
Council Newsletter



CITY MANAGER'S NOTES January 30, 2014

Upcoming Council Meetings

City Council will meet on **Monday, February 3, 2014**. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers. The agendas are attached. Sandwiches will be available.

The next City Council meeting will be **Monday, February 10, 2014**.

Informative Memoranda

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

1. Article concerning Xcel Energy repairs in the City.
2. Article concerning a property dispute case and probate attorneys including an Englewood resident.
3. Letter from Arapahoe County Mayors and Commissioners Youth Program expressing appreciation for the donation.
4. Letter from the Arapahoe Santa Clause Shop expressing appreciation for the donation.
5. Letter from Brothers Redevelopment expressing appreciation for the donation.
6. Letter from The Denver Hospice expressing appreciation for the donation.
7. Letter from Englewood Arts expressing appreciation for the donation.
8. Letter from Gateway Battered Women's Services expressing appreciation for the donation.
9. Letter from Up Close and Musical expressing appreciation for the donation.
10. Memorandum concerning the CML Legislative Workshop on February 13, 2014.
11. Memorandum concerning the NLC Conference on March 8-12, 2014 in Washington, D. C.
12. Memorandum concerning the CML Annual Conference in Breckenridge, June 17-20, 2014.
13. Calendar of Events.
14. Tentative Study Session Topics.
15. Minutes from the Police and Fire Supplemental Disability Board telephone poll of November 18, 2008 and January 13, 2014.
16. Minutes from the Planning and Zoning Commission meeting of January 7, 2014.



Parks and Recreation Department

Night of the Stars Auditions

On Saturday, January 25, 49 talented young people (grades K-12) showed off their acts for the Night of the Stars at the Englewood Recreation Center. Students competed in their age groups in the Voice, Music and Variety categories. Judging for the state competition begins on February 21 at Hampden Hall starting at 6pm. The state competition will be held at Chatfield High School on March 8.

Update on Pump House and Wet Well Project

The remaining water in the wet well has been pumped out in preparation for a new sleeve pipe to be inserted inside of the existing pipe. The pump house project is on hold until there is further inspection of soil stability and compaction for concrete footings.

New Drainage Lines on Driving Range

A contractor has been selected to install new drainage lines on the driving range tee. There are several areas on the tee that have difficulty sustaining turf/grass due to water standing both above and below the surface. Placing French drains in these areas on the tee will redirect this water away and ultimately allow grass to grow in these areas. Mobilization of equipment and materials is near completion, but snow is creating difficulty for the project to begin.

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Arapahoe County

ENGLEWOOD

Gas line work to affect parking on South Elati Street. Through the end of February, Q3 Contracting, in conjunction with Xcel Energy, will be working on a natural gas main replacement project along South Elati Street from U.S. 285 to Kenyon Avenue.

During construction, there will be limited parking along Elati Street. Visitors to the Englewood Police/Fire Building, 3615 S. Elati St., may need to park at the Miller Field parking lot at Ithaca and Elati or along side streets.

Neighbors in the area are being notified of the project. Motorists should be aware of possible detours and delays. RTD bus service will not be interrupted.

For more information, go to xcelenergy.com/gasmainreplacementprojectco.
City of Englewood

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LOCAL NEWS

Heirs cry foul, say two Colorado probate lawyers depleted their estates

By David Olinger

The Denver Post (mailto:dolinger@denverpost.com?subject=The Denver Post:)

POSTED 01/25/2014 12:01:00 AM MST | UPDATED A DAY AGO

7 COMMENTS



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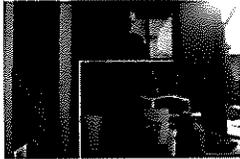
Carl Bazzala, who was trustee of his father's estate, said an attorney testified to have him removed, then replaced him on the recommendation of another attorney. (Hyoung Chang, *The Denver Post*)

 (http://www.denverdailydeals.com?source=BarDD)

Four families with cases in Arapahoe County's probate court say that two attorneys involved in their estates should have disclosed a real estate investment they made together before charging the estates at least \$400,000 in fees.

Colorado's disclosure requirements for attorneys generally do not extend to family members of clients, experts said. But the attorneys' joint investment concerned the district's chief judge enough that he issued an order in April that they could not be involved in the same estate cases without court approval.

Last week, the judge ordered one of the attorneys, court-appointed public administrator Tamra Palmer, to advise him of any cases since April in which she has participated with lawyer Jennifer Gornley. Palmer responded that there are four such cases but that she was appointed to each before the judge's April order.



[\(http://portlet/article/html/ImageDisplay.aspx?contentItemRelationshipId=5686974\)](#)
Larry Parr carries water he gets from neighbors. A probate lawyer had sold nearby land to someone who later found that a water line crossed his land to Parr's house and shut it off. "We are living on water we store in 5-gallon buckets," Parr says. (Hyoung Chang, The Denver Post)

Palmer and Gornley say they are precluded by confidentiality rules from discussing any probate cases. However, each has said they have no conflict of interest. Palmer has told the court the relationship did not influence her decisions and that she had no obligation to disclose her real estate investment with Gornley.

Cliff Battista, who was trustee of his father's estate, said Palmer had to have him removed, then, on Gornley's recommendation, took his place as a court-appointed trustee. Both lawyers then billed the estate for their work on the case.

"I'm appalled that people have the audacity to do that to someone else," he said.

Offices six steps apart

In July 2010, Palmer, Gornley and a third attorney bought a building for their offices and other tenants in Greenwood Village after borrowing \$1.5 million.

Palmer and Gornley pledged houses they own as collateral. They agreed to be jointly and separately liable for the loan. They now work in offices six steps apart.

Colorado's rules of professional conduct for lawyers forbid representing a client if that creates a conflict of interest.

But the terms defining a conflict leave room for interpretation. For example, a conflict exists if "there is a significant risk" that representation of one or more clients "will be materially limited" by, among other things, "a personal interest of the lawyer."

The Office of Attorney Regulation Counsel, which governs the conduct of lawyers in Colorado, says judging what constitutes a conflict can be a challenging task, requiring a close examination of the facts involved in a particular case.

In many cases, the rules "are very difficult," said Jamie Sudler, the office's chief deputy. "What you're analyzing is what's in the lawyer's head."

A shared business interest doesn't necessarily create a conflict, he said, and disclosure requirements to clients generally do not extend to family members. Asked about a situation where one lawyer is recommending the other for court appointments or approving the other's bills and they have made an investment together, "that's a twist," Sudler said. "That might make a difference" as to whether a conflict exists.

Palmer responded in an e-mail to questions from The Denver Post. "When I am appointed as a fiduciary, I perform my duties in a neutral and unbiased manner and in accordance with the laws of the state of Colorado," she said. "I am unable to respond to the perceptions of parties connected to those cases."

"Because of the law and rules of confidentiality in probate matters, I am restricted from commenting or answering your questions concerning specific probate cases," Gornley wrote in an e-mail.

She noted that the court is aware of her business relationship with Palmer. "Our ownership in the building is a matter of public record and is not a secret," she said.

The investment, however, prompted the April order by Arapahoe district court's chief judge, William Sylvester. And after inquiries by The Post, Sylvester and Timothy Fasing, the district's probate judge, took additional action.

