - LI-ION BATTERY 6.7 AMP HOUR CAPACITY</b>  RECHARGEABLE LITHIUM-ION, WITH FUEL GAUGE	9	\$412.00	\$81.80	\$0.00	\$350.20	\$3,151.80
4	<b>11140-000072 - LP15 AC Power Supply</b>	1	\$1,460.00	\$222.00	\$0.00	\$1,258.00	\$1,258.00
5	<b>11140-000080 - CABLE-EXTERNAL POWER, EXTENSION</b>  CABLE-EXTERNAL POWER, EXTENSION	1	\$266.00	\$39.90	\$0.00	\$226.10	\$226.10
6	<b>11140-000015 - AC POWER CORD</b>	1	\$71.00	\$10.65	\$0.00	\$60.35	\$60.35
7	<b>11171-000040 - M-LNCS PDTX,PEO ADHESIVE SENSOR,20/BOX, REF 2510</b>  M-LNCS PED ADHESIVE SENSOR,20/BOX, REF 2510	1	\$340.00	\$51.00	\$0.00	\$289.00	\$289.00
8	<b>11171-000046 - M-LNCS DCI, ADULT REUSABLE SENSOR, REF 2501</b>  M-LNCS DCI, ADULT REUSABLE SENSOR, REF 2501	3	\$286.00	\$42.90	\$0.00	\$243.10	\$729.30
9	<b>11160-000003 - NIBP CUFF- REUSEABLE,CHILD</b>	3	\$23.00	\$3.45	\$0.00	\$19.55	\$58.65

Quote#: 1-269739779  
 Rev#: 1  
 Quote Date: 01/24/2014

**Quote Products (continued)**

Line	Catalog # / Description	Qty	Price	Unit Disc	Trade-In	Unit Price	Ext Total
10	11160-000007 - NIBP CUFF- REUSEABLE,LARGE ADULT	3	\$31.00	\$4.65	\$0.00	\$26.35	\$79.05
11	21300-007299 - NIBP TUBING - 9 FOOT FOR USE WITH LIFEPAK 15 MONITOR/DEFIBRILLATOR	3	\$52.00	\$7.80	\$0.00	\$44.20	\$132.60
12	11577-000002 - LIFEPAK 15 Basic Carry Case w/ right & left pouches Includes shoulder strap 11577-000001	3	\$276.00	\$41.40	\$0.00	\$234.60	\$703.80
13	11220-000028 - Top Pouch Storage for sensors and electrodes. Insert in place of standard paddles.	3	\$49.00	\$7.35	\$0.00	\$41.65	\$124.95
14	11260-000039 - LP15 Rear Pouch for carrying case	3	\$71.00	\$10.65	\$0.00	\$60.35	\$181.05
15	MC999-001014-5 - LIFEPAK 15 Point of Service contract 5-YR. - Ship-in repair and 2 ship-in inspections per year Contracts with 4 and 5 year terms must be paid in full up front.	3	\$6,510.00	\$0.00	\$0.00	\$6,510.00	\$19,530.00

SUB TOTAL	\$103,088.45
ESTIMATED TAX	\$8,092.44
ESTIMATED SHIPPING & HANDLING	\$185.00
<b>GRAND TOTAL</b>	<b>\$111,365.89</b>

**Pricing Summary Totals**

List Price:	\$121,010.00
Cash Discounts:	- \$17,921.55
Tax + S&H:	+ \$6,277.44

**GRAND TOTAL FOR THIS QUOTE \$111,365.89**

**TO PLACE AN ORDER, PLEASE FAX A COPY OF THE QUOTE AND PURCHASE ORDER TO:  
# 800-732-0956, ATTN: REP SUPPORT**

PHYSIO-CONTROL, INC. REQUIRES WRITTEN VERIFICATION OF THIS ORDER. A PURCHASE ORDER IS REQUIRED ON ALL ORDERS \$10,000 OR GREATER BEFORE APPLICABLE FREIGHT AND TAXES. THE UNDERSIGNED IS AUTHORIZED TO ACCEPT THIS ORDER IN ACCORDANCE WITH THE TERMS AND PRICES DENOTED HEREIN. SIGN TO THE RIGHT:

CUSTOMER APPROVAL (AUTHORIZED SIGNATURE)  
\_\_\_\_\_  
NAME  
\_\_\_\_\_  
TITLE  
\_\_\_\_\_  
DATE

Ref. Code: CH/03871501/1-4GLGJH

**Notes:**

Taxes, shipping and handling fees are estimates only and are subject to change at the time of order. Shipping and handling applies to ground transport only. Physio-Control will assess a \$10 handling fee on any order less than \$200.00.

Above pricing valid only if all items in quote are purchased (optional items not required).

To receive a trade-in credit, Buyer agrees to return the trade-in device(s) within 30 days of receipt of the replacement device(s) to Physio-Control's place of business or to an authorized Physio-Control representative. Physio-Control will provide instructions for returning the device(s) and will pay for the associated shipping cost.

In the event that trade-in device(s) are not received by Physio-Control within the 30-day window, Buyer acknowledges that this quote shall constitute a purchase order and agrees to be invoiced for the amount of the trade-in discount. Invoice shall be payable upon receipt.

Items listed above at no change are included as part of a package discount that involves the purchase of a bundle of items. Buyer is solely responsible for appropriately allocating the discount extended on the bundle when fulfilling any reporting obligations it might have.

If Buyer is ordering service, Buyer affirms reading and accepts the terms of the Physio-Control, Inc. Technical Service Support Agreement which is available from your sales representative or <http://www.physio-control.com/uploadedFiles/products/service-plans/TechnicalServiceAgreement.pdf>

## **TERMS OF SALE**

### **General Terms**

Physio-Control, Inc.'s acceptance of the Buyer's order is expressly conditioned on product availability and the Buyer's assent to the terms set forth in this document and its attachments. Physio-Control, Inc. agrees to furnish the goods and services ordered by the Buyer only on these terms, and the Buyer's acceptance of any portion of the goods and services covered by this document shall confirm their acceptance by the Buyer. These terms constitute the complete agreement between the parties and they shall govern any conflicting or ambiguous terms on the Buyer's purchase order or on other documents submitted to Physio-Control, Inc. by the Buyer. These terms may only be revised or amended by a written agreement signed by an authorized representative of both parties.

