1. Call to Order.

2. Invocation.

3. Pledge of Allegiance.

4. Roll Call.

5. Consideration of Minutes of Previous Session.

6. Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.)
   a. Jeanne Nelson will be present to accept the City of Englewood’s 2011 Aid to Other Agencies financial contribution to the Arapahoe Philharmonic Orchestra.
   b. Mike Marcoux, an All Souls parish/school parent, will address City Council regarding a 5K Run/Walk event planned for October.
   c. Winston Dippel, representing Roses Grow from Concrete, will address City Council about the high school dropout crisis in our community.

7. Recognition of Unscheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to three minutes. Time for unscheduled public comment may be limited to 45 minutes, and if limited, shall be continued to General Discussion.)
   • Council Response to Public Comment.

Please note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood (303-762-2405) at least 48 hours in advance of when services are needed.
8. Communications, Proclamations, and Appointments.
   b. Letter from Theresa Rinker advising of her resignation from the Keep Englewood Beautiful Commission.
   c. E-mail from Jennifer Jones advising of her resignation from the Englewood Transportation Advisory Committee.
   d. Letter from James Weeks advising of his resignation from the Englewood Transportation Advisory Committee.
   e. A resolution reappointing Mark Adams to the Englewood Public Library Board.
   f. A resolution appointing Andy Berger to the Englewood Election Commission.
   g. A resolution reappointing Cyndi Bowie to the Keep Englewood Beautiful Commission.
   h. A resolution reappointing Chris Brennan to the Keep Englewood Beautiful Commission.
   i. A resolution reappointing Gray Clark to the Englewood Water and Sewer Board.
   j. A resolution appointing Tamara Emmanuel to the Englewood Cultural Arts Commission.
   k. A resolution appointing Philippe Ernewein to the Englewood Public Library Board.
   l. A resolution reappointing Ron Fish to the Englewood Planning and Zoning Commission.
   m. A resolution appointing Justin Geissler to the Keep Englewood Beautiful Commission.
   n. A resolution appointing Muhammad Hakeem as an alternate member to the Englewood Cultural Arts Commission.
   o. A resolution reappointing Selwyn Hewitt to the Englewood Malley Center Trust Fund.
   q. A resolution appointing Kailei Higginson to the Englewood Transportation Advisory Committee.
   r. A resolution reappointing Jennifer Jones to the Keep Englewood Beautiful Commission.
s. A resolution appointing Thomas Kelly to the Englewood Public Library Board.

t. A resolution reappointing Daryl Kinton to the Englewood Transportation Advisory Committee.

u. A resolution appointing Joshua Mangino as a youth liaison to the Englewood Cultural Arts Commission.

v. A resolution reappointing Marcia O’Brien to the Englewood Board of Adjustment and Appeals.

w. A resolution reappointing James Phelps to the Englewood Police Officers Pension Board.

x. A resolution appointing David “Merc” Pittinos to the Englewood Board of Adjustment and Appeals.

y. A resolution reappointing Don Roth to the Englewood Planning and Zoning Commission.

z. A resolution reappointing Don Roth to the Englewood Urban Renewal Authority.

aa. A resolution appointing Angela Schmitz as an alternate member to the Englewood Board of Adjustment and Appeals.

bb. A resolution appointing Peter Smith to the Englewood Transportation Advisory Committee.

cc. A resolution reappointing David Sprecace to the Englewood Board of Adjustment and Appeals.

dd. A resolution reappointing Catherine Townley to the Englewood Urban Renewal Authority.

e. A resolution appointing Hugo Weinberger to the Alliance for Commerce in Englewood.

ff. A resolution recommending Margaret Williams for appointment to the Englewood Housing Authority.

gg. A resolution reappointing Carolyne Wilmoth to the Englewood Firefighters Pension Board.

hh. A resolution appointing Brittany Yepsen to the Keep Englewood Beautiful Commission.
9. Consent Agenda Items.
   
   a. Approval of Ordinances on First Reading
      
      i. Council Bill No. 4 — Recommendation from the Fire Department to adopt a bill for an ordinance authorizing the acceptance of a 2009 FEMA U.S. Department of Homeland Security Assistance to Firefighters Grant Award for the purchase and installation of an emergency backup generator for the Police/Fire building at 3615 South Elati Street and for the purchase of hazardous materials monitoring equipment. STAFF SOURCE: Michael Pattarozzi, Fire Chief.

   b. Approval of Ordinances on Second Reading.
   
   c. Resolutions and Motions.


11. Ordinances, Resolutions and Motions
   
   a. Approval of Ordinances on First Reading.
      
      i. Council Bill No. 7 — Récommandation from the Community Development Department to adopt a bill for an ordinance authorizing an Intergovernmental Agreement with the Regional Transportation District for cost sharing for operation of the "Art" shuttle for 2011. STAFF SOURCE: Harold J. Stitt, Senior Planner.

      ii. Council Bill No. 8 — Recommendation from the Community Development Department to adopt a bill for an ordinance authorizing the Englewood Estates Planned Unit Development Amendment No. 1, located at 1210, 1230, 1250, 1255, 1270, 1275 and 1290 West Quincy Circle in the City of Englewood. Staff also requests that Council set a Public Hearing for Tuesday, February 22, 2011 to gather public input on this matter. STAFF SOURCE: Brook Bell, Planner II.

   b. Approval of Ordinances on Second Reading.

   c. Resolutions and Motions.
      
      i. Recommendation by the Police Department to approve a resolution setting a fee of $20.00 for the inspection and City permit required for electric golf cars in the City of Englewood. STAFF SOURCE: Sergeant Mike O'Connor.
12. General Discussion.
   a. Mayor’s Choice.
   b. Council Members’ Choice.


15. Adjournment

The following minutes were transmitted to City Council in January, 2011.

- Alliance for Commerce in Englewood meeting of October 14, 2010.
- Parks and Recreation Commission meetings of September 9, October 14, November 18, and December 9, 2010.
- Planning and Zoning Commission meeting of December 7, 2010.
- Transportation Advisory Committee meeting of October 14, 2010.
- Water and Sewer Board meeting of November 9, 2010.
WHEREAS, pets provide companionship to more than 71,000,000 households in the United States; and

WHEREAS, humane societies and animal shelters must euthanize more than four million cats, dogs, rabbits and other animals each year, due to a lack of critical resources and public awareness; and

WHEREAS, this tragic overpopulation of pets costs citizens and taxpayers of this country millions of dollars annually through animal service programs aimed at coping with the millions of homeless animals; and

WHEREAS, spaying and neutering has been shown to dramatically reduce the overpopulation of pets and feral cats, proving to be a wise investment in saving animal lives and taxpayer dollars; and

WHEREAS, veterinarians, national and local animal protection organizations, and private citizens worked together to ensure the spaying or neutering of more than 44,000 pets and feral cats through “Spay Day” in 2010; and

WHEREAS, veterinarians, national and local animal protection organizations, and private citizens have joined together again to advocate the spaying and neutering of pets and feral cats on “Spay Day 2011”;

NOW THEREFORE, I, James Woodward, Mayor of the City of Englewood, Colorado, hereby proclaim February 20, 2011 as:

SPAY DAY 2011

in the City of Englewood, Colorado and urge all of our residents to join together to observe the day by having their own cats, dogs, and rabbits spayed or neutered or by sponsoring the spaying or neutering of another person’s pet or of a pet in a shelter awaiting adoption.

GIVEN under my hand and seal this 7th day of February, 2011.

James K. Woodward, Mayor
February 1, 2011

City of Englewood
Audra Kirk

Dear Audra,

I apologize I have been meaning to write a lot sooner. I regretfully need to resign as a commissioner for Keep Englewood Beautiful. I am working on continuing my education and my class schedule coincides with the KEB meeting times.

Please keep me in mind for any KEB events that you might need volunteers at, if I am available I will always be interested in helping.

I appreciate the opportunity I have had to be part of KEB.

Thank you,
Theresa Rinker
Hi Dave and Linda,

I recently took on some additional responsibilities at work, so I was actually thinking of resigning from ETAC myself. After I received your e-mail, I thought I would at least take the weekend to make my decision. I really think it's best if I go ahead and resign at this time. With my additional responsibilities, I know I'll be working some extra hours and one of my main deadlines happens to fall on the 2nd Thursday of each month, so I think it will cause me to miss meetings more often than I would be able to attend them.