On Jan. 16, Judge Fasing noted in Palmer's records "entries reflecting payments to attorney Jennifer Gornley" since April, and he ordered Palmer to explain how that conformed with Sylvester's order.

The next day, Sylvester issued an order telling Palmer to advise him of any cases since April "that she has dually participated in with attorneys Jennifer Gormley and/or Cheryl Miller," the third investor in their building.

Palmer responded in writing on Friday that she and Gormley have participated in four cases since Sylvester's April order, but that her appointment to those cases occurred prior to the order.

"It is my understanding that those cases do not require a stipulation or additional court order," she said.

Palmer did not receive a copy of the April order until last week, she said, but she had met with Sylvester in April to discuss her business relationships.

"I was not in any way attempting to avoid or circumvent the order. I just wasn't aware of it," Palmer said.

Living modest lives

Cliff Battista says his parents, Nick and Rose, led modest lives to save money for their four children.

They clipped newspaper coupons. They overlooked the fraying carpet in their Littleton home. They kept mismatched sets of glasses in the cupboards.

After Rose died, though, Nick grew unhappy with his eldest son, Carl, and disinherited him. When Carl and his sister Cindy Long angrily confronted their father, he disinherited Cindy, too, according to Cliff Battista and his lawyers.

Cindy Long hired Gormley to reclaim her share of the estate. The lawsuit split the family and led to costly litigation.

In court, Gormley alleged that Nick "suffered from an insane delusion" when he created and amended the family trust and that Cliff Battista had unduly influenced him.

Gormley called Palmer as an expert witness, who testified that Cliff Battista had misspent trust funds. Upon Gormley's recommendation, the judge removed Cliff Battista as the trust administrator and replaced him with Palmer as trustee of a \$732,187 estate.

Stanton Rosenbaum, an estate lawyer in Denver, questioned that arrangement.

"That doesn't pass the smell test. I'm surprised the judge allowed that," he said. "You've got a potential conflict right there."

Not until last April, when Palmer was required to answer questions in court, did the family get a detailed account of her business relationship with Gormley. By then, much of Nick Battista's savings had been spent on the legal battle.

Cliff Battista provided documents showing Palmer collected more than \$50,000 in fees from the estate in three years.

Cindy Long, who now regrets hiring Gormley, said her attorney and an associate amassed more than \$200,000 in fees, then reduced them as part of a settlement.

She is uncertain of her exact payment, but "the pressure of the attorneys' fees was tremendous," she said. "It took a toll."

"They don't tell people they have this relationship," said Tina Spencer, the Battistas' other daughter. "People get caught off guard. Once they get a foot in the door, you can't get rid of them."

At the April hearing concerning the attorneys' joint investment, Palmer denied she had a conflict of interest or an obligation to disclose her investment with Gormley.

"No," she replied when asked by an attorney for family members about a potential conflict. "I have a job as a fiduciary to do my job as a fiduciary."

Palmer has served as Arapahoe County's public administrator for 12 years, a court appointment to distribute the assets of a deceased person who did not designate anyone to do so in his will. She also gets appointed by Judge Fasing as a conservator managing estates of people deemed incapable of handling their own money.

In Colorado, the court administrator's office oversees the district courts. Carol Haller, its legal counsel, said Judge Sylvester sought her advice before issuing his April order. In general, when attorneys are appointed by a court, "we expect them to act with due regard that they are an arm of the court," she said. "We expect them to avoid improprieties and even the appearance of impropriety."

Palmer's appointments often follow recommendations from the Arapahoe County Department of Human Services, which petitions for guardians and conservators for disabled people, and from Virginia Horton, the assistant county attorney representing the department.

Gormley has entered probate cases as a plaintiff's attorney, a guardian's attorney and the attorney for a ward of the court.

Their joint investment dates to July 30, 2010, when a company called Urit LLC bought the 12,882-square-foot ranch-style building at 6060 S. Greenwood Plaza Blvd. for \$1.427 million. Urit had borrowed \$1.539 million the previous day to facilitate the purchase.

State records list Gormley as the registered agent of Urit LLC. In her court testimony, Palmer said she, Gormley and Miller each own one-third of the building.

"They spent his money"

Edward J. Baker enlisted in the Navy right out of high school in Illinois and retired as a lieutenant commander and master scuba diver with dozens of medals and commendations for his service, which included classified missions.

In 2007, he suffered a stroke and two years later went to live with a sister in Colorado while getting rehabilitation treatment. In 2010, the county human services department successfully petitioned the probate court to make him a ward of the court. The rehabilitation center chose Gormley as Baker's attorney, and Palmer was appointed conservator of his assets, according to Carol Fox, Baker's sister in Illinois.

Fox said when Baker visited his daughter in California, his court-appointed protectors -- including Gormley, Palmer and a guardian -- obtained an emergency court order forcing him back to Colorado. Repeatedly, "they spent his money to oppose him," she said.

Baker, 55, now lives in a single room in an assisted-living house. He said he would file a court hearing that he will be allowed to move to California after all.

"They got a ^{Share} ~~copy~~ here, and they just keep it within the group," he said of Arapahoe County's probate court. He attributes his loss of freedom to partial paralysis from his stroke, which he said no longer affects his mental capabilities.

Baker tried to have Gormley replaced as his lawyer. But Horton, the assistant county attorney, and Baker's court-appointed guardian objected, saying he was incompetent to choose a new lawyer.

"Ed misses his family terribly," said Fox, who calls him every day. "It's so sad."

In court hearings, she said, "nobody would let him speak."

Palmer's expense reports, which she submits to the court for approval, show that in two years, she received \$58,927 and Gormley received \$79,870 from Baker's estate. Those fees, as well as payments to other lawyers, Baker's guardian and the facilities where he was kept, exhausted nearly all of a \$637,640 estate from 2010 to 2012.

In her reports, Palmer attributed many expenses to extensive litigation with Baker's sister in Colorado.

Palmer charged \$210 an hour for her services, a rate approved by the court that several local probate attorneys said was a reasonable charge.

In 2012, according to court records, she served as conservator, trustee or personal representative of a deceased person for 87 estates in the judicial district and charged a total of \$319,851 in fees and costs.

Worried about scams

Eleanor Lewis held an estate valued at nearly \$2 million when, at the age of 82, she began to show signs of dementia. Family members and friends worried she had become vulnerable to financial scams.

She was living with a grandson in her home of 50 years, and other family members offered to help care for her. But the county human services department proposed a professional guardian and conservator. A court-appointed lawyer agreed. Valerie Crider became Lewis' guardian. Palmer, who had started helping one of Lewis' sons manage her money, took over as conservator.

Two of Lewis' other children said that when they objected to their mother's care, alleging she was being drugged unnecessarily, Crider restricted their ability to visit their mother in their childhood home. Crider also required a supervisor to be present during visits, raising the costs of care, they said, and hired Gormley to defend her guardianship work.

Crider said she could not discuss the case because it is confidential.

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Lewis' remaining assets include a ranch in Elbert County bought by her husband, who died before he could retire there.

Janet Van Vliet, one of Lewis' daughters, provided a spreadsheet of expenses derived from Palmer's interim accounting reports from 2009 until early 2013, along with the reports. Those showed Palmer had received \$36,000 in fees, while more than \$210,000 was spent on guardianship services and reimbursements. About \$41,000 of the guardianship charges went to Gormley in one year.