### **Pricing**

Unless otherwise indicated in this document, prices of goods and services covered by this document shall be Physio-Control, Inc. standard prices in effect at the time of delivery. Prices do not include freight insurance, freight forwarding fees, taxes, duties, import or export permit fees, or any other similar charge of any kind applicable to the goods and services covered by this document. Sales or use taxes on domestic (USA) deliveries will be invoiced in addition to the price of the goods and services covered by this document unless Physio-Control, Inc. receives a copy of a valid exemption certificate prior to delivery. Please forward your tax exemption certificate to the Physio-Control, Inc. Tax Department P.O. Box 97006, Redmond, Washington 98073-9706.

### **Payment**

Unless otherwise indicated in this document or otherwise confirmed by Physio-Control, Inc. in writing, payment for goods and services supplied by Physio-Control, Inc. shall be subject to the following terms:

- Domestic (USA) Sales - Upon approval of credit by Physio-Control, Inc., 100% of invoice due thirty (30) days after invoice date.
- International Sales - Sight draft or acceptable (confirmed) irrevocable letter of credit.

Physio-Control, Inc. may change the terms of payment at any time prior to delivery by providing written notice to the Buyer.

### **Delivery**

Unless otherwise indicated in this document, delivery shall be FOB Physio-Control, Inc. point of shipment and title and risk of loss shall pass to the Buyer at that point. Partial deliveries may be made and partial invoices shall be permitted and shall become due in accordance with the payment terms. In the absence of shipping instructions from the Buyer, Physio-Control, Inc. will obtain transportation on the Buyer's behalf and for the Buyer's account.

### **Delays**

Delivery dates are approximate. Physio-Control, Inc. will not be liable for any loss or damage of any kind due to delays in delivery or non-delivery resulting from any cause beyond its reasonable control, including but not limited to, acts of God, labor disputes, the requirements of any governmental authority, war, civil unrest, terrorist acts, delays in manufacture, obtaining any required license or permit, and Physio-Control, Inc. inability to obtain goods from its usual sources. Any such delay shall not be considered a breach of Physio-Control, Inc. and the Buyer's agreement and the delivery dates shall be extended for the length of such delay.

### **Inspections and Returns**

Claims by the Buyer for damage to or shortages of goods delivered shall be made within thirty (30) days after shipment by providing Physio-Control, Inc. with written notice of any deficiency. Payment is not contingent upon immediate correction of any deficiencies and Physio-Control, Inc. prior approval is required before the return of any goods to Physio-Control, Inc. Physio-Control, Inc. reserves the right to charge a 15% restocking fee for returns. The Physio-Control Returned Product Policy is located at [http://www.physio-control.com/uploadedFiles/support/ReturnPolicy\\_3308529\\_A.pdf](http://www.physio-control.com/uploadedFiles/support/ReturnPolicy_3308529_A.pdf).

### **Service Terms**

All device service will be governed by the Physio-Control, Inc. Technical Services Support Agreement which is available from your sales representative or <http://www.physio-control.com/uploadedFiles/products/service-plans/TechnicalServiceAgreement.pdf>. All devices that are not under Physio-Control Limited Warranty or a current Technical Service Support Agreement must be inspected and repaired (if necessary) to meet original specifications at then-current list prices prior to being covered under a Technical Service Support Agreement. If Buyer is ordering service, Buyer affirms reading and accepts the terms of the Technical Service Support Agreement.

### **Warranty**

Physio-Control, Inc. warrants its products in accordance with the terms of the standard Physio-Control, Inc. product warranty applicable to the product to be supplied. Physio-Control, Inc. warrants services and replacement parts provided in performing such services against defects in accordance with the terms of the Physio-Control, Inc. service warranty set forth in the Technical Service Support Agreement. The remedies provided under such warranties shall be the Buyer's sole and exclusive remedies. Physio-Control, Inc. makes no other warranties, express or implied, including, without limitation, NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND IN NO EVENT SHALL PHYSIO-CONTROL, INC. BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL OR OTHER DAMAGES.

### **Patent & Indemnity**

Upon receipt of prompt notice from the Buyer and with the Buyer's authority and assistance, Physio-Control, Inc. agrees to defend, indemnify and hold the Buyer harmless against any claim that the Physio-Control, Inc. products covered by this document directly infringe any United States of America patent.

### **Miscellaneous**

a) The Buyer agrees that products purchased hereunder will not be reshipped or resold to any persons or places prohibited by the laws of the United States of America. b) Through the purchase of Physio-Control, Inc. products, the Buyer does not acquire any interest in any tooling, drawings, design information, computer programming, patents or copyrighted or confidential information related to said products, and the Buyer expressly agrees not to reverse engineer or decompile such products or related software and information. c) The rights and obligations of Physio-Control, Inc. and the Buyer related to the purchase and sale of products and services described in this document shall be governed by the laws of the State of Washington, United States of America. All costs and expenses incurred by the prevailing party related to enforcement of its rights under this document, including reasonable attorneys fees, shall be reimbursed by the other party.

## COUNCIL COMMUNICATION

<b>Date:</b> February 3, 2014	<b>Agenda Item:</b> 11 c iii	<b>Subject:</b> Security Camera purchase
<b>Initiated By:</b> Parks and Recreation		<b>Staff Source:</b> Jerrell Black - Director - Parks and Recreation Jeff Konishi, Director - Information Technology

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council discussed the proposed security camera system at the January 21, 2014 Study Session.

### RECOMMENDED ACTION

Staff recommends that City Council approve by motion, the attached quote to issue a purchase order to LONG Building Technologies, Inc to implement a security camera system.

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

This quote is the result of the request for proposal (RFP) that was submitted to implement a security camera system for the Police Station, Civic Center, Recreation Center, Malley Center, Golf Clubhouse and Maintenance, Pirates Cove, and Service Center. After reviewing all of the proposals submitted for the security camera project, two vendors met the criteria established for the RFP and were invited to the City for an interview. After meeting with these vendors and reviewing their initial proposals and cost estimates, LONG Building Technologies, Inc, was awarded the proposal based on the review of the RFP, results of the interview, and lowest proposal cost.

This surveillance system will provide an excellent way to protect City assets and resources as well as helping to ensure public safety. This system will allow Englewood Police officers to view City locations in real time before they enter to ensure their safety and the safety of the public.