Please let me know what I need to do to officially resign. I have really enjoyed my time on ETAC - I just think it's time for me to move on.

Thanks,
Jennifer
January 14, 2011

Mr. David Anderson – Chairman
Englewood Transportation Advisory Committee (ETAC)
1000 Englewood Parkway
Englewood CO 80113

RE: Letter of Resignation for James Weeks

Mr. Anderson,

Please accept my resignation from ETAC. It has been my pleasure to serve on the committee these past years; regretfully work and family commitments no longer allow for my continued participation. I can be reached at 303-396-7443 if there are any questions.

Sincerely,

James Weeks

Cc: Linda Wilks
RESOLUTION NO. ______
SERIES OF 2011

A RESOLUTION REAPPOINTING MARK ADAMS TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Mark Adams is a current member of the Englewood Public Library Board; and

WHEREAS, Mark Adams’ term expired February 1, 2011.

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

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

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

Section 1. Mark Adams is hereby reappointed to the Englewood Public Library Board. Mark Adams’ term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: 

__________________________
James K. Woodward, Mayor

__________________________
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

__________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING ANDY BERGER TO THE ELECTION COMMISSION OF THE CITY OF ENGLEWOOD, COLORADO.

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

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

WHEREAS, Andy Berger has applied to serve as a member of the Englewood Election Commission;

WHEREAS, the Englewood City Council desires to appoint Andy Berger to the Englewood Election Commission.

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

Section 1. Andy Berger is hereby appointed to the Englewood Election Commission. Andy Berger’s term will be effective immediately with term expiring February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ____________________________

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

______________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING CYNDI BOWIE TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Cyndi Bowie is a current member of the Keep Englewood Beautiful Commission; and

WHEREAS, Cyndi Bowie’s term expired February 1, 2011; and

WHEREAS, Cyndi Bowie has applied for reappointment to the Keep Englewood Beautiful Commission for another term;

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

Section 1. Cyndi Bowie is hereby reappointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Cyndi Bowie’s term will be effective immediately and will expire February 1, 2013.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: __________________________________________

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

_______________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. ______
SERIES OF 2011

A RESOLUTION REAPPOINTING CHRIS BRENNAN TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Chris Brennan is a current member of the Keep Englewood Beautiful Commission; and

WHEREAS, Chris Brennan’s term expired February 1, 2011; and

WHEREAS, Chris Brennan has applied for reappointment to the Keep Englewood Beautiful Commission for another term;

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

Section 1. Chris Brennan is hereby reappointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Chris Brennan’s term will be effective immediately and will expire February 1, 2013.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ____________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. ______, Series of 2011.

Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

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

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

WHEREAS, Gray Clark is a current member of the Englewood Water and Sewer Board; and

WHEREAS, Gray Clark’s current term expired February 1, 2011; and

WHEREAS, Gray Clark has applied for reappointment to the Englewood Water and Sewer Board; and

WHEREAS, the Englewood City Council desires to reappoint Gray Clark to the Englewood
Water and Sewer Board;

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

Section 1. Gray Clark is hereby reappointed to Englewood Water and Sewer Board. Gray
Clark’s term will be effective immediately and will expire February 1, 2017.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

________________________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the
above is a true copy of Resolution No. _____, Series of 2011.

________________________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING TAMARA EMMANUEL AS A MEMBER OF THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

WHEREAS, Tamara Emmanuel has graciously applied for appointment to the Englewood Cultural Arts Commission; and

WHEREAS, Tamara Emmanuel was previously named as an alternate member of the Cultural Arts Commission; and

WHEREAS, the Englewood City Council desires to appoint Tamara Emmanuel to the Englewood Cultural Arts Commission.

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

Section 1. Tamara Emmanuel is hereby appointed to the Cultural Arts Commission for the City of Englewood, Colorado. Tamara Emmanuel’s term will become effective immediately and expiring July 1, 2013.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ______________________________

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

______________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING PHILIPPE ERNEWEN TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, there is a vacancy on the Englewood Public Library Board; and Philippe Ernewein has applied to serve as a member of the Englewood Public Library Board;

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

Section 1. Philippe Ernewein is hereby appointed to the Englewood Public Library Board. Philippe Ernewein’s term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:  

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.
RESOLUTION NO. _____
SERIES OF 2011

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

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

WHEREAS, Ron Fish is a current member of the Englewood Planning and Zoning Commission; and

WHEREAS, Ron Fish’s current term expired February 1, 2011; and

WHEREAS, Ron Fish has applied for reappointment to the Englewood Planning and Zoning Commission;

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

Section 1. Ron Fish is hereby reappointed to the Englewood Planning and Zoning Commission. Ron Fish’s term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ____________________________________________
                                                 James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

__________________________________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING JUSTIN GEISSLER TO KEEP ENGLEWOOD BEAUTIFUL
COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

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

Section 1. Justin Geissler is hereby appointed to the Keep Englewood Beautiful Commission
for the City of Englewood, Colorado. Justin Geissler’s term will be effective immediately and
will expire February 1, 2013.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the
above is a true copy of Resolution No. _____, Series of 2011.

Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING MUHAMMAD HAKEEM AS AN ALTERNATE MEMBER TO THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Muhammad Hakeem has graciously offered to serve on the City of Englewood’s boards and commissions; and

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

WHEREAS, the Englewood City Council desires to appoint Muhammad Hakeem as an alternate member to the Englewood Cultural Arts Commission; and

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

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

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

Section 1. The Englewood City Council hereby appoints Muhammad Hakeem as an alternate member of the Englewood Cultural Arts Commission.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

__________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

__________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING SELWYN G. HEWITT TO THE MALLEY CENTER TRUST FUND FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Malley Center Trust Fund was established for the use and benefit of the Englewood Senior Citizen Recreation Center known as the Elsie Malley Centennial Center; and

WHEREAS, the Trustees recommend to the City Council appropriations from the Trust Fund for the use and benefit of the Elsie Malley Centennial Center; and

WHEREAS, Selwyn Hewitt is a current member of the Malley Center Trust Fund; and

WHEREAS, Selwyn Hewitt’s current term expires February 1, 2011; and

WHEREAS, Selwyn Hewitt has applied for reappointment to the Malley Center Trust Fund for another term;

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

Section 1. Selwyn Hewitt is hereby reappointed to the Malley Center Trust Fund for the City of Englewood, Colorado. Selwyn Hewitt’s term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:
____________________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

____________________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING KAILEI HIGGINSON TO THE ELECTION COMMISSION
OF THE CITY OF ENGLEWOOD, COLORADO.

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

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

WHEREAS, Kailei Higginson has applied to serve as a member of the Englewood Election
Commission;

WHEREAS, the Englewood City Council desires to appoint Kailei Higginson to the
Englewood Election Commission.

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

Section 1. Kailei Higginson is hereby appointed to the Englewood Election Commission.
Kailei Higginson's term will be effective immediately with term expiring February 1, 2014.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

                                          James K. Woodward, Mayor

____________________________________

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the
above is a true copy of Resolution No. _____, Series of 2011.