In all, the costs charged to the Lewis estate, which also included 24-hour care and ranch maintenance, totaled \$1.3 million.

Van Vliet said Palmer recently notified the family that the ranch will be sold to pay for their mother's continued care.

"It was just shocking every time we would get a report," she said.

Chester "Skip" Morgan represented three of Lewis' children fighting the restrictions on their ability to visit their mother. "It was troubling" to learn that Palmer and Gormley had a joint real estate investment, he said.

Gormley and Horton "presented a united front," he said, "on behalf of Valerie Crider and Tamra Palmer, who involved herself in the visitation issue and litigated, even though she was the conservator."

Horton also said she could not discuss individual cases. In general, she said, Palmer is one of several people nominated as conservators because she is experienced and charges a modest hourly rate.

"I have never nominated Jennifer Gormley to serve as a fiduciary," she said, "(and) neither Ms. Gormley nor Ms. Palmer is a personal friend."

Horton and Haley McKean, a spokeswoman for the county human services department, said families are ^{share} ~~responsible~~ to blame for driving up the costs of a probate case.

"The more conflicted, the more pleadings, the more the fees of the professionals increase," Horton said.

McKean said family members can abuse or harm at-risk adults, although she was not speaking about the Lewis case. "Relatives can be toxic," she said.

Neighbors' water

Larry Parr grew up on Arapahoe County farmland that, over decades, turned into light-industrial acres off Santa Fe Drive. His mother, Emma, held an estate worth \$850,000.

Parr, who still lives on the land and owns a recreational-vehicle storage business there, said his inheritance dwindled quickly after he complained about a guardian's treatment of his mother, and the guardian hired Gormley.

The conflict climaxed when he withheld payments to the facility she lived in, alleging improper care. Gormley petitioned the court for an emergency order, saying Parr's mother was about to be evicted.

In 2011, "Gormley suggested to Judge Fasing to relieve me as trustee of the estate and to appoint Tamra (Palmer) in my place," Parr said, and Fasing did.

With court approval, Palmer sold family land along Union Avenue in Englewood to a competing business, landlocking Parr's site, he said. The new owner found that a water line crossed his land to Parr's house and shut the water off on Thanksgiving Day.

"We are living on water we store in 5-gallon buckets that we get from our neighbors," he said.

Parr appealed unsuccessfully to Fasing to have Palmer removed as conservator and trustee of his mother's estate.

He has been unable to find out the total amounts Palmer charged, but said he has paid more than \$200,000 in legal fees.

On Jan. 16, Gormley petitioned the court for payment of \$203,260 in fees and costs accumulated by Emma Parr's guardian and Gormley's office. The court has not yet acted on the petition.

David Olinger: 303-954-1498, dolinger@denverpost.com (<mailto:dolinger@denverpost.com>) or <http://twitter.com/dolingerdp> (<http://twitter.com/dolingerdp>)

Probate court

A look at the players in estate cases:



Denver Daily Deals (<http://www.denverdailydeals.com?source=jBarDD>)

Probate court judges: Oversee estate cases and appoint conservators and guardians for wards of the court.

Wards: Are deemed in need of protection because they are incapacitated, at risk of abuse or under disability.

Guardians: Are appointed by the court to protect the health and welfare of a ward. A guardian can be a family member or a professional guardian.

Conservators: Are appointed by the court to manage the finances and assets of a ward. A conservator can be a family member or a professional conservator.

Public administrators: Are court appointees who may be asked to distribute a deceased person's estate as its personal representative when no will exists, when no family member is willing and available to serve as executor, or when a will is contested. A public administrator also may be appointed to manage a ward's financial affairs.

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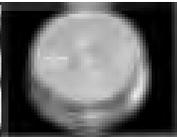
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These stars raised more than a few eyebrows the day they came 'out.'



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January 27, 2014

Mayor Randy Penn and
Englewood City Council Members
1000 Englewood Parkway
Englewood, CO 80110

Dear Mayor Penn and Englewood City Council Members:

Thank you very much for your financial support of \$175 for the Arapahoe County Mayors and Commissioners Youth Award Program.

Your support sends a strong message to the Arapahoe County youth that you believe in them. In 2014 we hope to offer every senior nominee a college scholarship. We appreciate your generosity.

Sincerely,

Nancy A. Doty, Chair
Board of County Commissioners

Arapahoe Santa Claus Shop

January 25, 2014



City of Englewood
1000 Englewood Parkway
Englewood, Co. 80110

Dear Friends:

All of us at the Santa Claus Shop want to thank you for your contribution of \$250.00. Your financial support helped provide books and toys for many, many children this past Christmas.

Due to the generosity of people in the community like you we were able to provide toys and books to all the children, who are referred to us in Arapahoe County, in the cities of Englewood, Littleton and Sheridan. The volunteers work tirelessly collecting, sorting and restoring gently used toys and books. This labor of love exists for the sole purpose of offering the fullest compliment of toys and books for these needy families in their choice of the ideal gift for their children.

We hope you will keep us in mind as you consider your future donations and volunteer efforts. As we mentioned, we are always seeking enthusiastic volunteers with fresh ideas. Please tell your family, friends, and neighbors about this worthy opportunity to help those in their community.

Again thank you for helping all of us brighten Christmas for those in need in our community. Because of donors like you, The Arapahoe Santa Claus Shop is able to successfully provide new and gently used toys and books for each and every family who requested our assistance.

Warm wishes,

Charlotte Bornmueller
Secretary

P.S. Your entire donation is directly applied to the service provided; there are no administrative expenses. Because you received no goods or services in exchange for your contribution, the full amount of your gift is considered to be tax-deductible.



2250 Eaton Street - Garden Level, Suite B -, Denver, CO 80214
(303) 202-6340 - Fax (303) 274-1314
www.brothersredevelopment.org

January 22, 2014

Mayor Randy Penn
City of Englewood
1000 Englewood Parkway
Englewood, CO 80110-2373

Dear Mayor Penn:

This letter is to acknowledge receipt of check number 458223, dated January 15, 2014, in the amount of \$100.00, which was presented to me on behalf of Brothers Redevelopment, Inc. at the Englewood City Council meeting on January 21, 2014. This funding which was appropriated through the Aid to Other Agencies will be used for our Paint-A-Thon Program

We continue to receive letters from clients who have benefitted from our services. These are some excerpts from a couple of letters we recently received:

"You will never know this side of heaven what your gift of painting our house means. We could not have afforded this – even if we saved for an entire year. We were very impressed that you had youngsters painting and were not only supervising them but also teaching them. Starting them out "giving" at this age almost certainly means they will be life-long "givers."

"You are all very special and I only wish I could do something special for each of you. There is no way to express my appreciation for the wonderful job you all did from me. I will always remember you each and everyone and especially how pleasant and cheerful you were, smiling and happy through the heat helping someone like me.

I love the way the house looks now. I try to keep the place up, but it would have been impossible without your help. You are a wonderful group. A special "Thank You" to Brothers Redevelopment, Inc. – you made my 84th birthday special!"

While valuable, our programs and services cannot meet the growing needs that exist along the Front Range without assistance from our caring donors such as you and your family.

Again, thank you for your generous donation.

