CITY MANAGER’S NOTES
September 8, 2016

Upcoming Council Meetings

On Monday, September 12, 2016, a Study Session will be held at 6:00 p.m. in the Community Room.

The next Study Session will be held on Monday, September 19, 2016, at 6:00 p.m. in the Community Room. The Regular Meeting will be held at 7:30 p.m.

Informational Items

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

1. Englewood Herald article: Cities poised to rehab Neighborhoods
2. Englewood Herald article: Three sex offenders lose round in Court
3. Denver Post YourHub: Denver artwork pops up in Englewood
5. Denver Business Journal The List: Denver-Area Hospitals ranked by Charity and Uncompensated Care; Denver-Area Hospitals ranked by Licensed Beds
6. Calendar of Events
7. Tentative Study Session Topics
8. Planning and Zoning Commission Meeting Minutes – August 16, 2016
Cities poised to rehab neighborhoods

Volunteers will help neighbors as part of annual service project

Englewood City Councilmember Linda Olson helps paint a house as one of the area residents who volunteered to assist in the Brothers Redevelopment Day of Service project last year. This year, Englewood is assembling volunteers to work on eight Be a Tool Program projects.

Tom Munds

Englewood is joining the cities of Arvada and Golden in taking part in the Neighborhood Rehabilitation Program-sponsored service day on Sept. 10 by enlisting volunteers to do fix-up and repair community service projects.

Posted Tuesday, September 6, 2016 3:30 pm

Tom Munds
Neighborhood Rehabilitation — now better known as Be a Tool — began in Golden six years ago. This year, Golden has been joined by Englewood and Arvada as the volunteers from the three cities plan to undertake projects to meet the needs of residents who can’t do the work for themselves.

Tony Arnoldy is coordinating this year’s Be a Tool program for Englewood and she said there has been a strong response to the call for volunteers.

“We identified eight projects here in the city and we are nearing our goal of having 100 volunteers to help us do the projects,” she said. “The focus this year is to help residents be warm, safe and dry. Our projects range from removing extensive brush and bushes covering the home to painting a house.”

Some of the project homes were nominated by neighbors or representatives of city agencies, she said.

“We also went out and identified a couple places that should be on the list,” Arnoldy said. “We talked to the people who lived in the homes about doing the project and, fortunately, we were able to convince them to let us add their home to the list.”

Donations have been used to buy materials for the eight projects.

“We still could use a few more volunteers and we could use some more cash donations,” Arnoldy said. “Those interested should go to the website at beatool.org. On the page there is a tab titled Be a Tool. Click on that tab to sign up as a volunteer.”

Englewood is a loving, caring community with residents ready to help their neighbors, Arnoldy said. She expects Sept. 10 to be a success and hopes the program will continue so the city can do projects like this more than once a year.

The Day of Service is a national effort to promote community volunteerism. Companies like Xcel Energy, Kaiser Permanente and Brothers Redevelopment work with cities to take on projects. Communities like Littleton and Centennial have similar programs in their community.

Last year, in Englewood, volunteers helped clean up the kennels at Freedom Service Dogs. Other volunteers worked with Brothers Redevelopment to paint a house on South Bannock Street. And a third group, spearheaded by Xcel Energy, did cleanup and other work at the House of Hope Family Resource Center.

Neighborhood Rehabilitation began in Golden six years ago.

“It was a grassroots effort that got us started as we had some areas of Golden where residents needed help fixing up and repairing their homes,” founder Dan Thoemke said. “It worked so well we began doing projects all year instead on just one day a year.”

Other communities saw what Golden was doing and asked about the program, he said.

“We are excited the two other cities have joined us,” Thoemke said of Arvada and Englewood. “We just hope we will continue to grow with other communities taking on their own projects.”

Kevin Nichols, Arvada city planner, heads the Be a Tool project in his city.

“We are always looking for opportunities to engage residents in helping other members of the community,” he said. “We felt Be a Tool would be a good way for people to volunteer to help others and give back to the community.”