### FINANCIAL IMPACT

The financial impact of this purchase is \$525,758.00 which is budgeted as a Capital purchase the 2014 budget. The source of funds for this project have been accumulated from the following:

- \$149,765 Capital Lease Funds
- \$ 30,000 Service Center Funds
- \$ 25,000 Malley Trust Fund
- \$ 50,000 PIF Golf Course
- \$ 60,000 Golf Operations
- \$210,963 CTF
- \$525,758 Total

### LIST OF ATTACHMENTS

Long Building Technologies quote for purchase of video surveillance system  
City of Englewood contract for purchase of video surveillance system



*Technology for Better Buildings*

5001 S. Zuni Street  
Littleton, CO 80120  
303.RC tel  
303.936.2755 fax

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

City of Englewood  
Purchasing Division  
1000 Englewood Parkway  
Englewood, CO 80110  
RFP-13-016

**VIDEO SURVEILLANCE SYSTEM REPLACEMENT**  
Request #RFP-13-016

**Price Quote**



*Technology for Better Buildings*

LONG Building Technologies, Inc. is pleased to answer RFP 13-016 for The city of Englewood. LONG Building Technologies, Inc. acknowledges all parts of the RFP and all addenda are included in this proposal.

**Scope overview:**

LONG Building Technologies will provide and install a new Avigilon surveillance system at the following building locations in Englewood:

- Englewood Civic Center
- Englewood Police Station
- Englewood Service Center
- Englewood Golf Clubhouse, Site and Maintenance Center
- Englewood Recreation Center
- Malley Senior Center
- Pirate's Cove

Each site will have a number of Avigilon cameras (listed below per site as directed by Cator Ruma & Associates) as well as Avigilon Network Video Recorders running Avigilon Enterprise Control Center software Network Video Management Software version 5 (NVR and NVMS respectively) at locations listed below. The NVMS will include the control center server software, the administrative tool, the gateway, control center client, web client, video player, mobile viewer and camera installation tool. LONG will also be responsible for demolition of the existing CCTV system at the City of Englewood's locations listed here. LONG Building Technologies will provide all required lift's, ladders, safety equipment, install materials, traffic cones, flaggers and signage as needed for each location. Implementation of the system is listed below in its own section. LONG Building Technologies has partnered with Netstructures to ensure that the structured cable installation is handled by a Commscope – Systimax certified installer per 2.3.7 of the RFP. Their certificate is included. Netstructures will provide and install all of the wiring, wireless transmitter/receivers, fiber optic wiring, conduit, patch panels, patch cords and install materials necessary for the project. LONG Building Technologies guarantees all work performed under this contract.



*Technology for Better Buildings*

**Equipment by location:**

All camera types, lenses and mountings as well as locations and viewing areas are determined by the drawings provided by City of Englewood/Cator Ruma & Associates dated 7/31/13 along with all addendums. All provided CCTV equipment is Avigilon, equipment racks are by Middle Atlantic, UPS by APC, 42 " LCD display's by Sharp or Samsung (if approved). All roof mounted equipment will have Ditek lightning protection. Wireless communications will be by Fluidmesh.

Englewood Civic Center, first floor:	14 cameras
Englewood Civic Center, second floor:	8 cameras
Englewood Civic Center, third floor:	4 cameras
Englewood Civic Center Data Center:	6 NVRs, (3 at 14.5 TB, 2 at 9.65 TB and 1 at 20.3 TB), 19" equipment rack, APC rackmount UPS systems for each NVR (minimum 2 hour backup),
Police Station:	20 cameras, 1 NVR (80.3 TB Total Storage), wall mount 19" rack, free standing pole, APC rackmount UPS systems for NVR (minimum 2 hour backup), 42" LCD Display w/ wall mount
Englewood Service Center	16 cameras, 2 wall mount 19" racks, wireless antennas
Englewood Golf Clubhouse, Site & Maintenance Center:	15 cameras, 1 NVR (20.3 TB Storage), 3 wall mount 19" racks, APC rackmount UPS system for NVR (minimum 2 hour backup), wireless antennas
Englewood Recreation Center:	28 cameras, 42" LCD Display w/ wall mount
Malley Senior Center:	23 cameras
Pirate's Cove:	12 cameras, 42" LCD Display w/ wall mount, 4 port switch for traffic control enclosure



Technology for Better Buildings

**Civic Center**

Part Number	Description	Price	Qty	Ext. Price
1.0-H3-D1	1 MP INDOOR DOME	\$396.00	7	\$2,772.00
1.0-H3-D01	1 MP OUTDOOR DOME	\$496.00	1	\$496.00
1.0-H3-DC1	1 MP IN CELILING DOME	\$430.00	6	\$2,580.00
2.0-H3-D1	2 MP INDOOR DOME	\$476.00	5	\$2,380.00
2.0-H3-DC1	2 MP IN CELILING DOME	\$510.00	4	\$2,040.00
3.0w-H3-D1	3 MP INDOOR DOME	\$556.00	1	\$556.00
5.0-H3-D2	5 MP DAY/NIGHT DOME 9-22mm lens	\$636.00	2	\$1,272.00
10.0TB-HD-NVR2	10 TB 2U RACK SERVER	\$6,440.00	2	\$12,880.00
15.0TB-HD-NVR2	15 TB 2U RACK SERVER	\$7,775.00	3	\$23,325.00
21.0TB-HD-NVR2	21 TB 2U RACK SERVER	\$9,999.00	1	\$9,999.00
24C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 24 CAMERA	\$4,560.00	3	\$13,680.00
16C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 16 CAMERA	\$1,208.00	1	\$1,208.00
8C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 8 CAMERA	\$776.00	1	\$776.00
4C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 4 CAMERA	\$1,485.00	2	\$2,970.00
1C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 1 CAMERA	\$446.00	3	\$1,338.00
STRACK	FREE STANDING RACK W/INSTALLATION MATERIALS	\$1,120.00	1	\$1,120.00
APCS	APC UPS RACK MOUNT 3000XL	\$1,700.00	6	\$10,200.00
			<b>Freight</b>	<b>\$1,343.88</b>
			<b>Subtotal</b>	<b>\$88,163.88</b>
<b>LONG Labor Installer</b>		\$76.00	72	\$5,472.00
<b>LONG Labor Technician/Programmer</b>		\$92.00	60	\$5,520.00
<b>LONG Labor Project Manager</b>		\$95.00	36	\$3,420.00
<b>Engineering</b>		\$104.00	24	\$2,496.00
<b>Training</b>		\$450.00	1	\$450.00
<b>Cabling/Pathway Materials (Netstructures)</b>		\$11,182.00	1	\$11,182.00
<b>Cabling/Pathway Installation (Netstructures)</b>		\$8,602.00	1	\$8,602.00
<b>Misc (permits, flagger, signage, rentals etc...)</b>		\$1,400.00	1	\$1,400.00
<b>P&amp;P Bond</b>				\$253.41
				\$0.00
				\$0.00
			<b>Total</b>	<b>\$126,959.29</b>