Sincerely,

Jett Martinez
President

THE DENVER HOSPICE

January 22, 2014

City of Englewood
Mayor Randy Penn
1000 Englewood Pkwy
Englewood, CO 80110-2373

Dear Mayor Penn:

Thank you for your gift of \$350 on January 22, 2014 to The Denver Hospice and continued support. For over 35 years, more than 64,000 families have turned to The Denver Hospice for care during difficult times. Your financial support helps us to continue our mission *to encircle those facing advanced illness with unprecedented levels of comfort, compassion and expertise.*

Amongst our unique attributes as Denver's leading nonprofit hospice, we have achieved the highest level of recognition for service to Veterans. This *We Honor Veterans* recognition validates our dedication to ensuring that Veterans—for us, 30% of our patients—have access to quality end of life care.

In addition, The Denver Hospice consistently provides exemplary care by:

- ▶ Operating a state of the art Inpatient Care Center, to provide relief for patients with serious pain and symptoms
- ▶ Providing nearly \$1.6 million in patient care and services above and beyond what is reimbursed by Medicare, Medicaid, and private insurance
- ▶ Specializing in anticipatory grief through our Footprints program for children and our Adult Grief Center. We provide support for patients and families as well as the community at large
- ▶ Exceeding national benchmarks in pain management and family satisfaction with our services

Your support ensures our compassionate care as we face changes in the health care landscape. We are confident that our people, our services, and our Inpatient Care Center will continue to serve those in need. I invite you to stay involved as an advocate for dignity at end of life. Call on us and share your experience with others.

Sincerely,

Michael Pasquarella
VP Philanthropy

P.S. This letter serves as a receipt for your donation, in accordance with Internal Revenue Service regulations. The Denver Hospice is a 501(c)(3) not-for-profit [EIN 84-0743121], tax-exempt charity registered and in good standing with the IRS. The Denver Hospice acknowledges that no goods or services were provided in exchange for this gift.



1000 Englewood Parkway
Englewood, CO 80110

January 24, 2014

City Council
City of Englewood
1000 Englewood Parkway
Englewood, CO 80110

Dear Council members:

On behalf of the Englewood Arts Board of Trustees, I want to thank you for supporting the *Strings Attached* program with a grant of \$300 from Aid to Other Agencies.

More than a hundred Englewood elementary and middle school students enrolled in *Strings Attached* this year. In addition to the violin, viola, cello and piano classes, Englewood Arts began offering class instruction on guitar back in September. Nearly 40 students are participating.

The program is growing and is strengthened by its highly-skilled instructors: David Short, Jeremiah Sault, Gwen Gravagno and Miriam Kapner. We are looking forward to greater success in 2014.

Thanks again for your grant.

Sincerely,

Eric Bertoluzzi, Executive Director



January 23, 2014

City of Englewood
1000 Englewood Pkwy
Englewood, CO 80110

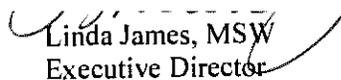
Dear City of Englewood:

Gateway Battered Women's Services is in receipt of your donation of \$900.00 (check #458259) to support our programs for women and children who are victims of domestic violence. On behalf of the staff, Board of Directors and clients, I extend our great appreciation for your generous contribution.

Gateway has provided services to victims of domestic violence since 1979. A large portion of our budget is dependent on the generosity and support of individual donors as well as concerned businesses, foundations and organizations in our community. It is through this support that Gateway continues to be a resource for women and children suffering from domestic violence. Thank you for choosing Gateway for your charitable contribution.

For tax purposes, it is noted that no goods or services were given in return for your contribution. Thank you for your concern and commitment to the women, children and pets of our community. Please be assured that we will do our best to earn your continued confidence and good will.

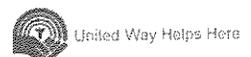
Warm Regards,


Linda James, MSW
Executive Director

LJ/kfa

Business Phone / 303-343-1856
Fax No. / 303-343-8094

P.O. Box 914
Aurora, CO 80040





Up Close and Musical

1000 Englewood Parkway
Englewood, CO 80110
303.806.8196

Eric Bertoluzzi
Program Director

January 24, 2014

City Council
City of Englewood
1000 Englewood Parkway
Englewood, CO 80110

Dear Council members:

Up Close and Musical is very grateful to receive the support of \$1,500 from Aid to Other Agencies. Your grant assists our efforts in providing live, artistic experiences to the school children of Englewood. We performed at Bishop Elementary School last October and will visit Clayton in the Spring, as well as All Souls and Saint Louis schools. Your grant also helps Up Close and Musical with its concerts in Hampden Hall on the Englewood Arts concert series. Our tribute to Joe and Penny Shoemaker was given to sold-out crowd on October 5. We are preparing for another successful performance on May 18, 2014, featuring a variety of music from around the world.

Thanks again for helping us bring artistic enrichment to Englewood.

Sincerely,

Eric Bertoluzzi, Program Director



Memorandum

City Manager's Office

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager
FROM: Sue Carlton-Smith, Executive Assistant
DATE: January 30, 2014
SUBJECT: Colorado Municipal League Annual Legislative Workshop

Attached is information concerning the Colorado Municipal League Annual Legislative workshop on February 13, 2014. The early registration for the workshop is \$110. After January 30, 2014, the registration cost is \$140.

City Council's travel budget for 2014 is \$14,500 which includes registration and travel.

If you would like to attend, please let me know as soon as possible.

THURSDAY, FEBRUARY 13, 2014
AT THE HISTORY COLORADO CENTER, 1200 BROADWAY, DENVER, CO 80203

CML ANNUAL LEGISLATIVE WORKSHOP

ABOUT

Plan to attend the *CML Annual Legislative Workshop* on Thursday, Feb. 13, at the History Colorado Center, 1200 Broadway, Denver. Municipal officials from across the state will gather at this daylong workshop to discuss key municipal issues before the 2014 General Assembly, the CML legislative program, and what municipal officials can do to influence the legislative process.

CML will host an open-house reception for state legislators and all attendees will follow the workshop at the CML offices, 1144 Sherman St., Denver, 4:30–6:30 p.m.

CML MUNIVERSITY

Five MUNIVERSITY credits will be awarded for this training.

LOCATION

History Colorado Center, 1200 Broadway, Denver, CO 80203.

PARKING

There is limited complimentary parking at the League building (approximately one block from the venue). Garage parking across from the venue at the Cultural Center Garage (enter on 12th from Broadway) costs approximately \$12 for the day.

LODGING

CML has contracted room rates at the Warwick Denver Hotel, located at 1776 Grant St. Rates are \$129 plus tax (guaranteed until **Monday, Jan. 13**), which includes Wi-Fi, one corporate continental breakfast, complimentary valet parking, and guests' courtesy car service within a two-mile radius of the hotel from 7 a.m. to 9:45 p.m. based on availability. Visit www.cml.org for more lodging information, or for reservations, call 303-861-2000 or visit www.warwickdenver.com and use the code 1202CM.

REGISTRATION OR QUESTIONS

For more information or special needs, call 303-831-6411 or 866-578-0936. Return the registration form to CML by Thursday, Jan. 30, or visit www.cml.org to register online.