____________________________________

Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING KAILEI HIGGINSON TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

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

WHEREAS, the Englewood City Council desires to appoint Kailei Higginson to the Englewood Transportation Advisory Committee;

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

Section 1. Kailei Higginson is hereby appointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. Kailei Higginson’s term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: __________________________________________
James K. Woodward, Mayor

_________________________________________
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

_________________________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING JENNIFER JONES TO THE KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Jennifer Jones is a current member of the Keep Englewood Beautiful Commission; and

WHEREAS, Jennifer Jones’ term expired February 1, 2011; and

WHEREAS, Jennifer Jones has applied for reappointment to the Keep Englewood Beautiful Commission for another term;

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

Section 1. Jennifer Jones is hereby reappointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Jennifer Jones’ term will be effective immediately and will expire February 1, 2013.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ____________________________

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING THOMAS KELLY TO THE PUBLIC LIBRARY BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, there is a vacancy on the Englewood Public Library Board; and Thomas Kelly has applied to serve as a member of the Englewood Public Library Board;

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

Section 1. Thomas Kelly is hereby appointed to the Englewood Public Library Board. Thomas Kelly’s term will be effective immediately and will expire February 1, 2012.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ____________________________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING DARYL KINTON TO THE ENGLEWOOD TRANSPORTATION ADVISORY COMMITTEE FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

WHEREAS, Daryl Kinton is a current member of the Englewood Transportation Advisory Committee; and

WHEREAS, Daryl Kinton’s term expired February 1, 2011; and

WHEREAS, Daryl Kinton has applied for reappointment to the Englewood Transportation Advisory Committee for another term;

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

Section 1. Daryl Kinton is hereby reappointed to the Englewood Transportation Advisory Committee for the City of Englewood, Colorado. Daryl Kinton’s term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ________________________________

James K. Woodward, Mayor

Lourcishia A. Ellis, City Clerk

I, Lourcishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. ____, Series of 2011.
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING JOSHUA MANGINO AS A YOUTH LIAISON TO THE CULTURAL ARTS COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, the City Council desires to appoint a youth liaison to the Cultural Arts Commission for the term expiring July 1, 2011; and

WHEREAS, Joshua Mangino meets the requirements set forth by City Council for appointment as youth liaison to the Cultural Arts Commission;

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

Section 1. Joshua Mangino is hereby appointed as a youth liaison to the Cultural Arts Commission. Joshua Mangino’s term will be effective immediately and will expire July 1, 2011.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:__________________________________

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

________________________________________

Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING MARCIA O'BRIEN TO THE BOARD OF ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Marcia O'Brien is a current member of the Englewood Board of Adjustment and Appeals; and

WHEREAS, Marcia O'Brien's term expired February 1, 2011; and

WHEREAS, Marcia O'Brien has applied for reappointment to the Englewood Board of Adjustment and Appeals for another term;

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

Section 1. Marcia O'Brien is hereby reappointed to the Board of Adjustment and Appeals for the City of Englewood, Colorado. Marcia O'Brien's term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ________________________________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

________________________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING JAMES PHELPS TO THE POLICE OFFICERS’ PENSION BOARD FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, James Phelps is a current member of the Englewood Police Officers’ Pension Board; and

WHEREAS, James Phelps’ term expired February 1, 2011; and

WHEREAS, James Phelps has applied for reappointment to the Englewood Police Officers’ Pension Board; and

WHEREAS, the Englewood City Council desires to reappoint James Phelps to the Englewood Police Officers’ Pension Board;

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

Section 1. James Phelps is hereby reappointed to Englewood Police Officers’ Pension Board. James Phelps’ term will be effective immediately and will expire February 1, 2014.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION APPOINTING DAVID “MERC” PITTINOS TO THE BOARD OF
ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, there is a vacancy in the Englewood Board of Adjustment and Appeals; and
David “Merc” Pittinos has applied to serve as a member of the Englewood Board of Adjustment
and Appeals; and

WHEREAS, the Englewood City Council desires to appoint David “Merc” Pittinos to the
Englewood Board of Adjustment and Appeals;

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

Section 1. David “Merc” Pittinos is hereby appointed to the Englewood Board of Adjustment
and Appeals. David “Merc” Pittinos’ term will be effective immediately and will expire February
1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

_______ James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the
above is a true copy of Resolution No. _____, Series of 2011.

_______ Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

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

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

WHEREAS, Don Roth is a current member of the Englewood Planning and Zoning Commission; and

WHEREAS, Don Roth’s current term expired February 1, 2011; and

WHEREAS, Don Roth has applied for reappointment to the Englewood Planning and Zoning Commission;

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

Section 1. Don Roth is hereby reappointed to the Englewood Planning and Zoning Commission. Don Roth’s term will be effective immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:
______________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING DON ROTH TO THE URBAN RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Don Roth is a current member of the Englewood Urban Renewal Authority; and

WHEREAS, Don Roth’s term expired February 1, 2011; and

WHEREAS, Don Roth has applied for reappointment to the Englewood Urban Renewal Authority; and

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

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

Section 1. Don Roth is hereby reappointed to Englewood Urban Renewal Authority. Don Roth’s term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: __________________________________________

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

______________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. ______
SERIES OF 2011

A RESOLUTION APPOINTING ANGELA SCHMITZ AS AN ALTERNATE VOTING MEMBER TO THE BOARD OF ADJUSTMENT AND APPEALS FOR THE CITY OF ENGLEWOOD.

WHEREAS, Angela Schmitz has graciously offered to serve on the City of Englewood’s boards and commissions; and

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

WHEREAS, the Englewood City Council desires to appoint Angela Schmitz as alternate member to the Board of Adjustment and Appeals; and

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

WHEREAS, because of the necessity of having a quorum for this quasi-judicial board and the super majority voting requirement when a regular member is absent, the alternate for this Board may participate in the hearing and vote on the case heard; and

WHEREAS, while the alternate will only vote at the meetings where a regular member is absent, she is nevertheless requested to attend as many meetings as possible to get a feel for the membership and issues; and

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

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

Section 1. Angela Schmitz is hereby appointed as an alternate voting member of the Englewood Board of Adjustment and Appeals who may vote if another member of the Board is absent. Angela Schmitz’s term will be effective immediately.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: _____________________________
James K. Woodward, Mayor

______________________________
Loucrishia A. Ellis, City Clerk
I, Loucrishia A. Ellis, City Clerk for the City of Eaglewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

__________________________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. ______
SERIES OF 2011

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

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

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

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

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

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

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

Section 1. Peter Smith is hereby appointed to the Englewood Transportation Advisory
Committee for the City of Englewood, Colorado. Peter Smith's term will be effective
immediately and will expire February 1, 2015.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:  

__________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the
above is a true copy of Resolution No. ______, Series of 2011.

__________________________  
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____  
SERIES OF 2011  

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

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

WHEREAS, David Sprecace is a current member of the Englewood Board of Adjustment and 
Appeals; and  

WHEREAS, David Sprecace’s term expired February 1, 2011; and  

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

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

Section 1. David Sprecace is hereby reappointed to the Board of Adjustment and Appeals for 
the City of Englewood, Colorado. David Sprecace’s term will be effective immediately and will 
expire February 1, 2015.  

ADOPTED AND APPROVED this 7th day of February, 2011.  

ATTEST:  

______________________________  
James K. Woodward, Mayor  

______________________________  
Loucrishia A. Ellis, City Clerk  

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the 
above is a true copy of Resolution No. _____, Series of 2011.  

______________________________  
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION REAPPOINTING CATHERINE TOWNLEY TO THE URBAN RENEWAL AUTHORITY FOR THE CITY OF ENGLEWOOD, COLORADO.

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

WHEREAS, Catherine Townley is a current member of the Englewood Urban Renewal Authority; and

WHEREAS, Catherine Townley’s term expired February 1, 2011; and

WHEREAS, Catherine Townley has applied for reappointment to the Englewood Urban Renewal Authority; and

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

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

Section 1. Catherine Townley is hereby reappointed to Englewood Urban Renewal Authority. Catherine Townley’s term will be effective immediately and will expire February 1, 2016.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

______________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

______________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. ----
SERIES OF 2011

A RESOLUTION APPOINTING HUGO WEINBERGER TO THE ALLIANCE FOR COMMERCER IN ENGLEWOOD COMMITTEE (ACE) FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

WHEREAS, Hugo Weinberger has applied to serve as a member of Alliance For Commerce In Englewood Committee; and

WHEREAS, the Englewood City Council desires to appoint Hugo Weinberger to Alliance For Commerce In Englewood Committee;

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

Section 1. Hugo Weinberger is hereby appointed to Alliance For Commerce In Englewood Committee. Hugo Weinberger’s term will be effective immediately and expiring July 1, 2011.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ____________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. ----, Series of 2011.

Loucrishia A. Ellis, City Clerk
RESOLUTION NO. ______
SERIES OF 2011

A RESOLUTION RECOMMENDING MARGARET WILLIAMS FOR APPOINTMENT TO
THE ENGLEWOOD HOUSING AUTHORITY FOR THE CITY OF ENGLEWOOD,
COLORADO.