Technology for Better Buildings

Police Station

Part Number	Description	Price	Qty	Ext. Price
1.0-H3-D01	1 MP OUTDOOR DOME	\$496.00	6	\$2,976.00
1.0-H3-DC1	1 MP IN CEILING DOME	\$430.00	1	\$430.00
2.0-H3-D1	2 MP INDOOR DOME	\$476.00	3	\$1,428.00
2.0-H3-DO1	2 MP OUTDOOR DOME	\$576.00	2	\$1,152.00
5.0-H3-DO1	5 MP OUTDOOR DOME	\$736.00	2	\$1,472.00
5.0-H3-BO1	5 MP BULLET CAMERA	\$770.00	3	\$2,310.00
5.0-H3-BO2	5 MP BULLET CAMERA	\$799.00	1	\$478.00
29MP-HD-PRO-C	29 MP HD PRO CAMERA	\$6,566.00	2	\$13,132.00
LEF247028SI	24-70mm AUTO IRIS LENS SIGMA	\$1,263.00	2	\$2,526.00
ES-HD-PRO-S-HB	ENCLOSURE FOR HD PRO CAMERAS	\$380.00	2	\$760.00
SS-ES-PRO-S-HB	SUN SHROUD FOR HD PRO S	\$70.00	2	\$140.00
ES-OPT-WALL-SL	RIGHT ANGLE WALL MOUNT FOR ES-HD	\$117.00	2	\$234.00
H3-DC-PNL	METAL CEILING PANEL	\$75.00	1	\$75.00
21.0TB-HD-NVR2	21 TB 2U RACK SERVER	\$9,999.00	1	\$9,999.00
HD-NVR-EXP2-30TB	RAID 6 30 TB EXPANSION	\$13,633.00	2	\$27,266.00
HD-NVR2-EXP2-CARD	EXPANSION CARD TO CONNECT RAID TO SERVER	\$600.00	1	\$600.00
16C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 16 CAMERA	\$1,208.00	1	\$1,208.00
4C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 4 CAMERA	\$1,485.00	1	\$1,485.00
WALLRACK1	WALL MOUNTED RACK W/INSTALLATION MATERIALS	\$898.00	1	\$898.00
LCD8	42" LCD display w/ Wall mount	\$1,143.00	1	\$1,143.00
APC5	APC UPS RACK MOUNT 3000XL	\$1,700.00	1	\$1,700.00
			<b>Freight</b>	<b>\$1,071.18</b>
			<b>Subtotal</b>	<b>\$72,483.18</b>
<b>LONG Labor Installer</b>		\$76.00	68	\$5,168.00
<b>LONG Labor Technician/Programmer</b>		\$92.00	24	\$2,208.00
<b>LONG Labor Project Manager</b>		\$95.00	24	\$2,280.00
<b>Engineering</b>		\$104.00	16	\$1,664.00
<b>Training</b>		\$450.00	1	\$450.00
<b>Cabling/Pathway Materials (Netstructures)</b>		\$6,978.00	1	\$6,978.00
<b>Cabling/Pathway Installation (Netstructures)</b>		\$8,212.00	1	\$8,212.00
<b>Misc (permits, flagger, signage, rentals etc...)</b>		\$2,255.00	1	\$2,255.00
<b>P&amp;P Bond</b>				\$203.40
			<b>Total</b>	<b>\$101,901.58</b>



Technology for Better Buildings

Englewood Service Center

Part Number	Description	Price	Qty	Ext. Price
5.0-H3-BO2	5 MP BULLET CAMERA	\$799.00	12	\$478.00
8.MP-HD-DOME-180	8.0 MP DOME 180 DEGREE CAMERA	\$996.00	3	\$2,988.00
11MP-HD-PRO-C	11 MP HD PRO CAMERA	\$4,600.00	1	\$4,600.00
LEF7020028CA	CANON 70-200mm AUTO IRIS LENS	\$1,805.00	1	\$1,805.00
WALLRACK2	WALL MOUNTED RACK W/INSTALLATION MATERIALS	\$488.00	2	\$976.00
			<b>Freight</b>	<u>\$162.71</u>
			<b>Subtotal</b>	
			<b>I</b>	<b>\$11,009.71</b>
<b>LONG Labor Installer</b>		\$76.00	72	\$5,472.00
<b>LONG Labor Technician/Programmer</b>		\$92.00	8	\$736.00
<b>LONG Labor Project Manager</b>		\$95.00	20	\$1,900.00
<b>Engineering</b>		\$104.00	12	\$1,248.00
<b>Training</b>		\$450.00	1	\$450.00
		\$13,266.0		
<b>Cabling/Pathway Materials (Netstructures)</b>		0	1	\$13,266.00
<b>Cabling/Pathway Installation (Netstructures)</b>		\$9,121.00	1	\$9,121.00
<b>Misc (permits, flagger, signage, rentals etc...)</b>		\$960.00	1	\$960.00
<b>P&amp;P Bond</b>				\$88.33
				\$0.00
				\$0.00
			<b>Total</b>	<b>\$44,251.03</b>



Technology for Better Buildings

**Englewood Golfclub and Site**

Part Number	Description	Price	Qty	Ext. Price
1.0-H3-D1	1 MP INDOOR DOME	\$396.00	1	\$396.00
1.0-H3-D01	1 MP OUTDOOR DOME	\$496.00	1	\$496.00
1.0-H3-DC1	1 MP IN CELILING DOME	\$430.00	1	\$430.00
2.0-H3-DC1	2 MP IN CELILING DOME	\$510.00	5	\$2,550.00
3.0w-H3-D1	3 MP INDOOR DOME	\$556.00	1	\$556.00
5.0-HD-DN	5 MP DAY/NIGHT DOME	\$656.00	1	\$656.00
5.0-H3-BO1	5 MP BULLET CAMERA	\$770.00	1	\$770.00
29MP-HD-PRO-C	29 MP HD PRO CAMERA	\$6,566.00	4	\$26,264.00
LEF247028SI	24-70mm AUTO IRIS LENS SIGMA	\$1,263.00	4	\$5,052.00
LC88014FJ	8-80mm AUTO IRIS LENS	\$170.00	1	\$170.00
ES-HD-PRO-S-H	ENCLOSURE FOR HD PRO CAMERAS	\$380.00	4	\$1,520.00
SS-ES-PRO-S-HB	SUN SHROUD FOR HD PRO S	\$70.00	4	\$280.00
ES-OPT-WALL-S	RIGHT ANGLE WALL MOUNT FOR ES-HD	\$117.00	4	\$468.00
ES-HD-HWS	STANDARD ENCLOSURE FOR HD W/HEATER	\$165.00	1	\$165.00
H3-DC-PNL	METAL CEILING PANEL	\$75.00	6	\$450.00
21.0TB-HD-NVR2	21 TB 2U RACK SERVER	\$9,999.00	1	\$9,999.00
8C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 8 CAMERA	\$776.00	1	\$776.00
4C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 4 CAMERA	\$1,485.00	1	\$1,485.00
1C-HD-NVMS-ENT	ENTERPRISE HD NVMS FOR 1 CAMERA	\$446.00	3	\$1,338.00
WALLRACK1	WALL MOUNTED RACK W/INSTALLATION MATERIALS	\$898.00	3	\$2,694.00
APC5	APC UPS RACK MOUNT 3000XL	\$1,700.00	1	\$1,700.00
			<b>Freight</b>	<b>\$873.23</b>
			<b>Subtotal</b>	<b>\$58,692.23</b>
<b>LONG Labor Installer</b>		\$76.00	56	\$4,256.00
<b>LONG Labor Technician/Programmer</b>		\$92.00	16	\$1,472.00
<b>LONG Labor Project Manager</b>		\$95.00	24	\$2,280.00
<b>Engineering</b>		\$104.00	16	\$1,664.00
<b>Training</b>		\$450.00	1	\$450.00
<b>Cabling/Pathway Materials (Netstructures)</b>		\$8,122.00	1	\$8,122.00
<b>Cabling/Pathway Installation (Netstructures)</b>		\$6,822.00	1	\$6,822.00
<b>Misc (permits, flagger, signage, rentals etc...)</b>		\$1,290.00	1	\$1,290.00
<b>P&amp;P Bond</b>				\$170.10
			<b>Total</b>	<b>\$85,218.32</b>