AGENDA

- 7:45 Registration and continental breakfast
8:30 Welcome
Presented by Gov. John Hickenlooper
8:45 The State of Colorado Cities & Towns
9:00 Opening session: 2014 General Assembly —
What municipal officials can expect
Presented by CML advocacy team
10:15 Morning break
10:30 Concurrent sessions
Session 1: Sales and use tax reform
Session 2: Urban renewal & tax increment financing
Noon Lunch: Legislative leadership panel
Welcome presented by Ed Nichols, History Colorado Center president. All members of the Legislature's leadership have been invited to review 2014 statehouse activity of municipal concern
1:30 Federal Issues
Presented by Carolyn Coleman, director, Office of Federal Relations, National League of Cities
2:30 The state of state-municipal relations
A panel of Gov. John Hickenlooper's administration; moderated by Roxane White, Office of Gov. John Hickenlooper chief of staff
4:00 Self-guided tour of the museum (all attendees are invited)
4:30 League reception

SPONSORSHIP

Want to demonstrate your support more fully? Think about sponsoring this premier event; sponsorship is only \$850. Sponsors receive an exhibit table, verbal recognition at the workshop luncheon, acknowledgement in the *CML Newsletter*, and one free registration. Contact Lisa White at 303-831-6411 or 303-831-6411 for details. (CML Associate Members only benefit!)

REGISTRATION FORM — CML ANNUAL LEGISLATIVE WORKSHOP — THURSDAY, FEB. 13

Please submit a separate form for each participant. This form may be copied. Return by Thursday, Jan. 30.

Name _____

Title _____ Representing _____

Phone _____ Fax _____

Email _____

Address _____

City, State, ZIP _____

Check for a vegetarian lunch Check for a gluten-free lunch Check if touring the museum Check if attending League reception

Registration fees:*

- \$110 (CML municipal/associate members if received by Jan. 30)
 \$225 (all nonmembers if received by Jan. 30)

- \$140 (CML municipal/associate members if received after Jan. 30)
 \$255 (all nonmembers if received after Jan. 30)

Check enclosed Visa MasterCard

Visa/MC # _____ Exp. date _____

Name on card _____ Signature _____

Mail or fax this form and send payment to CML, 1144 Sherman St., Denver, CO 80203-2207; fax 303-860-8175.

Make check payable to Colorado Municipal League. Registration is also available online at www.cml.org.

Registrations may be canceled up to seven days prior to the scheduled event. Canceled registrations received prior to this time will be refunded, less a \$30 processing fee. Cancellations less than seven days prior to the event cannot be accepted; however, attendee substitutions can be made anytime. If you fail to attend the event, you are still responsible for payment. Your registration will not be final until payment is received.

Attendance at, or participation in, CML meetings and events constitutes an agreement by the registrant to CML's use and distribution of the registrant's or attendee's image in photographs, videotapes, and electronic reproductions of such events and activities.



Memorandum

City Manager's Office

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager
FROM: Sue Carlton-Smith, Executive Assistant
DATE: January 30, 2014
SUBJECT: NLC Conference Information

Attached is information relating to the National League of Cities Conference in Washington, D.C. on March 8-12, 2014. The registration **deadline** for early registration is **March 7, 2014**. Approval for travel must be made at a regular City Council meeting and the upcoming City Council meetings are February 3 and 18, 2014.

Early registration costs are \$545. On-site registration costs are \$645.

Hotel costs depending in your travel dates will run approximate \$284 per night and your total hotel costs could average \$1,420 for the conference.

Airfare costs currently are between \$476 and \$500.

Meals and transportation costs will be approximately \$456 for each person.

Total conference costs are approximately **\$2,951** per Council Member.

City Council's travel **budget for 2014 is \$14,500** which includes registration and travel.

If you would like to attend, please let me know as soon as possible.

NLC Congressional Cities Conference Registration and Housing Form
March 8th – 12th, 2014
The Marriott Wardman Park Hotel, Washington, D.C.
 For Faster Registration and Housing Reservations, Register Online at <http://www.nlc.org>

No housing or registration will be processed without accompanying payment in full.

Are you a newly elected official? _____ Size of city? _____

Name _____ Gender _____

Title _____

City/Organization _____

Mailing Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Email _____

Registrant's Email _____

Youth Delegate** (Name) _____ Age _____

Special Conference Rates

Spouse/Guest (non-refundable) \$ 70 _____

First-Time Attendee \$ 425 _____

Youth Delegate (15-18) \$ 120 _____

Youth Chaperone (not applicable to elected officials) \$ 120 _____

Students \$ 125 _____

Registration Fees:	Advance	On-Site	@COC*	
	Valid Until 3/7/14	Starting 3/12/14	Valid until 1/2/14	
NLC Member City	\$545	\$645	\$450	\$ _____
SML Member City	\$670	\$770	\$525	\$ _____
Non-Member/Other	\$775	\$875	\$575	\$ _____

On-site rate includes 100.00 processing fee. To receive advance rate, mailed or faxed registrations must be postmarked by March 1st 2014. Visit www.nlc.org and register online to ensure you meet the March deadline.

*Must include Congress of Cities registration ID number to qualify.

2014 Constituency Group Special Event Fees

Any NLC registered delegate may attend by paying the fees below. Visit the website for more information on constituency groups.

<i>Asian Pacific American Municipal Officials</i>		
APAMO Reception	_____	\$40
<i>Gay, Lesbian, Bisexual and Transgender Local Officials</i>		
GLBTLO Reception	_____	\$40
<i>Hispanic Elected Local Officials</i>		
HELO Reception	_____	\$40
<i>National Black Caucus of Local Elected Officials</i>		
NBC-LEO Reception and Hospitality	_____	\$99
<i>Women in Municipal Government</i>		
WIMG "A Capital Feast" Luncheon	_____	\$40
<hr/>		
Celebrate Diversity Breakfast	\$ _____	\$35

TOTAL REGISTRATION FEE: \$ _____

Registration Cancellation Policy:

All cancellation requests must be received in writing, postmarked by February 14, 2014 and are subject to a \$100 cancellation fee. No partial refunds will be made if you decide not to attend particular functions. **No registrations or cancellations will be accepted by telephone.** No cancellations will be accepted after February 14, 2014

Hotel Reservations: You must be registered for the Conference to reserve a hotel room. To guarantee your room, all hotels require one night's deposit plus **14.5% tax (subject to change)**, 30 days prior to your arrival. This is required even if you plan to arrive before 6:00 p.m. If accommodations are not guaranteed 30 days in advance, the reservation will be cancelled.

- Please make my hotel reservation as indicated below.
 I do not require hotel accommodations at any of the hotels listed below.
 Although I am providing information for a standard room for now -- please contact me regarding suite information.

Room Dates: Arrival Date: ____/____/____ Departure Date: ____/____/____

- Room Type:** Single, 1 person/1 bed Quad, 4 people/2 beds
 Double, 2 people/1 bed
 Double/Double, 2 people/2 beds
 Triple, 3 people/2 beds

Room types cannot be guaranteed but Hotels will attempt to accommodate all requests.