WHEREAS, there is a vacancy in the Englewood Housing Authority; and

WHEREAS, Margaret Williams has applied to serve as a member of the Englewood Housing
Authority; and

WHEREAS, the Mayor desires to appoint Margaret Williams as a member of Englewood Housing
Authority; and

WHEREAS, the Englewood City Council supports the Mayor’s appointment.

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

Section 1. Margaret Williams is hereby appointed to the Englewood Housing Authority for
the City of Englewood, Colorado. Margaret Williams’ term will be effective immediately and
will expire on July 1, 2014.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: ____________________________
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the
above is a true copy of Resolution No. ______, Series of 2011.

_______________________________
Loucrishia A. Ellis, City Clerk
RESOLUTION NO. _____
SERIES OF 2011

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

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

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

WHEREAS, Carolyne Wilmoth term expired February 1, 2011; and

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

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

Section 1. Carolyne Wilmoth is hereby reappointed to the Firefighters’ Pension Board for the City of Englewood, Colorado. Carolyne Wilmoth’s term will be effective immediately and will expire on February 1, 2014.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:  

__________________________  
James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.
RESOLUTION NO. ______
SERIES OF 2011

A RESOLUTION APPOINTING BRITTANY YEPSEN TO KEEP ENGLEWOOD BEAUTIFUL COMMISSION FOR THE CITY OF ENGLEWOOD, COLORADO.

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

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

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

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

Section 1. Brittany Yepsen is hereby appointed to the Keep Englewood Beautiful Commission for the City of Englewood, Colorado. Brittany Yepsen’s term will be effective immediately and will expire February 1, 2013.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST:

___________________________
James K. Woodward, Mayor

___________________________
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. ______, Series of 2011.

___________________________
Loucrishia A. Ellis, City Clerk
COUNCIL COMMUNICATION

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<td>2009 Assistance to Firefighters Grant, Emergency Backup Generator for 3615 South Elati Street and Hazardous Materials Monitoring Equipment</td>
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Initiated By: Fire Department

Staff Source: Michael Pattarozzi, Fire Chief

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

Council has discussed this grant twice in study sessions, and approved bringing it forward as an ordinance.

RECOMMENDED ACTION

Staff seeks Council’s approval of the attached Intergovernmental Agreement with the Federal Emergency Management Agency awarding the Englewood Fire Department 2009 Assistance to Firefighters Grant for the purchase and installation of an emergency backup generator for the Police/Fire building at 3615 South Elati Street and for the purchase of hazardous materials monitoring equipment.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The existing emergency backup generator is unable to meet the power requirements of the Police/Fire building. Changing technology and the installation of an Emergency Operations Center have increased the electrical demands. Without the grant, the City would not be able to replace the generator. The hazardous materials monitoring equipment would replace existing outdated monitoring equipment and would also provide for monitoring equipment for weapons of mass destruction.

FINANCIAL IMPACT

The Grant is for $118,082 with the City obligated to match 10%, or $11,808. The City’s match would be covered by the Public Improvement Fund, which has sufficient funds to meet the match.

LIST OF ATTACHMENTS

Proposed Bill for an Ordinance
BY AUTHORITY

ORDINANCE NO. ____
SERIES OF 2011

COUNCIL BILL NO. 4
INTRODUCED BY COUNCIL MEMBER ________

A BILL FOR

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A FEMA U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT (AFG) 2009 AWARDED TO THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City of Englewood Fire Department sought and was awarded a grant from FEMA U.S. Department of Homeland Security Assistance to Firefighters Grant (AFG) the passage of this Ordinance authorizes the acceptance of the 2009 Assistance to Firefighter’s Grand Award funding the purchase and installation of an upgraded generator for the Fire/Police Complex and the purchase of upgraded hazardous gas detectors for the fire apparatus; and

WHEREAS, the current generator in the Fire/Police complex is the original generator supplied to the building in the early 1970’s, before the communications center addition and the advent of computer systems etc.; and

WHEREAS, an engineer study recommended the replacement of the current 85 KW generator with a 200 KW generator to supply the emergency needs to the building; and

WHEREAS, the hazardous gas detectors replace current detectors provided by an earlier AFG grant in 2003, these detectors are past their service life and need to be replaced; and

WHEREAS, the detectors provided by this grant will also be interoperable with our neighboring agencies, where our current detectors are not; and

WHEREAS, this Assistance to Firefighters Grant is $118,082.00 with the City obligation of $11,808.00 plus any cost overruns on the estimates, this grant was applied for in March 2009 so some cost increases are possible, FEMA’s commitment is a maximum $106,274.00;

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

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes the acceptance of the FEMA U.S. Department of Homeland Security Assistance to Firefighters Grant (AFG) and accompanying terms and conditions awarded to the City of Englewood for the purchase and installation of an upgraded generator for the Fire/Police Complex, and the purchase of upgraded hazardous gas detectors for the Englewood fire apparatus, attached hereto as Exhibit A.

Introduced, read in full, and passed on first reading on the 7th day of February, 2011.

Published by Title as a Bill for an Ordinance in the City’s official newspaper on the 11th day of February, 2011.
Published as a Bill for an Ordinance on the City's official website beginning on the 9th day of February, 2011 for thirty (30) days.

ATTEST:

James K. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 7th day of February, 2011.

Loucrishia A. Ellis
Mr. Kraig Stovall  
Englewood Fire Department  
3615 S. 21st Street  
Englewood, Colorado 80110-3519

Re: Grant No.EMW-2009-FO-10090

Dear Mr. Stovall:

On behalf of the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS), I am pleased to inform you that your grant application submitted under the FY 2009 Assistance to Firefighters Grant has been approved. FEMA’s Grant Programs Directorate (GPD), in consultation with the U.S. Fire Administration (USFA), carries out the Federal responsibilities of administering your grant. The approved project costs total to $118,082.00. The Federal share is 90 percent or $106,274.00 of the approved amount and your share of the costs is 10 percent or $11,808.00.

As part of your award package, you will find Grant Agreement Articles. Please make sure you read and understand the Articles as they outline the terms and conditions of your grant award. Maintain a copy of these documents for your official file. **You establish acceptance of the grant and Grant Agreement Articles when you request and receive any of the Federal grant funds awarded to you.** By accepting the grant, you agree not to deviate from the approved scope of work without prior written approval from FEMA.

If your SF 1199A has been reviewed and approved, you will be able to request payments online. Remember, you should request funds when you have an immediate cash need.

If you have any questions or concerns regarding the awards process or how to request your grant funds, please call the helpdesk at 1-866-274-0960.

Sincerely,

Timothy W. Manning  
Deputy Administrator for National Preparedness and Protection
AGREEMENT ARTICLES

ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM - Operations and Safety program

GRANTEE: Englewood Fire Department

PROGRAM: Operations and Safety

AGREEMENT NUMBER: EMW-2009-FO-10090

AMENDMENT NUMBER:

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Article I - Project Description

The purpose of the Assistance to Firefighters Program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the grantee's project submitted as part of the grantee's application, and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the program's purpose and worthy of award. Therefore, the grantee shall perform the work described in the approved grant application as itemized in the request details section of the application and further described in the grant application's narrative. These sections of the application are made a part of these grant agreement articles by reference. The grantee may not change or make any material deviations from the approved scope of work outlined in the above referenced sections of the application without prior written approval from FEMA.
Article II - Grantee Concurrence

By requesting and receiving Federal grant funds provided by this grant program, the grantee accepts and agrees to abide by the terms and conditions of the grant as set forth in this document and the documents identified below. By receiving funds under this grant, grantees agree that they will use the funds provided through the Fiscal Year 2009 Assistance to Firefighters Grant Program in accordance with these Articles of Agreement and the program guidelines provided in the Fiscal Year 2009 Assistance to Firefighters Grants program guidance. All documents submitted as part of the application are made a part of this agreement by reference.

Article III - Period of Performance

The period of performance shall be from 04-JUN-10 to 03-JUN-11.