He hopes to have about 150 volunteers working on eight projects that include homes and one of the city’s older parks.
Three sex offenders lose round in court

First request to suspend residency restriction enforcement is denied

Posted Tuesday, September 6, 2016 2:37 pm

Tom Munds

U.S. District Judge Raymond Moore on Aug. 30 denied a motion for a temporary restraining order, meaning Englewood can continue to enforce its sex-offender residency restrictions for now. However, he did agree to hear evidence in a Sept. 28 court session on the request for a preliminary injunction that would halt enforcement of the residency restriction.

At issue is the city’s 2006 ordinance that bans most registered sex offenders from living in Englewood. The restrictions bar most offenders from living within set distances of schools, day cares and other facilities, leaving only about 1 percent of the city (in areas without residences) open to such offenders.

Boulder attorney Alison Ruttenberg filed a federal lawsuit on behalf of Englewood residents who could be forced to move out of the city if the residency restrictions are enforced.

The City of Englewood is the defendant in the case and was represented in court by attorneys from the Colorado Intergovernmental Risk Sharing Agency, a member-owned self-insurance pool, and Dugan Comer, acting city attorney.

The court case seeks to overturn the 2006 ordinance restricting where registered sex offenders can live in Englewood. Also, the plaintiffs were not allowed to register with Englewood police as required by law. According to the court filing, they were also told the police department would soon begin sending out letters requiring them to leave the city within 30 days or face arrest.

Attorneys for both sides stated their cases and answered the judge’s questions. Ruttenberg spoke on behalf of the plaintiffs and Tom Rice represented the city’s position on the issues.

The first issue resolved concerned the fact that plaintiff Larry Cook is serving time in a halfway house near Englewood, and was able to register from that location and will be there for the next three to nine months. However, the attorney said he will face impact from the residency restriction when he is released, because Cook would be barred from living in the Englewood home he purchased in 1990.

The judge said that because of Cook’s current circumstances, the request for a temporary restraining order only applied to the two remaining plaintiffs, Brian Brockhausen and Allen Toner. A fourth plaintiff, identified as S.B. because he was adjudicated delinquent as a juvenile, is no longer part of the proceedings because the city has agreed not to seek residency restriction enforcement against him.

Rice, speaking for the city, said the residency restriction ordinance was passed in 2006. He said enforcement was put on hold while the American Civil Liberties Union filed a case on behalf of Englewood resident Stephen Ryals challenging the law’s constitutionality. Eventually the case was decided in July in the city’s favor and police resumed enforcement of the residency restriction.
He said sex offenders moved into the city while the ordinance wasn’t being enforced and now want to stay in Englewood.

Ruttenberg stated in her request for the restraining order that application of the residency restriction law means the plaintiffs will be effectively banished from the community.

She said she had an affidavit stating when sex offenders are told to leave the city they cannot visit or work in any location covered by the residency restriction, which is the entire city except the halfway house and, if the plaintiffs do violate the ban, they could be arrested for trespassing.

Moore said based on the materials he has, he has to abide by the recent 10th Circuit Court of Appeals ruling defining banishment, and he said the definition doesn’t apply to the two men.

The sides stated their cases for about 90 minutes and, at the conclusion of those discussions, the judge announced he was denying the request for a temporary restraining order.

“I am not asked to decide if the ordinance is right or wrong,” Moore said as he handed down his ruling. “I am must decide the issue according to the law. That said, I am denying the temporary restraining order request in totality.”

He then scheduled the hearing on the request for a preliminary injunction for 1 p.m. Sept. 28. He said it would be a hearing in which both parties could present evidence and have witnesses testify.

Rice said it is policy not to comment on issues in litigation.

Ruttenberg said she has her work cut out for her and it will be a challenge to be ready for the Sept. 28 hearing.

After the ruling, the attorney met with the plaintiffs, friends and family outside the courthouse.

She said the judge’s comments and rulings were a starting point for preparation for the preliminary injunction hearing.

“It is a challenge we have to meet,” she said. “It is just too bad the city used its authority to destroy the lives of these members of their community.”
Denver artwork pops up in Englewood

By Peggy Dietz
YourHub Contributor

Two innovative Denver artists will have artwork on display at Nixon's Coffee House in Englewood.