Technology for Better Buildings

Englewood Recreation Center

Part Number	Description	Price	Qty	Ext. Price
1.0-H3-DC1	1 MP IN CELILING DOME	\$430.00	6	\$2,580.00
2.0-H3-D1	2 MP INDOOR DOME	\$476.00	7	\$3,332.00
2.0-H3-DO1	2 MP OUTDOOR DOME	\$576.00	1	\$576.00
5.0-H3-D1	5 MP INDOOR DOME	\$636.00	5	\$3,180.00
5.0-H3-DO1	5 MP OUTDOOR DOME	\$736.00	6	\$4,416.00
5.0-H3-BO1	5 MP BULLET CAMERA	\$770.00	1	\$770.00
5.0-H3-BO2	5 MP BULLET CAMERA	\$799.00	2	\$478.00
ES-HD-PRO-5-HB	ENCLOSURE FOR HD PRO CAMERAS	\$380.00	3	\$1,140.00
SS-ES-PRO-S-HB	SUN SHROUD FOR HD PRO S	\$70.00	3	\$210.00
WALLRACK2	WALL MOUNTED RACK W/INSTALLATION MATERIALS	\$488.00	2	\$976.00
LCD8	42" LCD display w/ Wall mount	\$1,143.00	1	\$1,143.00
			<b>Freight</b>	<u>\$264.87</u>
			<b>Subtotal</b>	\$19,065.87
<b>LONG Labor Installer</b>		\$76.00	86	\$6,536.00
<b>LONG Labor Technician/Programmer</b>		\$92.00	14	\$1,288.00
<b>LONG Labor Project Manager</b>		\$95.00	24	\$2,280.00
<b>Engineering</b>		\$104.00	24	\$2,496.00
<b>Training</b>		\$450.00	1	\$450.00
<b>Cabling/Pathway Materials (Netstructures)</b>		\$5,526.00	1	\$5,526.00
<b>Cabling/Pathway Installation (Netstructures)</b>		\$7,122.00	1	\$7,122.00
<b>Misc (permits, flagger, signage, rentals etc...)</b>		\$1,870.00	1	\$1,870.00
<b>P&amp;P Bond</b>				\$93.27
				\$0.00
				\$0.00
			<b>Total</b>	\$46,727.14



Technology for Better Buildings

**Malley Senior Center**

Part Number	Description	Price	Qty	Ext. Price
1.0-H3-D1	1 MP INDOOR DOME	\$396.00	1	\$396.00
2.0-H3-D1	2 MP INDOOR DOME	\$476.00	4	\$1,904.00
2.0-H3-DO1	2 MP OUTDOOR DOME	\$576.00	1	\$576.00
3.0w-H3-D1	3 MP INDOOR DOME	\$556.00	5	\$2,780.00
3.0w-H3-DO1	3 MP OUTDOOR DOME	\$656.00	1	\$656.00
3.0w-H3-DC1	3 MP IN CELILING DOME	\$590.00	1	\$590.00
5.0-H3-DO1	5 MP OUTDOOR DOME	\$736.00	2	\$1,472.00
5.0-H3-BO2	5 MP BULLET CAMERA	\$799.00	8	\$478.00
			<b>Freight</b>	<u>\$132.78</u>
			<b>Subtotal</b>	<b>\$8,588.78</b>
<b>LONG Labor Installer</b>		\$76.00	66	\$5,016.00
<b>LONG Labor Technician/Programmer</b>		\$92.00	12	\$1,104.00
<b>LONG Labor Project Manager</b>		\$95.00	20	\$1,900.00
<b>Engineering</b>		\$104.00	16	\$1,664.00
<b>Training</b>		\$450.00	1	\$450.00
<b>Cabling/Pathway Materials (Netstructures)</b>		\$5,212.00	1	\$5,212.00
<b>Cabling/Pathway Installation (Netstructures)</b>		\$6,155.00	1	\$6,155.00
<b>Misc (permits, flagger, signage, rentals etc...)</b>		\$790.00	1	\$790.00
<b>P&amp;P Bond</b>				\$61.76
				\$0.00
				\$0.00
			<b>Total</b>	<b>\$30,941.54</b>