Article IV - Amount Awarded

The amount of the award is detailed on the Obligating Document for Award attached to these articles. Following are the budgeted estimates for each object classes of this grant (including Federal share plus grantee match):

- Personnel $0.00
- Fringe Benefits $0.00
- Travel $0.00
- Equipment $118,082.00
- Supplies $0.00
- Contractual $0.00
- Construction $0.00
- Other $0.00
- Indirect Charges $0.00
- Total $118,082.00

NEGOTIATION COMMENTS IF APPLICABLE (max 4000 characters)

Article V - Financial Guidelines

The grantee and any subgrantee shall comply with the most recent version of the Administrative Requirements, Cost Principles, and Audit Requirements. A non-exclusive list of regulations commonly applicable to FEMA grants are listed below:

A. Administrative Requirements

1. 44 CFR Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
2. 2 CFR Part 215, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations (OMB Circular A-110)
B. Cost Principles

1. 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87)
2. 2 CFR Part 220, Cost Principles for Educational Institutions (OMB Circular A-21)
3. 2 CFR Part 230, Cost Principles for Nonprofit Organizations (OMB Circular A-122)
4. Federal Acquisition Regulations (FAR), Part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations

C. Audit Requirements

1. OMB Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations

Article VI - Prohibition on Using Federal Funds

Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of FEMA.

Article VII - GPD Allocations

The recipient agrees that all allocations and use of funds under this grant will be in accordance with the FY 2009 Assistance to Firefighters Grant Program guidance and application kit.

Article VIII - Financial Reporting

The grantee must complete an on-line, semiannual financial status report to meet FEMA requirements. Semiannual financial reports are due within 30 days of the end of every six month period for the life of the grant. At the end of the performance period, or upon completion of the grantee's final program narrative, the grantee must complete an on-line final financial status report that is required to close out the grant. If a grantee's performance period is extended beyond the initial 12-month period, a periodic performance report is due every six month increment until closeout.

Article IX - FEMA Officials

Program Officer: Tom Harrington is the Program Officer for the Assistance to Firefighters Grant Program. The Program Officer is responsible for the technical monitoring of the stages of work and technical performance of the activities described in the approved grant application.

Grants Assistance Officer: Jane Early is the Assistance Officer for this grant program. The Assistance Officer is the Federal official responsible for negotiating, administering, and executing all grant business matters.

Grants Management Division POC: The Grants Management Specialist shall be contacted to address all financial and administrative grant business matters for this award. If you have any questions regarding your grant please call ASK-GMD at 866-927-5646 to be directed to a specialist.
<table>
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<th>3. RECIPIENT NO.</th>
<th>4. TYPE OF ACTION AWARD</th>
<th>5. CONTROL NO.</th>
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<th>8. PAYMENT OFFICE AND ADDRESS</th>
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<tr>
<td>Englewood Fire Department</td>
<td>Grant Programs Directorate</td>
<td>FEMA, Financial Services Branch</td>
</tr>
<tr>
<td>3615 S. Elati St. Englewood Colorado, 801 10-3519</td>
<td>500 C Street, S.W. Washington DC, 20528-7000</td>
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<th>11. EFFECTIVE DATE OF THIS ACTION</th>
<th>12. METHOD OF PAYMENT</th>
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<td>Kraig Stovall</td>
<td>Tom Harrington</td>
<td>04-JUN-10</td>
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<th>15. DESCRIPTION OF ACTION</th>
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<td>a. (Indicate funding data for awards or financial changes)</td>
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| 16a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) |
| Assistance to Firefighters Grant recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records. |

| 16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN |
| This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above. |

<table>
<thead>
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<th>17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)</th>
<th>DATE</th>
<th>18. FEMA SIGNATORY OFFICIAL (Name and Title)</th>
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<tr>
<td>N/A</td>
<td>N/A</td>
<td>Jane Early</td>
<td>28-MAY-10</td>
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PREVIOUS COUNCIL ACTION


RECOMMENDED ACTION

Staff recommends Council adopt a bill for an ordinance authorizing an Intergovernmental Agreement (IGA) between the City of Englewood and the Regional Transportation District (RTD) for cost sharing for operation of the “Art” shuttle for 2011.

BACKGROUND AND ANALYSIS

This IGA with RTD is for the operation of the “Art” shuttle for calendar year 2011. Under this agreement, the shuttle will continue to provide the current level of service operating every 15 minutes, Monday through Friday, 6:30 a.m. to 6:30 p.m. RTD will reimburse the City 100% of all net operating costs as set forth in Exhibit B of the IGA. Net operating expenses exclude administrative costs, marketing, and promotional materials cost. As with prior agreements, the City will also provide fuel to eliminate state and federal gasoline taxes, reducing fuel costs. The City will reimburse RTD an amount equal to the local fares that would have been collected had the shuttle operated as a fare service rather than a free service. The amount of the compensation was determined through a survey of riders conducted in October 2010. The survey results indicated the number of riders that did not have a bus pass or transfer and would be subject to the standard, reduced senior, or student fare. For calendar year 2011, the lost fare amount equals $57,456.

FINANCIAL IMPACT

RTD will reimburse the City for all contract and fuel costs less the lost fare amount. For the contract period this lost fare amount is $57,456 and is included in the approved 2011 Community Development Department budget. The contract continues the same level of service operating Monday through Friday, 6:30 a.m. to 6:30 p.m. at no cost to riders.

ATTACHMENTS

Bill for an Ordinance
BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. 7
INTRODUCED BY COUNCIL
MEMBER ____________

A BILL FOR

AN ORDINANCE AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT ENTITLED "AGREEMENT RTD & CITY OF ENGLEWOOD COST SHARING FOR THE ART" BETWEEN THE REGIONAL TRANSPORTATION DISTRICT (RTD) AND THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the Englewood City Council approved an Intergovernmental Agreement between RTD and the City of Englewood for funding of the Englewood Circulator Shuttle for 2004 – 2007 by the passage of Ordinance No. 50, Series of 2004; and

WHEREAS, the Englewood City Council approved an Intergovernmental Agreement between RTD and the City of Englewood for funding of the Englewood Circulator Shuttle for September 10, 2007 through December 31, 2007 by the passage of Ordinance No. 66, Series of 2007; and

WHEREAS, the Englewood City Council approved an Intergovernmental Agreement between RTD and the City of Englewood for funding of the Englewood Circulator Shuttle for January 1, 2008 through December 31, 2008 by the passage of Ordinance No. 10, Series of 2008; and

WHEREAS, the Englewood City Council approved an Intergovernmental Agreement between RTD and the City of Englewood for funding of the Englewood Circulator Shuttle for January 1, 2010 through December 31, 2010 by the passage of Ordinance No. 4, Series of 2010; and

WHEREAS, the City of Englewood designed the Englewood Shuttle to provide circulator shuttle service in the general area of the CityCenter Englewood, downtown Englewood and the Swedish/Craig Medical Center; and

WHEREAS, this service provides mobility and access to the commercial areas in and around the vicinity of the CityCenter Englewood light rail station, downtown Englewood and the Swedish/Craig Medical Center; and

WHEREAS, the City Council of the City of Englewood, Colorado approved application to the Denver Regional Council of Governments (DRCOG) Congestion Mitigation Air Quality Funds for operation of a Circulator Shuttle in November 2002; and

WHEREAS, the passage of this proposed Ordinance will provide the same level of service for the calendar year 2011;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:
Section 1. The City Council of the City of Englewood, Colorado hereby authorizes the IGA entitled “Agreement RTD & City of Englewood Cost Sharing For The Art” between the Regional Transportation District (RTD) and the City of Englewood, Colorado, as attached hereto as Exhibit 1.

Section 2. The Mayor and City Clerk are authorized to execute and attest said Intergovernmental Agreement for and on behalf of the City of Englewood.

Introduced, read in full, and passed on first reading on the 7th day of February, 2011.

Published by Title as a Bill for an Ordinance in the City’s official newspaper on the 11th day of February, 2011.

Published as a Bill for an Ordinance on the City’s official website beginning on the 9th day of February, 2011 for thirty (30) days.

__________________________________________
James K. Woodward, Mayor

ATTEST:

__________________________________________
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 7th day of February, 2011.