Sharing My Room With (for Hotel Check In Purposes): _____

Special Housing Request (e.g., wheelchair accessible rooms, etc.):

If you have special housing or transportation needs, please contact NLC Meeting Services at 866-229-2386 or 301-694-5243

Hotel Choices: Indicate your first-choice hotel with the number "1". Number the other hotels in order of preference. **The Marriott Wardman Park Hotel is the headquarters hotel.**

Order	Hotel	NLC Rate
_____	Marriott Wardman Park	Single/Double/Trip/Quad \$262/\$262/\$282/\$302
_____	Omni Shoreham	\$248/\$248/\$268/\$288

Registration Fee Payment Information

- Charge my REGISTRATION FEES to VISA, MasterCard or AmEx listed below
 Check for REGISTRATION FEES made payable to **National League of Cities**
 Purchase Order for REGISTRATION FEES - copy must be enclosed & payment must be received by **February 14, 2014.**

Hotel Deposit Payment Information (you must check one):

- Charge my HOTEL DEPOSIT to the credit card listed below. All major credit cards with expiration date of 03/14 or later are accepted by the NLC official hotels.
 Check for HOTEL DEPOSIT. I understand check deposits for hotel room guarantee is payable to the hotel stated on the NLC confirmation and must be mailed **after January 24, 2014 but before February 20, 2014 and are subject to approval.** Please include your 6-digit REG ID # indicated on the NLC Meeting services confirmation.

Credit Card Authorization: NLC Registration and Housing Services is authorized to use the card below to pay all applicable registration fees and guarantee my hotel reservation. I understand that one night's room charge will be forfeited if I fail to show up for my assigned housing on the confirmed arrival date unless I have canceled my reservation with the hotel at least 72 hours in advance. I understand that if I do not show at the hotel on my confirmed arrival date, my reservation will not be reinstated for the remainder of the stay unless I instruct the hotel to reinstate my reservation. Reinstated reservations are subject to hotel's availability. Further, I agree to the stated Registration Cancellation policy and I understand upon cancelling my registration I will accrue a \$100.00 non-refundable processing fee.

Visa/MasterCard/AmEx Number _____ Exp. Date _____

Card Holder Name _____

Card Holder Signature _____

Additional Credit Card Authorization: For hotel deposit only if different than the credit card number listed above. (*Expiration date must be 3/14 or later, per hotel requirement.*)

Credit Card Number _____ Exp. Date _____

Card Holder Name _____

Card Holder Signature _____

*****Make a copy of this form for your records**

Return Conference Registration and Housing Form to:

Fax: 301-694-5124 (Credit Card and Purchase Orders Only – No Checks)
 Mail: NLC Registration & Housing Services, c/o Experient
 PO Box 4088 Frederick, MD 21703

For More Information:

Telephone: 866-229-2386 or 301-694-5243
 E-mail: _____



Memorandum

City Manager's Office

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager
FROM: Sue Carlton-Smith, Executive Assistant
DATE: January 30, 2014
SUBJECT: Colorado Municipal League Annual Conference, June 17-20, 2014

The Colorado Municipal League Annual Conference held in Breckenridge is scheduled from June 17-20, 2014. Approval for travel must be made at a regular City Council meeting prior to the conference.

The early registration cost is \$215. After May 16, 2014, the registration cost increases to \$325.

Hotel costs could average between \$179 and \$205 per night with the hotel total cost between \$716 and \$820.

Mileage and meals could range between \$225 and \$325.

Total estimated conference costs are \$1,258 per Council Member.

City Council's travel budget for 2014 is \$14,500 which includes registration and travel.

If you would like to attend, please let me know as soon as possible.



Event List
Calendar
Search

2014 CML Conference

CML's 2014 Annual Conference will be held June 17 - 20, 2014 in Breckenridge. [Back](#)
Contracted lodging rooms for CML's 2014 Conference became available on Thursday, January 2, 2014. Please do NOT reserve more rooms than you currently need. Lodging cancellation policies will be enforced for cancellations. Properties will REQUIRE you to provide Guest Name (cannot be duplicated for more than one room), room type, check-in and out dates. Each room must be secured by a credit card. See below for more lodging information and lodging cancellation policy.

More conference details including sessions and registration will be available online in February.

Conference Registration Fee: Earlybird Deadline: Friday, May 16, 2014

Earlybird Members: \$215; \$325 after May 16, 2014

Earlybird Nonmembers: \$325; \$445 after May 16, 2014

Lodging: Discounted CML lodging at locations below:

Beaver Run Resort & Conference Center: Make reservations by calling the toll free number 1-800-525-2253 and identifying yourself as part of the CML Conference 2014. Group discount will apply to all reservations made on/before Friday, May 16, 2014. mention "Colorado Municipal League Block Code 501CML or book online" [click here](#)

Hotel - \$144 per night

Deluxe Studio: \$187.00

Colorado Suite: \$177.00

1 Bedroom Suite: \$177.00

Premium 1 Bedroom: \$210.00

2 Bedroom Suite: \$278.00

Premium 2 Bedroom: \$297.00

3 Bedroom Suite: \$376.00

Corporate Suite: \$399.00

The DoubleTree by Hilton Breckenridge: Make reservations by calling the toll free number (888)-355-8318 and ask for Group Code C14 to reserve rooms for the Colorado Municipal League. For online reservation put in Group Code # C14 " [click here](#).

Single/double hotel room - \$129 per night

Hotel Reservation Deposit/Cancellation Policy

A one night deposit for each room reservation is required at time of booking. Cancellations made outside of 60 days will incur a \$50 cancellation fee per room/reservation. Cancellations made within 60 days will forfeit one night deposit for each room cancellation.

Early departures, no shows, & late arrivals will be charged the contracted nightly rate for the ENTIRE reserved block.

Sponsorship:

Information and sponsorship brochure will be available on CML's website in early January.

Conference Registration/Fun Run Cancellation Policy

Only written conference cancellations will be accepted. Refunds will be made if cancellations are received by CML on or before Friday, June 6, and will be subject to a \$50 per person handling charge. No refunds for no-shows. Cancellations or changes in the number of meal tickets will be honored through June 6. Unused meal tickets are non-refundable. Substitutions can be made.

FUN RUN cancellations must be made by Friday, May 16.

Start Date: Saturday, February 01, 2014

End Date: Saturday, February 01, 2014

Coordinators: CML Meeting & Events Coordinator: Kathleen Harrison, khamison@cml.org.

Host Hotel: Beaver Run Resort & Conference Center

Headquarters for Exhibits/Conference Registration

Address:
620 Village Road
Breckenridge, CO

You must [log on](#)
or create a [new account](#)
before continuing through the checkout process.
Find an [existing account](#).

