AGENDA FOR THE  
ENGLEWOOD CITY COUNCIL  
STUDY SESSION  
MONDAY, FEBRUARY 22, 2010  
COMMUNITY ROOM  
6:00 P.M.

I. Post Office Historical Designation  
Diana Wray-Tomasso will discuss the historical designation for the South Broadway Post Office.

II. Bd. of Adjustment & Appeals – 6:15 p.m.  
Community Development Director Alan White, Board of Adjustment & Appeals past Chair John Smith and Chair Carson Green will be present to discuss the Board of Adjustment and Appeals request concerning alternate members and voting members.

III. Open Discussion – 6:30 p.m.  
City Council will have an open discussion. Citizen Survey link on the City’s web site is http://www.englewoodgov.org/Index.aspx?page=831

IV. City Manager’s Choice – 8:00 p.m.

V. City Attorney’s Choice.

VI. Council Member’s Choice.

Please Note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood, 303-762-2407, at least 48 hours in advance of when services are needed. Thank you.
Diane Wray Tomasso
Historic Preservation Consulting
2907 South Elati Street
Englewood, Colorado 80110
Phone 303.552.8254
Email dwtomasso@earthlink.net

Diane Wray Tomasso is a Colorado-based historic preservation consultant specializing in:
• applications for the landmark listing of individual buildings and historic districts.
• applications for federal and state historic preservation tax credits.
• grant applications, securing over $1.8 million in funds for private and non-profit clients.
• preparation of historic contexts and historic building surveys.
• grant and project management of historic restoration and rehabilitation projects.

In these capacities, Ms. Wray Tomasso interfaces with owners, architects, contractors, and local, state and national agencies to define and realize preservation plans for historic properties.

Denver projects include Buerger Brothers Lofts, Chamber Lofts, Clocktower Lofts, Colorado Business Bank, Colorado National Bank, Midland Lofts, Denver Club Tower, Hardware Block Buildings, Temple Emanuel, Downtown Denver YMCA, El Jebel, Bonfils Theatre (Tattered Cover), Elitch Gardens Theatre, and Denver Dry Goods. Projects elsewhere include the Jewish Consumptives Relief Society Historic District (for the Rocky Mountain College of Art and Design) in Lakewood, American National Bank in Leadville, Greeley Tribune, and the Sculptured House in Genesee. Projects for non-profit clients include the Colorado Trust Building and Bernie Valdez Hispanic Heritage Center.

Ms. Wray Tomasso co-authored a survey of the most significant modern buildings in Boulder from 1947 to 1977 and design guidelines for the city of Black Hawk. She prepared a successful National Register nomination and design guidelines for the 1949-1957 Arapahoe Acres National Register Historic District, the first post-World War II subdivision to be so listed. She authored *The Arapahoe Acres Historic District* and co-authored *Denver: The Modern City*, and *The Mid-Century Modern House in Denver*, for Historic Denver.

Ms. Wray Tomasso has participated in local public policy and preservation meetings and conferences and served as an invited speaker at national preservation conferences conducted by the Rice Design Alliance, Houston, the National Park Service, and the Historic Districts Council, a consortium of the landmark districts of New York City, held at Columbia University.

Prior to pursuing historic preservation as a profession, Ms. Wray Tomasso was self-employed as a construction consultant, working for over 125 contractors and subcontractors of all sizes and trades in the New York City area. This provided her with a unique perspective on the realities of historic preservation in relation to real estate and project development. She also has a strong background in communication design, spending four years in the design of corporate identity programs, print, annual reports, and packaging lines for a variety of Fortune 500 firms.

**Education**  
University of Colorado at Boulder, 1971-1973  
BA, Fine Arts, The School of the Art Institute of Chicago, 1975  
Graduate Studies, Communication Design, Pratt Institute, Brooklyn, NY 1978-1979

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OPINION

TO: Englewood Board of Adjustment and Appeals Members
    Dan Brotzman, City Attorney
    Alan White, Community Development Director
    Brook Bell, CD/Planner
    Nancy Fenton, CD

FROM: Nancy Reid, Assistant City Attorney

DATE: August 31, 2009

REGARDING: Board of Adjustment Request – Alternate Members.

The Englewood Home Rule Charter and Englewood Municipal Code do not provide for an alternate for the Board of Adjustment and Appeals. The Englewood City Council decided some years ago that it was more efficient to only appoint board and commission members twice a year. That resulted in some vacancies which persisted for up to six months. Because of that unacceptable time frame, City Council decided to also appoint alternates to the boards so that should a vacancy occur, the board would not be required to wait until the next appointment period but the alternate could be appointed immediately. Thus, an alternate has not officially been appointed to the Board and therefore cannot participate in the discussion after the closing of the hearing nor can the alternate vote.

This is the current status of alternates unless and until the City Council changes the policy regarding the appointment of alternates.

NNR/nf
MEMO

TO: John Smith, Chair
    Members of Board of Adjustment and Appeal

FROM: Nancy N. Reid, Assistant City Attorney

DATE: April 27, 2006

RE: Voting by Alternate Members of the
    Board of Adjustment and Appeals

Chair Smith has requested an opinion on the possibility of alternate members being allowed to vote.

The Englewood Home Rule Charter provides that the Council shall establish by ordinance a Board of Adjustment consisting of seven (7) members for four-year terms. It lists the requirements for those members. The Charter further requires that the Board should exercise its authority in accordance with the State Statutes except as otherwise provided in the Charter.

The Colorado State Statutes provide that “the governing body may provide by ordinance for filling vacancies on the Board or designation of alternate members.” CRS 31-23-307 (1). There is no definition of “alternate member” or how those alternate members may be used. The City has established a Board of Adjustment and Appeals in 9-1-9 et seq EMC. The Board’s powers under Title 16, the UDC, are listed in 16-2-1 C. There are no further legislative instructions regarding how the City will appoint alternates and how those alternates will be used.

Current policy of the City Council is to appoint an alternate who is available for appointment when a vacancy occurs. In order for there to be a change in this policy, the City Council must make a determination to change its policy when appointing an alternate and provide that the alternate may hear a case when necessary when any one member is missing or only in the event that such participation by the alternate is required to have enough members to make a quorum. Either could be done in the Resolution appointing the alternate member. That way the alternate members is authorized to vote should the conditions arise. I would suggest that if the Board wishes to have those procedures changed for the alternate position, they should send a request to Council regarding the same.

bb