Sally VanDerKamp transforms scraps of colored glass into abstract creations. Often, historic glass is used for these one-of-a-kind artistic "puzzles."

Pat Dall, a well-known Littleton artist, has the working blend of people, pattern and color that make her five-step ink-resist paintings so remarkable and often whimsical.

Their work will be on display from Sept. 11 until Oct. 31. Nixon's Coffee House is at 871 Englewood Parkway, near the light-rail station. Hours are 6 a.m. to 8 p.m. Monday-Friday, 7 a.m. to 7 p.m. Saturday and Sunday.

Peggy Dietz is a local photographer.

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Assisted Living | Transitional Memory Care | Memory Care
A SPECTRUM RETIREMENT COMMUNITY
## DENVER-AREA HOSPITALS
RANKED BY PATIENT ADMISSIONS IN 2014

<table>
<thead>
<tr>
<th>Business name</th>
<th>Address</th>
<th>Website</th>
<th>Phone</th>
<th>Patient admissions in 2014</th>
<th>Patient days in 2014</th>
<th>Outpatient visits in 2014</th>
<th>Owner(s) / headquarters</th>
<th>Top local executive</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Swedish Medical Center - HealthONE 🌟</td>
<td>501 E. Hampden Ave, Englewood, CO 80113</td>
<td>swedishhospital.com</td>
<td>303-788-5000</td>
<td>20,384</td>
<td>NA</td>
<td>NA</td>
<td>HCA Holdings Inc. / Nashville, TN</td>
<td>Mary White, president/CEO</td>
</tr>
<tr>
<td>24 Craig Hospital 🌟</td>
<td>3425 S. Clarkson St, Englewood, CO 80113</td>
<td>craighospital.org</td>
<td>303-789-8000</td>
<td>518</td>
<td>27,416</td>
<td>9,761</td>
<td>Craig Hospital / Englewood, CO</td>
<td>Mike Fordyce, president/CEO; Dr. Tom Balazy, medical director</td>
</tr>
</tbody>
</table>

### MOST NURSES ON-STAFF AS OF JAN. 1, 2015
- **Children's Hospital Colorado**: 1,961
- **University of Colorado Hospital**: 1,550
- **Denver Health**: 1,518
- **Saint Joseph Hospital**: 806
- **Swedish Medical Center - HealthONE**: 791
- **Presbyterian-St. Luke's Medical Center**: 699
- **Lutheran Medical Center**: 669

### MOST PHYSICIANS ON-STAFF AS OF JAN. 1, 2015
- **Children's Hospital Colorado**: 1,908
- **Sky Ridge Medical Center - HealthONE**: 1,785
- **University of Colorado Hospital**: 1,711
- **Swedish Medical Center - HealthONE**: 1,627
- **Saint Joseph Hospital**: 1,443
- **Rose Medical Center - HealthONE**: 1,418
- **Presbyterian-St. Luke's Medical Center**: 1,182
## DENVER-AREA HOSPITALS
### RANKED BY CHARITY AND UNCOMPENSATED CARE IN 2015

<table>
<thead>
<tr>
<th>Business name</th>
<th>Address</th>
<th>Uncompensated care in 2015</th>
<th>Owner(s) / headquarters</th>
<th>Top local executive</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Craig Hospital</strong></td>
<td>3425 S. Clarkson St., Englewood, CO 80113 303-789-8000</td>
<td>$1.02 million</td>
<td>Craig Hospital / Englewood, CO</td>
<td>Mike Forltyce, president/CEO; Tom Balazy, MD, medical director</td>
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</table>