**CITY OF ENGLEWOOD
2014 CALENDAR OF EVENTS**



Mon., Feb. 3	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., Feb 4	7:00 p.m.	Planning and Zoning, Community Development Conference Room
Wed., Feb. 5	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., Feb. 10	6:00 p.m.	Study Session, Community Room
Tues., Feb. 11	3:00 p.m.	NonEmergency Employees Retirement Board, Public Works Conference Room
	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful, City Council Conf. Rm.
Wed., Feb. 12	Cancelled	Board of Adjustment and Appeals, Council Chambers
	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
Thurs., Feb 13	11:00 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, Broken Tee Englewood Golf Course
Mon., Feb 17		City Hall closed — President's Day
Tues., Feb. 18	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Wed. Feb. 19	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
	7:00 p.m.	Planning and Zoning, Community Development Conference Room/Council Chambers
Thur., Feb. 20	3:00 p.m.	Police Officers Pension Board, Public Works Conf. Rm.
Mon., Feb. 24	6:00 p.m.	Study Session, Community Room

Mon., March 3	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., March 4	7:00 p.m.	Planning and Zoning, Community Development Conference Room/Council Chambers
Wed., March 5	3:00 p.m.	Firefighters Pension Board, Public Works Conf. Rm.
	5:45 p.m.	Cultural Arts Commission, City Council Conference Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Mon., March 10	6:00 p.m.	Study Session, Community Room
Tues., March 11	5:00 p.m.	Water and Sewer Board, Community Development Conference Room
	6:30 p.m.	Keep Englewood Beautiful, City Council Conf. Rm.
Wed., March 12	7:00 p.m.	Board of Adjustment and Appeals, Council Chambers
	6:30 p.m.	Englewood Urban Renewal Authority, City Council Conference Room
Thurs., March 13	11:00 a.m.	Alliance for Commerce in Englewood, City Council Conference Room
	5:30 p.m.	Parks and Recreation Commission, Malley Recreation Center
	6:30 p.m.	Transportation Advisory Board, City Council Conf. Room
Mon., March 17	6:00 p.m.	Study Session, Community Room
	7:30 p.m.	Council Meeting, Council Chambers
Tues., March 18	4:30 p.m.	Budget Advisory Committee, City Council Conf. Room
	7:00 p.m.	Planning and Zoning Community Development Conf. Room/Council Chambers
Wed., March 19	6:30 p.m.	Code Enforcement Advisory Committee, City Council Conf. Room
	7:00 p.m.	Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers
Thur., March 20	7:30 a.m.	Joint meeting with Littleton @ WWTP, 2900 So. Platte River Drive
Mon., March 24	6:00 p.m.	Study Session, Community Room

TENTATIVE

**STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL**



February 10	Study Session 2014 Citizen Survey Citizen Engagement WWTP Farm Lease / Water Conservation Plan
February 18	Study Session & Regular Meeting – Tuesday Englewood Chamber In-Kind Funding River Run Project Costs Update - Tentative
February 24	Study Session Comprehensive Plan Fire Training Center Update Fire Study Presentation Board and Commission Reports City Goals Update Capital Projects
March 3	Study Session & Regular Meeting CO State Dept. of Ag./Emerald Ash Borer ESCAPE Trial – Swedish Medical Center (end of mtg.)
March 10	Study Session NLC Conference in Washington, D. C. – 3/8 to 3/10/14
March 17	Study Session & Regular Meeting
March 20	Joint breakfast meeting with Littleton @ WWTP WWTP 5 Year Plan
March 24	Study Session Board and Commission Reports
March 31	No meeting scheduled – 5 th Monday
April 7	Study Session & Regular Meeting

April 14	Study Session Humane Society of South Platte River
April 21	Study Session & Regular Meeting
April 28	Study Session Board and Commission Members Reappointment Discussion Board and Commission Reports
May 5	Study Session & Regular Meeting
May 12	Citizen of the Year Celebration
May 19	Study Session & Regular Meeting Board and Commission Reports
May 26	Memorial Day Holiday – No meeting scheduled
June 2	Study Session & Regular Meeting
June 9	Study Session Board and Commission Interviews
June 16	Study Session & Regular Meeting (CML Conference – 6/17-20/14)
June 23	Study Session Board and Commission Reports
June 30	No meeting scheduled – 5 th Monday

FUTURE STUDY SESSION TOPICS

Public Comment Process
Motel Calls for Service
US Legislators
City Council Technical Allowance
Emerald Ash Borer Program Update

POLICE AND FIRE SUPPLEMENTAL DISABILITY BOARD TELEPHONE POLL
November 18, 2008

A telephone poll was done by the Recording Secretary for the Police and Fire Supplemental Disability Board to approve the minutes of the October 20, 2008 Board Meeting.

Members: Jim Woodward, Mayor
 Stephen Green, Chairperson and Firefighters Representative
 Vacancy, Firefighters Representative
 Frank Gryglewicz, Director of Finance and Administrative Services
 Steven Kunst, Police Officers Representative
 Mark McCann, Police Officers Representative
 James Phelps, Police Officers Council Appointee
 Carolyne Wilmoth, Firefighters Council Appointee

Ayes: Green, Gryglewicz, Woodward, Wilmoth, Kunst, Phelps
Nays: None
Absent: McCann

The motion carried.

/ Carol Wescoat

Carol Wescoat
Recording Secretary

POLICE AND FIRE SUPPLEMENTAL DISABILITY BOARD MEETING
January 13, 2014

A regular meeting of the Police and Fire Supplemental Disability Board was called to order by Mr. Gryglewicz at 2:33 p.m. in the Public Works Conference Room, Englewood Civic Center, 1000 Englewood Parkway.

Members Present: Richard Petau, Chairperson Firefighters Representative
Frank Gryglewicz, Director of Finance and Administrative Services
Bobbie Garrett, Police Officers Representative
Mark McCann, Police Officers Representative
Steven Snyder, Firefighters Representative
Carolyne Wilmoth, Firefighters Council Appointee

Members Absent: Randy Penn, Mayor (no notice)
James Phelps, Police Officers Council Appointee (with notice)

Others Present: Dan Brotzman, City Attorney
Carol Wescoat, Recording Secretary

A quorum was present.

* * * * *

SEATING OF BOARD MEMBERS

Seating of Mayor Penn, Bobbie Garrett, Mark McCann, Steven Snyder and Richard Petau.

The Board welcomed the members.

Election of President/Chairperson

MR. GRYGLEWICZ NOMINATED RICHARD PETAU AS PRESIDENT/CHAIRPERSON. MR. MCCANN SECONDED.

Ayes: Gryglewicz, Garrett, McCann, Snyder, Wilmoth
Nays: None
Absent: Penn, Phelps
Abstention: Petau

The motion carried.

APPROVAL OF MINUTES

October 20, 2008 Meeting Minutes were Approved by Telephone Poll on November 18, 2008

The October 20, 2008 meeting minutes were approved by telephone poll on November 8, 2008

MR. SNYDER MOVED TO ACCEPT THE NOVEMBER 18, 2008, TELEPHONE POLL BOARD MINUTES. MR. MCCANN SECONDED.

Ayes: Gryglewicz, Garrett, McCann, Petau, Snyder, Wilmoth
Nays: None
Absent: Penn, Phelps

The motion carried.

NEW BUSINESS

Consideration of benefit for Tracy Schipper

The Board reviewed the information received regarding the FPPA Occupational Disability awarded to firefighter Tracy Schipper. The effective date of his disability is September 25, 2013.

MR. GRYGLEWICZ MOVED TO APPROVE A MONTHLY 10% SUPPLEMENTAL DISABILITY BENEFIT FOR TRACY D. SCHIPPER OF \$612.04, EFFECTIVE SEPTEMBER 25, 2013 AND PAYABLE UNTIL AGE 55 OR UNTIL NO LONGER ELIGIBLE. MR. SNYDER SECONDED.

Ayes: Gryglewicz, Garrett, McCann, Petau, Snyder Wilmoth
Nays: None
Absent: Penn, Phelps

The motion carried.

Consideration of benefit for Sean Mulvihill

The Board reviewed the information received regarding the FPPA Occupational Disability awarded to firefighter Sean Mulvihill. The effective date of his disability is September 10, 2013.