Technology for Better Buildings

Pirates Cove

Part Number	Description	Price	Qty	Ext. Price
2.0-H3-DO1	2 MP OUTDOOR DOME	\$576.00	2	\$1,152.00
2.0-H3-DC1	2 MP IN CEILING DOME	\$510.00	1	\$510.00
5.0-H3-BO2	5 MP BULLET CAMERA	\$799.00	1	\$478.00
29MP-HD-PRO-C	29 MP HD PRO CAMERA	\$6,566.00	7	\$45,962.00
LEF247028SI	24-70mm AUTO IRIS LENS SIGMA	\$1,263.00	1	\$1,263.00
LEF163528CA	CANON 16-35mm AUTO IRIS LENS	\$2,110.00	1	\$2,110.00
LEF7020028CA	CANON 70-200mm AUTO IRIS LENS	\$1,805.00	5	\$9,025.00
ES-HD-PRO-S-HB	ENCLOSURE FOR HD PRO CAMERAS	\$380.00	7	\$2,660.00
SS-ES-PRO-S-HB	SUN SHROUD FOR HD PRO S	\$70.00	7	\$490.00
ES-OPT-POLE	POLE MOUNT FOR ES-HD	\$75.00	7	\$525.00
4SW	4 PORT SWITCH	\$185.00	1	\$185.00
LCD8	42" LCD display w/ Wall mount	\$1,143.00	1	\$1,143.00
			<b>Freight</b>	<b>\$985.55</b>
			<b>Subtotal</b>	<b>\$66,688.55</b>
<b>LONG Labor Installer</b>		\$76.00	72	\$5,472.00
<b>LONG Labor Technician/Programmer</b>		\$92.00	8	\$736.00
<b>LONG Labor Project Manager</b>		\$95.00	30	\$2,850.00
<b>Engineering</b>		\$104.00	16	\$1,664.00
<b>Training</b>		\$450.00	1	\$450.00
<b>Cabling/Pathway Materials (Netstructures)</b>		\$3,376.00	1	\$3,376.00
<b>Cabling/Pathway Installation (Netstructures)</b>		\$5,255.00	1	\$5,255.00
<b>Misc (permits, flagger, signage, rentals etc...)</b>		\$3,290.00	1	\$3,290.00
<b>P&amp;P Bond</b>				\$179.56
				\$0.00
				\$0.00
			<b>Total</b>	<b>\$89,761.11</b>



*Technology for Better Buildings*

***Overall Price Quote:***

<b>Englewood Civic Center:</b>	<b>\$126,959.00</b>
<b>Englewood Police Station:</b>	<b>\$101,901.00</b>
<b>Englewood Service Center:</b>	<b>\$ 44,251.00</b>
<b>Englewood Golf Club and Site:</b>	<b>\$ 85,218.00</b>
<b>Englewood Recreation Center:</b>	<b>\$ 46,727.00</b>
<b>Malley Senior Center:</b>	<b>\$ 30,941.00</b>
<b>Pirate's Cove:</b>	<b>\$ 89,761.00</b>
 <b><i>Grand Total:</i></b>	 <b><i>\$525,758.00</i></b>



*Technology for Better Buildings*

**Exceptions and clarifications:**

1. Installation will take place between 8:00AM and 5:00PM Monday through Friday
2. Network hardware (i.e. switches, racks, etc...) and any computers for the system provided by Englewood (with the exceptions listed in the equipment by location)
3. FOB Shipping included
4. All 120 VAC circuits and power for LONG power supplies as required by others
5. All necessary permit fees are included
6. Wire will installed above ceiling grade NOT in conduit.
7. Shop drawings and as built included
8. Painting and patching by others.
9. Training is Included
10. Wiring for Cameras by Netstructures included in this proposal
11. Conduit/wire paths provided by Netstructures included in this proposal

CONTRACT

CITY OF ENGLEWOOD, COLORADO

THIS CONTRACT and agreement, made and entered into this 23rd day of January, 2014, by and between the City of Englewood, a municipal corporation of the State of Colorado hereinafter referred to as the "City", and LONG Building Technologies, Inc., whose address is 5001 S. Zuni St. Littleton, CO 80120, ("Contractor"), commencing on the day of March 1, 2014, 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: Video Surveillance System

WHEREAS, proposals pursuant to said advertisement have been received by the Mayor and City Council and have been certified by the Director of Public Works and Information Technology 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 Public Works and Information Technology and agrees to fully complete said work by LONG Building Technologies, Inc., plus such extension or extensions of time as may be granted by the Director of Public Works and Information Technology, 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 Five hundred and twenty five thousand seven hundred and fifty eight dollars and zero cents. ( \$525,758.00 )

- 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. 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.
  
- J. 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.
  
- K. Contractors Guarantee: The Contractor shall guarantee that work and associated incidentals shall remain in good order and repair for a period of one (1) year 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 Public Works and Information Technology 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

(2) terminate the sub-contract with the subcontractor if, within three days of receiving notice required pursuant to this paragraph the subcontractor does not stop employing or contracting with the illegal alien; except that the Contractor shall not terminate the contract with the subcontractor if during such three days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with the illegal alien.

(d) **Duty to Comply with State Investigation:** Contractor shall comply with any reasonable request of the Colorado Department of Labor and Employment made in the course of an investigation by that the Department is undertaking pursuant to C.R.S. 8-17.5-102 (5).

(e) **Damages for Breach of Contract:** The City may terminate this contract for a breach of contract, in whole or in part, due to Contractor's breach of any section of this paragraph or provisions required pursuant to C.R.S. 8-17.5-102. Contractor shall be liable for actual and consequential damages to the City in addition to any other legal or equitable remedy the City may be entitled to for a breach of this Contract under this Paragraph.

IN WITNESS WHEREOF, the parties hereto have executed this Contract the day and year first written above.

CITY OF ENGLEWOOD

By: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
City Clerk

LONG Building Technologies, Inc.  
Contractor (print company name)

By: \_\_\_\_\_  
(Signature)  
Richard Coleman, General Manager  
(Print name and Title)

Date: 1/23/14

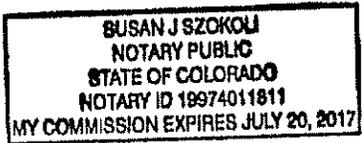
STATE OF COLORADO )  
COUNTY OF ARAPAHOE ) ss.

On this 23rd day of January, 2014, before me personally appeared Richard Coleman, known to me to be the general manager, security solutions of LONG Building Technologies, 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: 07/20/2017

\_\_\_\_\_  
NOTARY U



PERFORMANCE, PAYMENT AND MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS That we \_\_\_\_\_ hereinafter called the Principal, and \_\_\_\_\_ hereinafter called the Surety, are jointly and severally held and firmly bound unto THE CITY OF ENGLEWOOD, County of ARAPAHOE, State of COLORADO, hereinafter called the Owner, in the sum of \_\_\_\_\_ (\$ \_\_\_\_\_), lawful money of the United States of America, to be paid to the Owner for the payment whereof the Principal and Surety hold themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly bound by these presents.

WHEREAS, the Principal has, by means of a written agreement dated \_\_\_\_\_ entered into a Contract with the Owner for the construction of \_\_\_\_\_ which Contract is by reference made a part hereof the same as though fully set forth herein;

NOW, THEREFORE, the conditions of this obligation are as follows:

FIRST, The Principal shall: (1) faithfully perform said Contract on Principal's part and satisfy all claims and demands incurred for the same; (2) fully indemnify and save harmless the Owner from all costs and damages which said Owner may incur in making good any default.