## DENVER-AREA HOSPITALS
### RANKED BY LICENSED BEDS AS OF JAN. 1, 2016

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<tr>
<th>Business name</th>
<th>Address</th>
<th>Number of licensed beds as of Jan. 1, 2016</th>
<th>Number of physicians on-staff as of Jan. 1, 2016</th>
<th>Number of nurses on-staff as of Jan. 1, 2016</th>
<th>Owner(s) / headquarters</th>
<th>Top local executive</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Craig Hospital</strong></td>
<td>3425 S. Clarkson St., Englewood, CO 80113 303-789-8000</td>
<td>93</td>
<td>7</td>
<td>194</td>
<td>Craig Hospital / Englewood, CO</td>
<td>Mike Forltyce, president/CEO; Tom Balazy, MD, medical director</td>
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</table>
**CITY OF ENGLEWOOD**  
**2016 CALENDAR OF EVENTS**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event and Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mon., Sept. 12</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
</tr>
<tr>
<td>Tues., Sept. 13</td>
<td>Cancelled</td>
<td>Water &amp; Sewer Board, Community Development Conference Room</td>
</tr>
<tr>
<td></td>
<td>6:00 p.m.</td>
<td>Keep Englewood Beautiful, City Council Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Library Board, Library Board Room</td>
</tr>
<tr>
<td>Wed., Sept. 14</td>
<td>6:30 p.m.</td>
<td>Urban Renewal Authority, City Council Conference Room</td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Board of Adjustment and Appeals, Council Chambers</td>
</tr>
<tr>
<td>Mon., Sept. 19</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
</tr>
<tr>
<td></td>
<td>7:30 p.m.</td>
<td>Regular Meeting, Council Chambers</td>
</tr>
<tr>
<td>Tues., Sept. 20</td>
<td>4:30 p.m.</td>
<td>Budget Advisory Committee, City Council Conference Room</td>
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<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room/Council Chambers</td>
</tr>
<tr>
<td>Wed., Sep. 21</td>
<td>7:00 p.m.</td>
<td>Liquor &amp; Medical Marijuana Licensing Authority, Council Chambers</td>
</tr>
<tr>
<td>Tues., Oct. 4</td>
<td>11:30 a.m.</td>
<td>Alliance for Commerce in Englewood, City Council Conference Room</td>
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<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room/Council Chambers</td>
</tr>
<tr>
<td>Wed., Oct. 5</td>
<td>5:45 p.m.</td>
<td>Cultural Arts Commission, City Council Conference Room</td>
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<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Liquor &amp; Medical Marijuana Licensing Authority, Council Chambers</td>
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<tr>
<td>Tues., Oct. 11</td>
<td>5:00 p.m.</td>
<td>Water &amp; Sewer Board, Community Development Conference Room</td>
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<td>6:00 p.m.</td>
<td>Keep Englewood Beautiful, City Council Conference Room</td>
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<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Library Board, Library Board Room</td>
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<tr>
<td>Wed., Oct. 12</td>
<td>6:30 p.m.</td>
<td>Urban Renewal Authority, City Council Conference Room</td>
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<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Board of Adjustment and Appeals, Council Chambers</td>
</tr>
<tr>
<td>Thurs., Oct. 13</td>
<td>5:30 p.m.</td>
<td>Parks and Recreation Commission. Malley Senior Recreation Center</td>
</tr>
<tr>
<td>Tues., Oct. 18</td>
<td>4:30 p.m.</td>
<td>Budget Advisory Committee, City Council Conference Room</td>
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<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Conference Room/Council Chambers</td>
</tr>
<tr>
<td>Wed., Oct. 19</td>
<td>7:00 p.m.</td>
<td>Liquor &amp; Medical Marijuana Licensing Authority, Council Chambers</td>
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</tbody>
</table>
Wed., Nov. 2  5:45 p.m.  Cultural Arts Commission, City Council Conference Room
7:00 p.m.  Liquor & Medical Marijuana Licensing Authority, Council Chambers

Mon., Nov. 7  2:00 p.m.  Malley Center Trust Fund Board, Malley Senior Recreation Center

Tues., Nov. 8  3:00 p.m.  NonEmergency Employees Retirement Board, Public Works Conference Room
5:00 p.m.  Water & Sewer Board, Community Development Conference Room
6:00 p.m.  Keep Englewood Beautiful, City Council Conference Room
7:00 p.m.  Library Board, Library Board Room
7:00 p.m.  Planning and Zoning Commission, City Council Conference Room/Council Chambers