__________________________________________
Loucrishia A. Ellis
AGREEMENT
RTD & CITY OF ENGLEWOOD COST SHARING FOR THE ART

This Agreement is made this _____ day of __________, 2011, between the Regional Transportation District, a political subdivision of the state of Colorado organized pursuant to the Regional Transportation District Act, C.R.S. § 32-9-101, et seq., (hereafter “RTD”), and the City of Englewood, Colorado, a Colorado home rule city (hereafter “the City”). RTD and the City may also be referred to herein individually as a “Party” and collectively as the “Parties.”

RECITALS

1. The City has funded and operated route circulator bus service within the Englewood area (the "art") since September 2004. This service provides mobility and access from the Englewood Civic Center to Swedish Medical Center and Craig Hospital along Englewood Parkway and Old Hampden Avenue.

2. RTD also provides light rail and bus service in and around the City.

3. RTD and the City agree that these services are complementary to providing attractive and effective transit service for people working and living in the area in and around Englewood.

4. Although RTD does not provide circulator bus service in Englewood and the City does not provide such service as a private contractor for RTD, RTD wishes to financially contribute to the continued provision of circulator bus service in Englewood.

AGREEMENT

Now, therefore, in consideration of the promises and obligations set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. ART CIRCULATOR BUS SERVICE. The City shall continue to manage and operate, either directly or through its designated agent(s), the art route circulator bus service in the City. The City and/or its designated agent(s) shall be solely responsible for all art operations, management, marketing, administration, and services delivery functions, including provision of vehicles, vehicle maintenance, insurance, and accounting. As part of its operations of the art service, the City and/or its designated agent(s) shall provide fuel for the vehicle(s), the cost of which shall be reimbursed as an operating expense as provided in this Agreement. Except as specifically provided herein, RTD shall have no responsibility for the operations and management of the art. RTD shall have no responsibility for, nor authority or control with respect to, the supervision and management of any employees or contractors who work in connection with the art. Notwithstanding RTD’s right to stop funding as provided herein, RTD has no obligation, nor right pursuant to this Agreement, to otherwise continue the services provided by the City, if the City ceases to provide these services.

2. COOPERATION. The Parties agree to cooperate and share information about transit issues in Englewood, as provided in this Paragraph 2.
A. The City and RTD shall each designate a representative responsible for the implementation of this Agreement.

B. City and RTD staff will confer on marketing and service development issues and regularly exchange relevant information in order to report progress to the respective organizations.

3. ART SERVICE. The art route, service hours and frequency of service shall be as shown on Exhibit A, which is attached and hereby fully incorporated by reference. The Parties hereafter may, upon mutual agreement in writing by both Parties, modify Exhibit A as necessary to effect this Agreement. RTD reserves the right to withdraw funding, as provided in this Agreement, if the City implements any major changes to these services.

4. MARKETING AND PROMOTIONAL MATERIALS. The City and its designated agent(s) shall develop and implement art marketing and promotional materials and activities at their sole cost. RTD staff reserve the right to review and comment upon proposed marketing strategies and materials. RTD shall include current art brochures, maps and other informational and promotional materials supplied by the City or its designated agent(s) at all of its information/customer service centers. Specifications for such materials shall be approved by the RTD to ensure compatibility with RTD display capability. The RTD customer service telephone information center will provide up-to-date art service and schedule information. The City shall allow RTD to display an appropriate RTD logo (stating that the service is in partnership with the RTD) on all vehicles used to furnish the art service and financially supported in part by RTD through this Agreement. Notwithstanding the foregoing, the art shall not be designated, marketed, or promoted as an RTD-branded service.

5. TERM AND RENEWAL. The term of this Agreement shall be deemed to have begun on January 1, 2011 and shall expire on December 31, 2011. Thereafter, the Parties may, by written agreement, renew the Agreement for successive periods of one year each under the same terms and conditions, although any renewal of this Agreement will contain specific funding levels for the renewal year(s). Nothing herein obligates RTD to make funds available for the art or to renew this Agreement in any future fiscal year. Even if this Agreement is renewed in subsequent years, nothing herein shall imply funding will be renewed at the same or any level.

6. SIGNAGE. The City shall maintain all art signs and sign posts and shall be solely responsible for all signage related to the art.

7. RTD FUNDING. To support the City’s art service, RTD shall reimburse the City one hundred percent (100%) of the Net Cost of operating the art service.

A. Net Cost shall be defined as all operating costs for the art, including fuel, less Estimated Farebox Revenue, based upon the regularly scheduled service hours and cost breakdown as provided in Exhibit B, which is attached hereto and fully incorporated by reference herein. Operating costs, as referenced herein, shall not include any administrative costs for the City. The City is solely responsible for any additional operating costs relating to service hours that exceed those regularly scheduled service hours as shown in Exhibits A or B, including any special events and holidays.

B. Estimated Farebox Revenue for the 2011 year of operation shall be $57,456, as provided in Exhibit B. Since the City offers the art as a fare-free service, Estimated Farebox Revenue is based upon a survey performed in October 2010 by RTD that determined the average fare that would have been collected had the City charged RTD’s local fare for the art service.
C. Nothing in this Agreement shall prevent the City from collecting contributions or fees from other entities to help defray the unreimbursed costs of providing the art service. RTD shall not be a party to any such arrangement and shall not receive any direct allocation of or credit for such contributions or fees.

8. INVOICING AND PAYMENT.

A. The City shall submit an invoice to RTD on a monthly basis for payment of the Net Cost pursuant to paragraph 7 herein. The invoice shall include an itemized list of reimbursable operating expenses, including fuel, and shall deduct $4,788 as Estimated Farebox Revenue. In addition, the invoice shall include a summary, as agreed, of service, and any other information that RTD requests.

B. RTD shall pay all approved invoices within thirty (30) days of receipt. If RTD does not approve an invoice from the City or its designated agent(s), a written explanation of disputed items will be sent within ten (10) days of RTD’s receipt of the invoice.

9. RECORDS. The City and/or its designated agent(s) will maintain full and complete financial records for the operation of the art, including but not limited to information on the number of passenger boardings on the art, any farebox revenue collected as a result of the operation of art service, if any, and any other information that RTD requests. The City and/or its designated agent(s) shall make these records available to RTD for audit for three (3) years. National Transit Database (NTD) data shall be kept in accordance with Federal Transit Administration (“FTA”) requirements and shall be reported as part of RTD’s NTD submission.

10. ART PERFORMANCE ASSESSMENT. The art service performance will be assessed by RTD, in its sole discretion, to determine if performance expectations have been met and to determine if the funding provided by RTD is warranted. If RTD chooses not to renew this Agreement, RTD shall notify the City by April 1, 2011. If this Agreement is terminated due to lack of funding by either Party in the next year’s budget cycle it shall notify the other party on or before December 1 and service will be terminated effective January 1. Nothing herein obligates the RTD to renew or extend this Agreement at any time.

11. DRUG AND ALCOHOL TESTING PROGRAM. The City shall require the contractor providing the art service to establish and implement a drug and alcohol testing program that complies with 49 C.F.R. Part 40 and Part 655, and permit any authorized representative of the United States Department of Transportation or its operating administrations, the State Oversight Agency of Colorado, or the Regional Transportation District, to inspect the facilities and records associated with the implementation of the drug and alcohol testing program as required under 49 CFR Part 40 and 655 and review the testing process. The City agrees further to certify annually its compliance with Part 40 and 655 before December 31st of every year and to submit the Management Information System (MIS) reports no later than February 15th of every year to the Substance Abuse Testing Department, Regional Transportation District, 1600 Blake Street, Denver, CO 80202. To certify compliance, the City shall use the "Substance Abuse Certifications" in the "Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements," which is published annually in the Federal Register.
12. LIABILITY AND IMMUNITY.

A. The Parties agree that RTD shall have no liability to third parties arising out of the operations or management of the art service and the City shall have no liability to third parties arising out of the operations or management of any RTD services.

B. To the extent that there is or may in the future be insurance coverage for the operations of the art, the City and its designated agent(s) shall cause RTD and its officers and employees to be named as additional insured on all insurance policies for any operations of the art.