MR. GRYGLEWICZ MOVED TO APPROVE A MONTHLY 10% SUPPLEMENTAL DISABILITY BENEFIT FOR SEAN MULVIHILL OF \$589.35, EFFECTIVE SEPTEMBER 10, 2013 AND PAYABLE UNTIL AGE 55 OR UNTIL NO LONGER ELIGIBLE. MR. SNYDER SECONDED.

Ayes: Gryglewicz, Garrett, McCann, Petau, Snyder Wilmoth
Nays: None
Absent: Penn, Phelps

The motion carried.

Notification Tracy Gordon's Benefit will Discontinue September 14, 2014

The Board was notified that Tracy Gordon will be age 55 September 14, 2014 and her benefit will be discontinued.

* * * * *

MEMBERS' CHOICE

No items were discussed.

The meeting adjourned at 2:39 p.m.

/ Carol Wescoat

Carol Wescoat
Recording Secretary

CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
Community Development Conference Room
January 7, 2014

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 Community Development Conference Room of the Englewood Civic Center, Chair Brick presiding.

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

Absent: None

Staff: Alan White, Director, Community Development
Chris Neubecker, Senior Planner
Nancy Reid, Assistant City Attorney

II. APPROVAL OF MINUTES
December 3, 2013

Knoth moved:

Bleile seconded: TO APPROVE THE DECEMBER 3, 2013 MINUTES

Chair Brick asked if there were any modifications or corrections, there were none.

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

Motion carried.

III. STUDY SESSION

Chris Neubecker, Senior Planner, reviewed the proposed Zoning Text Amendment for Non-Conforming Structures. According to a map developed by Staff, there are 104 structures in the City identified as non-conforming due to density. There is no apparent pattern to the location of the buildings. It was clarified that there are two different code sections: 16-9-2 Non-Conforming Uses and 16-9-3 Non-Conforming Structures. The proposed text amendment addresses 16-9-3 Non-Conforming Structures.

At the direction of the Commission, Staff will revise the language regarding voluntary redevelopment and eliminate the duplicate information that currently exists by removing item 16-9-3-B(4).

Chair Brick asked for comments or further consideration on the topic based on the discussion from last meeting. Mr. Roth had concerns about the scope of the change based on the fact that the discussion began because of only two buildings and suggested that MU-R-3-B would be the only zone district to which the amendment should apply. Brick asked for an estimate of the potential number of properties affected, Neubecker estimated that less than 1% would likely be damaged or destroyed over the next 20 years. Including voluntary redevelopment and reconstruction of the same, that number may be closer to 5%. Bleile pointed out that these instances would be only in the event of an accident or incident that would substantially damage the structure. King stated that obsolete buildings would be rebuilt according to current building codes and zoning regulations.

Welker suggested that the difference between building codes and zoning codes needs to be clearly defined. The staff proposal is for a change in verbiage to the current zoning code. It was agreed that there is a need for consistency throughout the code between zoning and building to eliminate confusion in the event of repair to damage to a structure. Neubecker suggested that a sentence be added that regardless of any waivers or other consideration that would be given to a property owner regarding zoning codes, all current building codes would apply.

Chair Brick polled the Commission for their opinion on whether or not the changes should apply to all zones or just MU-R-3-B as suggested by Roth. The majority of the Commissioners feel that the revision should apply to all zoning districts. The duplexes in R-1-A would be subject to the revised zoning code.

It was agreed that these situations would be subject to Staff review on a case-by-case basis in the event that a building is "grandfathered" under the current zoning code prior to reconstruction through the Zoning Site Plan Review process (16-2-9.) The property owner would have the opportunity to appeal any Staff decision through the Board of Adjustments.

Fish and Townley suggested removing the term "practicable" or clarifying the definition of "practicable with existing standards" and state who would make the determination of what "practicable" repair to a structure would be. Neubecker pointed out that the word "practicable" provides some direction for redevelopment. Director White stated that there is a better chance of the site plan meeting the adopted standards if the wording on "practicable" was included. Staff will revise the verbiage as needed and prepare for Public Hearing.

It was agreed that the zoning code should be tightened up to be congruent with building codes in the interest of staff protection and the best interests of the City of Englewood.

IV. PUBLIC FORUM

No members of the public were present at the meeting.

V. ATTORNEY'S CHOICE

Ms. Reid did not have any comments for the Commission.

VI. STAFF'S CHOICE

Chris Neubecker, Senior Planner, reviewed the Longmont field trip and presented photos of the highlights. Discussion ensued on the following features that the Commissioners felt could be implemented in the City of Englewood:

Street Trees – Careful consideration should be given to placement and type of trees installed to prevent obscuring storefronts.

Brick Sidewalks – Sidewalks other than plain concrete create a welcoming view and provide direction for pedestrians with the use of color and texture. Mr. Roth pointed out that these surfaces need to be wheelchair friendly. The address markers for the businesses were set into the sidewalks in front of the doors.

Historical Markers – Capitalize on the history of the City to engage visitors to the area. There is a lot of interesting history in Englewood that could be documented.

Alleyways – Longmont improved their alleyways with adequate drainage, lighting, surface treatments and waste/recycling corrals. Because Englewood has ½ block lots along Broadway, this would not be as easy to achieve here but could potentially have a positive impact on property values. Some of the buildings in Longmont had entrances on three sides including the breezeways. Consideration should be given to expanding those lots and the commercial zoning along Broadway, when buildings are redeveloped. Ms. Townley inquired as to whether EPA funds might be available for enhancing the drainage in alleys.

Breezeways or Paseos – By providing lighting, awnings and artwork, the space is more user friendly and enhances the connection between the main street and the adjacent parking areas.

Art Community – Longmont is pursuing designation as a Colorado Creative District. Incorporating the creative community into the planning process, this activity could be a catalyst for further economic development. Murals and other public art displays were evidently encouraged and it was suggested that this type of “signage” should be mentioned prominently in the sign code.

Director White asked for suggestions for further training for the Commission. Field trips were suggested, possibly to downtown Littleton and other nearby developments. Mr. Fish mentioned possible training related to updating the Comprehensive Plan. Mr. Brick suggested that crime prevention be integrated with planning wherever possible and that there may be resources available to facilitate training.

VII. COMMISSIONER'S CHOICE

Knoth- Felt that the field trip was very beneficial and spoke about comparisons between Longmont and the Broadway corridor. He mentioned the lighting on Larimer Square downtown and the ambiance and definition that the lighting provides to the area.

Kinton – Embrace the history of the City of Englewood and use the history to build a sense of place.

Townley – Engage with Englewood Arts Commission to foster the creative community. It was suggested that they attend a Planning and Zoning Commission meeting to share ideas.

Fish – The funds from the Longmont DDA were instrumental in developing their downtown area. Creative funding would be necessary to implement some of the ideas gathered during the field trip.

Welker – Strong leadership and vision are needed to take ideas to the next step, creating place is important, utilizing MOA (Museum of Outdoor Arts) and history projects would be a starting point.

Brick – The Planning and Zoning Commission has the ability to become leaders on the new Comprehensive Plan in the City of Englewood.

The next regularly scheduled meeting is Wednesday, January 22, 2014.

The meeting adjourned at 8:34 p.m.

/s/ Julie Bailey
Recording Secretary