Wed. Nov. 9  11:30 a.m.  Alliance for Commerce in Englewood, City Council Conference Room
6:30 p.m.  Urban Renewal Authority, City Council Conference Room
7:00 p.m.  Board of Adjustment and Appeals, Council Chambers

Thur., Nov. 10  3:00 p.m.  Police Officers Pension Board, Public Works Conference Room
3:30 p.m.  Firefighters Pension Board, Public Works Conference Room
5:30 p.m.  Parks and Recreation Commission
Broken Tee Golf Course
6:30 p.m.  Transportation Advisory Committee
City Council Conference Room

Tues., Nov. 15  4:30 p.m.  Budget Advisory Committee, City Council Conference Room

Wed., Nov. 16  7:00 p.m.  Liquor & Medical Marijuana Licensing Authority, Council Chambers

Tues., Nov. 22  7:00 p.m.  Planning and Zoning Commission, City Council Conference Room/Council Chambers

Tues., Dec. 6  7:00 p.m.  Planning and Zoning Commission, City Council Conference Room/Council Chambers

Wed., Dec. 7  11:30 a.m.  Alliance for Commerce in Englewood, City Council Conference Room
5:45 p.m.  Cultural Arts Commission, City Council Conference Room
7:00 p.m.  Liquor & Medical Marijuana Licensing Authority, Council Chambers

Thurs., Dec. 8  5:30 p.m.  Parks and Recreation Commission
Broken Tee Golf Course Maintenance Facility
TENTATIVE
STUDY SESSIONS TOPICS
FOR ENGLEWOOD CITY COUNCIL

September 12  Study Session
EEF
EMRF
EMRF Easement Discussion
Budget Discussion

September 19  Study Session & Regular Meeting
Financial Report
Dissolution of Ironworks/Urban Renewal Area/Future of EURA

September 26  Study Session
Ironworks Metropolitan District Incorporation
Comprehensive Plan

October 3    Study Session & Regular Meeting
MOA Presentation
Dry Gulch Drainage Discussion
Comprehensive Plan

October 10   Study Session
Accessory Dwelling Unit Discussion
Operational Plan Update
Economic Development Policy/Programs
Comprehensive Plan

October 17   Study Session & Regular Meeting
Financial Report
Comprehensive Plan

October 24   Study Session
Aid to Other Agencies Discussion
City Center Englewood Discussion
Comprehensive Plan

October 31   No Meeting – 5th Monday

November 7   Study Session & Regular Meeting
Board and Commission Members Reappointment Discussion
Comprehensive Plan

November 14  Study Session
Comprehensive Plan
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Details</th>
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<tbody>
<tr>
<td>November 21</td>
<td>Study Session &amp; Regular Meeting</td>
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<tr>
<td></td>
<td>Financial Report</td>
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<td>Comprehensive Plan</td>
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<td>November 28</td>
<td>Study Session</td>
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<td></td>
<td>Comprehensive Plan</td>
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<tr>
<td>December 5</td>
<td>Study Session &amp; Regular Meeting</td>
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<tr>
<td></td>
<td>Comprehensive Plan</td>
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<tr>
<td>December 12</td>
<td>Study Session</td>
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<td></td>
<td>Financial Report</td>
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<td></td>
<td>Comprehensive Plan</td>
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<tr>
<td>December 19</td>
<td>Regular Meeting</td>
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<tr>
<td></td>
<td>No Study Session Scheduled – Holiday Dinner</td>
</tr>
<tr>
<td>December 26</td>
<td>Christmas Holidays – No meeting scheduled</td>
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### 2017

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Details</th>
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<tbody>
<tr>
<td>January 3</td>
<td>Study Session &amp; Regular Meeting - Tuesday</td>
</tr>
<tr>
<td></td>
<td>Colorado and US Legislators - tentative</td>
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<tr>
<td>January 9</td>
<td>Study Session</td>
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<td></td>
<td>Board and Commission Interviews</td>
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<tr>
<td>January 17</td>
<td>Study Session &amp; Regular Meeting - Tuesday</td>
</tr>
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<td></td>
<td>Financial Report</td>
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<td></td>
<td>Board and Commission Appreciation Night/Gift Discussion</td>
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<td>Citizen of the Year Selection</td>
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**FUTURE STUDY SESSION TOPICS**