C. Without waiving the privileges and immunities conferred by the Colorado Governmental Immunity Act, Section 24-10-101 et seq., C.R.S., each Party shall be responsible for any claims, demands, or suits arising out of its own negligence. It is specifically understood and agreed that nothing contained in this paragraph or elsewhere in this Agreement shall be construed as an express or implied waiver by RTD of its governmental immunity including limitations of amounts or types of liability or the governmental acceptance by RTD of liabilities arising as a result of actions which lie in tort or could lie in tort in excess of the liabilities allowable under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq.

13. NO LIMITATION ON RTD RIGHTS OR AUTHORITY. Nothing in this Agreement shall be construed to limit RTD's right to establish routes or services or perform any functions authorized by C.R.S. § 32-9-101, et seq.

14. NO THIRD-PARTY BENEFICIARIES. The Parties expressly agree that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Parties, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person on such Agreements, including but not limited to subcontractors, subconsultants, and suppliers. The Parties expressly intend that any person other than the Parties who receives services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

15. FINANCIAL OBLIGATIONS SUBJECT TO APPROPRIATIONS. This Agreement does not contain any multiple-fiscal year financial obligations by either party that extend beyond its current fiscal year. The financial obligations of each Party under this Agreement shall be subject to and limited by the appropriation of sufficient funds therefore by its governing body. Funds for this agreement have been budgeted, authorized, and appropriated by the RTD Board of Directors for the 2010 fiscal year. Nothing herein obligates RTD to budget, authorize, or appropriate funds for any future fiscal year. To the extent permitted by law, all of the operating costs of the art and revenues, if applicable, of the art shall be treated by RTD as its "operating costs" and its "revenues collected" for purposes of compliance with C.R.S. § 32-9-119.7.

16. STATUS OF PARTIES.

A. The City, or its designated agent, shall be solely responsible for hiring, supervising, and discharging the employees or contractors who operate the art service. The RTD shall have no responsibility for, nor authority or control with respect to, the supervision and management of the drivers and other employees or contractors who work in connection with the service.

B. The Parties agree that the status of each Party shall be that of an independent contractor to the other, and it is not intended, nor shall it be construed, that one Party or any officer, employee, agent or contractor of such Party is an employee, officer, agent, or representative of the other Party. Nothing contained in the Agreement or documents incorporated by reference herein or otherwise creates any partnership, joint venture, or other association or relationship between RTD
and the City. Any approval, review, inspection, direction or instruction by RTD or any party on behalf of RTD shall in no way affect either Party’s independent contractor status or obligation to perform in accordance with this Agreement. Neither Party has authorization, express or implied, to bind the other to any agreements, liability, or understanding except as expressly set forth in this Agreement.

C. The City and/or its designated agent(s) shall be responsible for all federal and state taxes and contributions for Social Security, unemployment insurance, income withholding tax, and other taxes measured by wages paid to employees, as well as any subcontractor or vendor. The City acknowledges that if, its designated agent(s) and/or its or its designated agent(s) employees are not entitled to workers’ compensation benefits or unemployment insurance benefits from RTD, unless the City or a third party provides such coverage, and that RTD does not pay for or otherwise provide such coverage. The City shall be solely responsible for its own actions, its employees, and agents.

17. LEGAL AUTHORITY. The City and RTD represent or warrant to each other that they have all necessary authority to enter into this Agreement and to perform their obligations hereunder and that this Agreement does not conflict with any other agreement that each Party is subject or to which it may be bound. The person signing and executing this Agreement on behalf of either Party represents that he/she has been fully authorized to execute this Agreement and to validly and legally bind a Party to all the terms, performances, and provisions herein set forth. The Parties shall have the right, at their option, to either temporarily suspend, or permanently terminate this Agreement, if there is a dispute as to the legal authority of either the other Party or the person signing the Agreement to enter into this Agreement. Neither Party shall be obligated to perform any of the provisions of this Agreement after it has suspended or terminated this Agreement as provided in this Paragraph.

18. NO ASSIGNMENT. Except as otherwise provided in the Agreement, neither party may assign the Agreement and/or any of its rights and obligations hereunder without the written consent of the other Party.

19. CONFLICT OF INTEREST. No officer, member, or employee of either Party and no members of a governing body, and no other public official or employee of the governing body of the locality or localities included within RTD, during his or her tenure or for one year thereafter, shall have any interest, direct or indirect, in this Agreement or the proceeds thereof.

20. WRITTEN AMENDMENTS. This Agreement may be modified or amended only by a written document duly executed by both parties.

21. NOTICES. Correspondence regarding this Agreement shall be sent to:

For the City:
City of Englewood
Community Development Department
1000 Englewood Parkway
Englewood, Colorado 80110
Attn: Harold Stitt
303.762.2341

For the RTD:
Regional Transportation District
1600 Blake Street
Denver, Colorado 80202
Attn: Bruce Abel
303.299.2839

The addresses or contacts may be changed by the Parties by written notice.
22. **ENTIRE AGREEMENT.** The terms and provisions of this Agreement, including but not limited to the Recitals above and the Exhibit(s) or Attachments incorporated by reference herein, represent the entire understanding of the parties with respect to the subject matter of this Agreement, and merge, incorporate and supersede all prior communications between the City and RTD concerning that subject. No representations or warranties are made by the City or RTD except as herein set forth.

23. **WAIVER AND BREACH.** The waiver of any breach of a term hereof shall not be construed as a waiver of any other term, or the same term upon a subsequent breach.

24. **GOVERNING LAW, VENUE.** Each and every term, provision, condition, of this Agreement is subject to the provisions of Colorado law. This Agreement is subject to such modifications as may be required by changes in Colorado or federal law, or their implementing regulations. Any such required modification shall automatically be incorporated into and be part of this Agreement on the effective date of such change as if fully set forth herein. Venue for any action arising hereunder shall be in the District Courts for the State of Colorado.

25. **SEVERABILITY.** The Parties expressly agree that if any part, term, or provision of this Agreement is by the courts held to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the Parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

26. **COUNTERPARTS.** This Agreement shall be executed in two counterparts each of which when so executed and delivered shall be an original, but all of which shall together constitute one and the same instrument.

[THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK.]
WHEREFORE, the Parties have entered into this Agreement as of the date first set forth above.

REGIONAL TRANSPORTATION DISTRICT

By: ____________________________
Phillip A. Washington
General Manager
Regional Transportation District

CITY OF ENGLEWOOD

By: ____________________________
James K. Woodward
Mayor
City of Englewood

ATTEST:

______________________________
Loucrishia A. Ellis
City Clerk

Approved as to legal form:
Regional Transportation District

______________________________
Rolf G. Asphaug
Deputy General Counsel
Exhibit A

Service Description

Span of Service:

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<tr>
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</tr>
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Service Frequency:

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<tr>
<td>Sunday</td>
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<tr>
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Annual Revenue Hours:

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Exhibit B
Summary of Anticipated Operating Costs and Revenues

Expense- January 2011 – December 31, 2011

art operating hours expense- 6144 hours @ 42.49 per hour $ 261,059
art fuel expenses $ 34,000
Expense $ 295,059

Estimated Farebox Revenue- January 2011 – December 2011

Passenger fares based on October 2010 survey $ 57,456
Total Revenue $ 57,456
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Initiated By: Habitat for Humanity of Metro Denver, Inc. 3245 Eliot Street, Denver, Colorado 80211

Staff Source: Brook Beil, Planner II

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

There has been no previous Council action concerning the proposed Englewood Estates Planned Unit Development (PUD) Amendment No.1. Council approved the original Englewood Estates PUD on August 6, 2004 as Ordinance Number 47, Series of 2004.

PREVIOUS PLANNING COMMISSION ACTION

The Planning and Zoning Commission considered Englewood Estates PUD Amendment No. 1 at a Public Hearing conducted on January 5, 2011. The Commission considered testimony and voted 6 - 1 to forward the proposed Amendment No.1 to City Council with the following condition:

1. Amend the rear setback for Lot 10 and Lot 11 to 15 feet which is consistent with the rest of the project.

The attached PUD plans have been revised to include the amended setbacks.

RECOMMENDED ACTION

Staff recommends that Council approve the Englewood Estates PUD Amendment No. 1 on first reading and set February 22, 2011 as the date for a Public Hearing to consider public testimony on Amendment No. 1.