SECOND, To the extent permissible by law, the Principal shall protect, defend, indemnify and save harmless the Owner, the Architect-Engineer, and their officers, agents, servants and employees, from and against suits, actions, claims, losses, liability or damage of any character, and from and against costs and expenses, including in part attorney fees, incidental to the defense of such suits, actions, claims, losses, damages or liability on account of injury, disease, sickness, including death, to any person, or damage to property, including in part the loss of use, resulting therefrom, based upon or allegedly based upon any act, omission or occurrence of the Principal, or his employees, servants, agents, subcontractors or suppliers, or anyone else under the Principal's direction and control (regardless of whether or not cause in part by a party indemnified hereunder), and arising out of, occurring in connection with, resulting from, or caused by the performance or failure of performance of any work or services called for by the Contract, or from conditions created by the performance or non-performance of said work or services.

THIRD, The Principal shall pay all persons, firms and corporations, all just claims due them for the payment of all laborers and mechanics for labor performed, for all materials and equipment used or rented in the performance of Principal's Contract.

Contractor's Guarantee. The Contractor shall guarantee that work and associated incidentals shall remain in good order and repair for a period of one (1) year from all causes arising from defective workmanship and materials, and to make all repairs arising from said causes during such period without further compensation, and shall keep the same in said work and repair without further compensation for a period of one (1) year from and after completion and acceptance thereof by the City. 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 \_\_\_\_\_, whose decision upon the matter shall be final and obligatory upon the Contractor.

Every Surety on this bond shall be deemed and held, any Contract to the Contrary notwithstanding, to consent without notice:

1. To any extension of time to the Contractor in which to perform the Contract.
2. To any change in the Plans, Drawings, Specifications, Contract or other Contract Documents, when such change does not involve an increase of more than twenty percent (20%) of the total contract price, and shall then be released only as to such excess increase.

Further, every Surety on this bond shall pay to this Owner all costs and attorney fees necessary to enforce the provisions on the bond provisions contained herein.

Unless prohibited by law, an action on the payment and performance provisions of this bond may be brought by the Owner or any person entitled to the benefits of this bond at any time within five years from date of final settlement of the Contract, and under the maintenance provisions of this bond an action may be brought within five (5) years from the time the cause of action arises.

Principal and Surety are jointly and severally liable under the provisions hereof and action against either or both may proceed without prior action against the other, and both may be joined in one action.

SIGNED AND SEALED THIS 23rd day of January, 2014.

IN PRESENCE OF:

\_\_\_\_\_

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

ATTEST: (As to Corporation)

By: \_\_\_\_\_  
Secretary

(CORPORATE SEAL)

\_\_\_\_\_ Surety

By: \_\_\_\_\_  
Attorney in fact  
(SEAL OF SURETY)

COUNTERSIGNED:

By: \_\_\_\_\_  
Resident Agent (Print Name Below)

(Accompany this bond with Attorney-in-fact's authority from the Surety to execute the bond, certified to include the date of the bond.)

Approved for the City of Englewood: By: \_\_\_\_\_  
City Manager

City of Englewood, Colorado Sales and Use Tax and Arapahoe County Open Space Sales Tax

The contractor, or any of his/her sub-contractors, shall be required to pay all sales and use (regular and/or building) taxes levied by the City of Englewood and Arapahoe County on any materials built into, incorporated or used (such as formwork materials, etc.) on the project including rental of equipment. In addition any equipment purchased within the last three years and used on this project is subject to a 3.5% sales tax plus .25% Arapahoe County Open Space Sales Tax. Upon completion of the work, the Contractor will be required to furnish the City with an itemized statement of the tangible property upon which the tax is due.

Building Use Tax is collected on a permit for materials that become part of the improvements to realty. Any other materials not included in a permit are subject to regular use tax. This includes, but is not limited to temporary fencing, tools and equipment purchased or rented for the project, and any other items that would normally be subject to regular use tax (consumed/used by the contractor). A contractor is liable to the City for regular as well as the building use taxes. If City tax has been paid on items subject to regular use tax in Englewood or elsewhere, please provide a receipt for taxes paid to receive credit. All materials subject to regular use tax will be collected when sales/use taxes are filed or when an audit is performed. The contractor shall report separately on Form FR39a the materials that become part of the improvements to realty versus other materials not included in a permit as stated above.

The contractor and/or sub-contractor may be exempt from the tax (for example, State and RTD tax) when the material becomes part of the structure for a tax exempt entity. The contractor and/or sub-contractor must obtain an exemption certificate from the Department of Revenue to purchase the materials tax free.

Each sub-contractor shall compile a complete list of paid invoices, based on materials purchased directly by the sub-contractor, including the following information: invoice number, invoice date, vendor's name, invoice amount, amount of tax due the City, type of materials (cement, rebar, structural steel, flooring, etc.). [Form FR39a]

The contractor shall compile a complete list of paid invoices based on materials purchased directly by the contractor, including the following information: invoice number, invoice, date, vendor's name, amount of invoice, amount of tax due the City, type of material (cement, rebar, structural steel, flooring, etc.). [Form FR39a]

At completion of the work, each sub-contractor shall submit, on forms supplied by the City of Englewood, to the contractor, a document similar to Form FR39a and the "Affidavit" (2 copies) duly acknowledged, based on the information compiled as indicated above. The contractor shall forward all said certificates to the City's Project Manager. (The City will supply said forms.) The contractor and all sub-contractors shall keep sufficient records to verify the amount of purchases subject to use taxes due to the City and the amount of purchases subject to Arapahoe County Open Space taxes due to Arapahoe County. This documentation shall be maintained for three years subsequent to the issue date of the Certificate of Occupancy.

Prior to the City issuing the Certificate of Occupancy (CO), all applicable City of Englewood Regular Use and/or Building Use Taxes and Arapahoe County Open Space Tax on any tangible property built into, incorporated or used on the project must be paid.

CITY OF ENGLEWOOD, COLORADO  
DEPARTMENT OF FINANCE AND ADMINISTRATIVE SERVICES

AFFIDAVIT

COUNTY OF \_\_\_\_\_ ss.

General Manager, Richard Coleman of the  
(Title) (Signer's Name)

LONG Building Technologies, Inc., being of lawful  
(Business Name of Contractor)

age and first duly sworn, deposes and says: That under the terms of a contract dated 23<sup>rd</sup> of  
January 2014:

That \_\_\_\_\_ was the prime or sub-contractor for the installation of  
equipment and/or construction of a \_\_\_\_\_ for the  
\_\_\_\_\_; that between the dates of  
(Entity Name)

\_\_\_\_\_, 20\_\_ and \_\_\_\_\_, 20\_\_ said contractor  
built into or installed tangible, personal property upon which use tax is subject; the entire purchase price is  
listed on attached form, and that evidence of payment for said tangible, personal property are available for  
inspection by the City of Englewood.