- Xcel Partners in Energy
- Joint Meeting with Englewood School District
- Emerald Ash Borer Presentation/Japanese Beetle Discussion
- City Council Response to Public Comment
- City Council Retreat
- Big Wonderful Outdoor Festival
1. Call to Order

The meeting was called to order at 7:05 p.m.

2. Roll Call

Present: Brick, Coleman, Fish Kinton, Pittinos, Austin
Absent: Bleile, Freemire, Townley, Madrid (All Excused)
Staff: Brook Bell, Planner II, Community Development

3. Approval of Minutes

Planning and Zoning Commission Minutes August 2, 2016

a. Kinton moved; Coleman seconded: To approve the minutes of August 2, 2016 as written.

   Ayes: Coleman, Fish, Pittinos, Kinton
   Nayes: None
   Abstain: Brick
   Absent: Bleile, Freemire, Townley, Madrid

   Motion carried.

4. Public Hearing Case 2016-03 (Continued) Amendments to the Unified Development Code Sign Regulations - Continued

a. Fish moved; Pittinos seconded: To re-open the Public Hearing for Case 2016-03 Amendments to the Unified Development Code relating to Sign Regulations

   Ayes: Brick, Coleman, Fish, Pittinos, Kinton
   Nayes: None
   Abstain: None
   Absent: Bleile, Freemire, Townley, Madrid

   Motion carried.

Staff Presentation

Brook Bell, Planner II, was sworn in. Mr. Bell reviewed the changes that are proposed to the sign code. The proposed revisions were made based on
the Supreme Court case *Reed vs. the Town of Gilbert, Arizona* that prohibits regulation of signage based on content.

**Public Testimony**

No members of the public attended the meeting.

**Discussion**

Mr. Brick stated that he feels that staff and the Commissioners have sufficiently revised the sign code regulations to meet the requirements of the Supreme Court decision in *Reed vs. the Town of Gilbert, Arizona*, regarding content based sign regulations.

Mr. Pittinos expressed concern over garage sale signs; Mr. Bell stated that garage sign code regulations are in Chapter 15 of the UDC and will be addressed internally with the City Attorney’s office.

**Brick** moved; **Fish** seconded: To close the Public Hearing for Case 2016-03 Amendments to the Unified Development Code relating to Sign Regulations

Ayes: Brick, Coleman, Fish, Pittinos, Kinton
Nayes: None
Abstain: None
Absent: Bleile, Freemire, Townley, Madrid

Motion carried.

**Pittinos** moved; **Brick** seconded: To forward Case 2016-03 Amendments to the Unified Development Code relating to Sign Regulations to City Council with a favorable recommendation.

Ayes: Brick, Coleman, Fish, Pittinos, Kinton
Nayes: None
Abstain: None
Absent: Bleile, Freemire, Townley, Madrid

Motion carried.

5. **Public Forum**

No members of the public were present at the meeting.

6. **Staff's Choice**
Mr. Bell did not have anything further for the Commission. The next meeting will be September 7th. The discussion regarding commercial requirements in the MU-B-2 and MU-B-3 zone districts will continue.

7. **Attorney's Choice**

Interim City Attorney Comer was not present.

8. **Commissioner's Choice**

Mr. Kinton expressed interest in conducting joint meetings with other boards and commissions.

Mr. Fish asked when the Commission will discuss Accessory Dwelling Units (ADUs). Mr. Bell answered that staff has been directed to work on other issues and resume discussion of ADUs once the Comprehensive Plan has been adopted.

Mr. Brick suggested that representatives from the Police Department attend a meeting to address crime prevention.

9. **Adjournment**

The meeting adjourned at 7:50 p.m.

_/s/ Julie Bailey_, Recording Secretary