That the tangible, personal property upon which the tax was paid was actually built into or installed in said

\_\_\_\_\_  
(Type of Structure and Project Location Address)

The entire purchase price of said tangible, personal property and the tax thereon is listed on the attached form  
hereto and make a part hereof.

The contract is not yet completed

The contract was completed \_\_\_\_\_, 20\_\_ \_\_\_\_\_  
Contractor's Signature Date

Before me \_\_\_\_\_, a Notary Public in and for  
\_\_\_\_\_ County, Colorado, personally appeared \_\_\_\_\_  
\_\_\_\_\_, know to me personally to be the person whose signature appears  
hereon and who subscribed his signature hereunto in my presence this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D. 20\_\_.

My commission expires \_\_\_\_\_  
Date Notary Public (SEAL)

City of Englewood, Colorado

1000 Englewood Parkway, Englewood CO 80110-2373

Finance and Administrative Services Department

TAXABLE TANGIBLE PERSONAL PROPERTY (Please use this form or equivalent)

Form FR39a

INVOICE (Please list each separately)		VENDOR'S NAME	MATERIAL ONLY Cost	3.5% ENGLEWOOD SALES TAX (if paid)	3.5% ENGLEWOOD USE TAX	.25% ARAPAHOE COUNTY SALES TAX	TYPE OF MATERIAL (cement, re-bar, structural steel, flooring, etc)
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**End of Document**

## COUNCIL COMMUNICATION

<b>Date:</b> February 3, 2014	<b>Agenda Item:</b> 12 b i	<b>Subject:</b> Resolution appropriating funds held by the City of Englewood from the South Broadway Englewood Business Improvement District (SBEBID)
<b>Initiated By:</b> Finance and Administrative Services Department		<b>Staff Source:</b> Frank Gryglewicz, Director

### COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

City Council supported the promotion of the Broadway business district for many years.

At the January 21, 2014 Study Session, City Council discussed how to best use the remaining SBEBID funds held by the City of Englewood since August 15, 2013. Council directed staff to prepare a resolution appropriating funds for use on South Broadway. The remainder of the funds will be disbursed to property owners as soon as possible.

### RECOMMENDED ACTION

Staff recommends City Council approve the attached resolution for a supplemental appropriation to the 2014 Budget for the following:

#### SOURCES AND USES OF FUNDS:

##### DONORS FUND:

##### SOURCE OF FUNDS:

SBEBID Unassigned Fund Balance \$78,000

##### USE OF FUNDS:

Return of Seed Money to City of Englewood \$30,000  
South Broadway Holiday Lighting 2014 \$20,000  
Flower Pot and Bike Rack Maintenance 2014/2015 \$28,000  
Total Use of Funds \$78,000

### BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The South Broadway Englewood Business Improvement District (SBEBID) was formed with the passage of Ordinance 29, Series of 2006. A petition to dissolve the SBEBID was presented to the City Clerk by persons owning property in the District. The petitioners comprised 58.2 percent of the acreage and 57.8 percent of the assessed value of property in the District.

On March 18, 2013 a public hearing was held and continued until June 17, 2013 at which time the petitioners and others provided testimony regarding the dissolution. City Council dissolved the SBEBID with the passage of Ordinance 29, Series of 2013 on July 17, 2013.

The remaining cash assets held by the SBEBID were transferred to the City of Englewood on August 15, 2013 and additional funds have been received from collections made by Arapahoe County. Only expenditures from prior obligations and holiday lighting have been paid from the SBEBID funds.

The balance of the SBEBID funds as of January 22, 2014 is \$141,385; after appropriating the funds mentioned above, \$63,385 will be available for distribution to property owners.

The Finance and Administrative Services Department is currently reconciling the funds available to determine the amount each property owner is due. Staff will provide City Council with a breakdown of the disbursements prior to making payment.

#### **FINANCIAL IMPACT**

The funds available for distribution will be reduced by \$78,000. These funds will be used for South Broadway improvements, lighting, and maintenance.

#### **LIST OF ATTACHMENTS**

Proposed Resolution

RESOLUTION NO. \_\_\_\_\_  
SERIES OF 2014

**A RESOLUTION APPROPRIATING FUNDS FROM THE SOUTH BROADWAY  
ENGLEWOOD BUSINESS IMPROVEMENT DISTRICT.**

WHEREAS, the City of Englewood is required by City Charter to ensure that expenditures do not exceed legally adopted appropriations; and

WHEREAS, the 2014 Budget was submitted and approved by the Englewood City Council on October 21, 2013; and

WHEREAS, the Englewood City Council authorized the formation of the South Broadway Englewood Business Improvement District (SBEBID) with the passage of Ordinance No. 29, Series of 2006; and

WHEREAS, a petition to dissolve the SBEBID was presented to the City by persons owning property in the District representing 58.2 percent of the acreage and 57.8 percent of the assessed value of property in the SBEBID; and

WHEREAS, the Englewood City Council dissolved the SBEBID with the passage of Ordinance No. 29, Series of 2013; and

WHEREAS, the remaining cash assets held by the SBEBID were transferred to the City on August 15, 2013 and additional funds have been received from collections made by Arapahoe County; and

WHEREAS, only prior obligations and holiday lighting have been paid from the SBEBID funds; and

WHEREAS, the passage of this resolution appropriates the balance of the SBEBID funds for distribution to the SBEBID property owners; and

WHEREAS, after appropriating the funds, \$63,385 will be available for distribution to property owners.

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

Section 1. The Budget for the General Fund of the City of Englewood, Colorado, is hereby amended for the year 2014, as follows:

**DONORS FUND:**

**SOURCE OF FUNDS:**

SBEBID Unassigned Fund Balance	\$78,000
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**USE OF FUNDS:**

Return of Seed Money to City of Englewood	\$30,000
Broadway Holiday Lighting for 2014	\$20,000
Flower Pot and Bike Rack Maintenance for 2014/2015	<u>\$28,000</u>

Total Use of Funds

\$78,000

Section 2. The City Manager and the Director of Finance and Administrative Services are hereby authorized to make the above changes to the 2014 Budget for the City of Englewood.

Section 3. After appropriating the funds, \$63,385 will be available for distribution to property owners.

ADOPTED AND APPROVED this 3rd day of February, 2014.

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 2014.

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