BACKGROUND

The subject property of this PUD amendment is located on the south side of West Quincy Avenue, between South Lipan Street and South Navajo Street. The property is currently a vacant parcel of approximately 1.19 acres. Adjacent properties to the north, east, and south are zoned R-1-C Single-Unit Residential District, and contain single-unit detached dwellings. Adjacent property to the west is zoned H-1 and is used as automotive sales and repair. In 2004 the subject property was rezoned by Council upon a request by Distinctive Builders, LLC from R-1-C residential zoning to Planned Unit Development (PUD). The rezoning allowed for
seven single-unit detached dwellings and a one-way private drive that would provide access to the residential lots. Since the PUD rezoning and accompanying subdivision was approved in 2004, no building permits have been applied for and no development has occurred on the property. However, in 2007 an amendment application was submitted and heard by the Planning and Zoning Commission but was later withdrawn by the applicant citing economic uncertainties.

In the fall of 2009, Habitat for Humanity of Metro Denver, Inc. discussed purchasing the property from Distinctive Builders, LLC contingent upon amending the existing PUD to permit a greater number of dwelling units on the site. On February 4, 2010 Habitat for Humanity held a neighborhood meeting on the proposed PUD amendments and subsequently submitted an Amendment application on October 21, 2010. The Planning and Zoning Commission conducted a public hearing on January 5, 2011.

AMENDMENT NO.1 OVERVIEW

The applicant is proposing the PUD District Plan and Site Plan amendments to address issues related to housing types and infrastructure costs of the original PUD design. The site is being redesigned to provide affordable housing alternatives to Habitat for Humanity homeowners while increasing the number of units and consequently mitigating costs of the private road and other improvements.

Amendment No. 1 to the Englewood Estates PUD proposes the following changes to the original PUD:

- An increase in the number of residential units from seven (7) to eleven (11) dwelling units.
- A change in the type of residential units from seven (7) one-unit detached dwellings, to three (3) one-unit detached dwellings and four (4) two-unit attached dwellings.
- A decrease in the average lot size from 5,784 square feet to 3,454 square feet.
- Minor changes to building setbacks including 0' setbacks for the attached dwelling units.
- An increase in the height from which the bulk plane begins; from a 12 foot height in the original PUD, to an 18 foot height in the proposed amendment.
- A decrease in the amount of parking from 4.5 parking spaces per unit including guest parking to 3.0 parking spaces per unit including guest parking.
- A decrease in the minimum landscaped area from 40% to 30%.
- Minor changes in the private road (Tract A) configuration to accommodate additional parking and snow storage.
- The original PUD allowed storage sheds provided they were less than 9 feet in height. Amendment No. 1 prohibits all storage sheds.

PLANNED UNIT DEVELOPMENT REVIEW

Amendments to Planned Unit Developments are reviewed under the same procedure and criteria as original PUD applications per Englewood Municipal Code (EMC) Section16-2-7.F.2.c. as follows.
1. The application is, or is not in conformance with the Comprehensive Plan and this Title; and

Englewood Estates PUD Amendment No. 1 is in conformance with the applicable requirements set forth for the general location, arrangement, extent and character of the development. The proposed amendments comply with the Comprehensive Plan goals of promoting a balanced mix of housing opportunities and improving the quality of the City’s housing stock. Additionally, the Comprehensive Plan encourages higher density development in proximity to transit routes. The proposed development is approximately one-third of a mile from the RTD Oxford Light Rail Station.

2. The application is, or is not consistent with adopted and generally accepted standards of development in the City; and

Englewood Estates PUD Amendment No. 1 remains consistent with accepted development standards established by the City of Englewood.

3. The application is, or is not substantially consistent with the goals, objectives, design guidelines, policies and any other ordinance, law or requirement of the City.

Englewood Estates PUD Amendment No. 1 is in conformance with all other ordinances, laws and requirements of the City.

Amendments to Planned Unit Developments must also meet one of the following criteria outlined in the EMC 16-2-7.H.2.

a. That the proposed development will exceed the development quality standards, levels of public amenities, or levels of design innovation otherwise applicable under this Title, and would not be possible or practicable under a standard zone district with conditional uses or with a reasonable number of Zoning Variances or Administrative Adjustments; or

b. That the property cannot be developed, or that no reasonable economic use of the property can be achieved, under the existing zoning, even through the use of conditional uses or a reasonable number of Zoning Variances or Administrative Adjustments.

The original PUD states "The development of Englewood Estates will ensure consistency with the Englewood Comprehensive Plan by creating an infill residential development on vacant land presently zoned for residential use." While Amendment No. 1 increases the number of units on the vacant property, the proposal is consistent with Comprehensive Plan goals. Given the unique configuration of the site, the infrastructure required for development, and current market conditions; the proposed amendment provides a basis for realistic development of the site that cannot be achieved under the original PUD.

Finally, Amendments to Planned Unit Developments must also meet the following criterion per EMC 16-2-7.H.3.
a. The resulting rezoned property will not have a significant negative impact on those properties surrounding the rezoned area and that the general public health, safety and welfare of the community are protected.

Amendment No. 1 proposes seven structures containing eleven units; in terms of actual structures, this is the same number of structures allowed in the original PUD. In terms of total building envelope area, Amendment No. 1 represents a 9% decrease from the original PUD for all dwelling units combined (22,528 square feet to 20,590 square feet). There is no proposed increase in building height, though the bulk plane as proposed would be raised 6 feet. The parking proposed in Amendment No. 1 is 3 parking spaces per unit including guest parking which is greater than the requirement for single unit and multi-unit dwellings in other residential zone districts.

Amendment No. 1 proposes attached dwellings between the adjacent R1C zone district and an industrial zone district. While the proposed attached dwellings represent a different building type, it is a common planning and zoning practice to employ higher density residential uses as a buffer between more intensive commercial zones and lower density residential neighborhoods.

FINANCIAL IMPACT

It is anticipated that the proposed PUD Amendment No. 1 would generate approximately $45,000 in use tax and building permit fees in its construction phase. As the property transitions from vacant to developed, additional property tax revenues would also be generated.

LIST OF ATTACHMENTS

Planning and Zoning Commission Staff Report - January 5, 2011
Planning and Zoning Commission Minutes - January 5, 2011
Planning and Zoning Commission Findings of Fact
Exhibit B: Neighborhood Meeting Summary - February 4, 2010
Exhibit C: Original PUD District Plan Development Standards
Exhibit D: Original PUD Site Plan
Bill for an Ordinance
TO: Planning and Zoning Commission
THRU: Alan White, Community Development Director
FROM: Brook Bell, Planner II
DATE: January 5, 2011

SUBJECT: Case ZON2010-003 - Public Hearing
Englewood Estates Planned Unit Development Amendment No.1

APPLICANT:
Habitat for Humanity of Metro Denver, Inc.
Andy Blackmun
3245 Eliot Street
Denver, Colorado 80211

PROPERTY OWNER:
The Estate of Patrick P. Duggan
Mike Duggan
4320 South Downing Street
Englewood, Colorado 80113

PROPERTY ADDRESS:
1210, 1230, 1250, 1255, 1270, 1275 and 1290 West Quincy Circle

REQUEST:
The applicant has submitted an application to amend the Englewood Estates Planned Unit Development (PUD) which was approved by City Council on August 6, 2004 as Ordinance Number 47, Series of 2004.

RECOMMENDATION:
The Department of Community Development recommends that the Planning and Zoning Commission approve the Englewood Estates PUD Amendment No.1 as proposed and forward a recommendation of approval to City Council.

LEGAL DESCRIPTION:
Lots 1-7 and Tract A, Englewood Estates

ZONE DISTRICT:
Englewood Estates Planned Unit Development.
PROPERTY LOCATION AND SURROUNDING LAND USE:
The subject property of this PUD amendment is located on the south side of West Quincy Avenue, between South Lipan Street and South Navajo Street. The property is currently a vacant parcel of approximately 1.19 acres. Adjacent properties to the north, east, and south are zoned R-1-C Single-Unit Residential District, and contain single-unit detached dwellings. Adjacent properties to the west are zoned I-1 and are used as automotive sales and repair.

PUD AMENDMENT PROCEDURE:
Major modifications to an existing PUD District Plan or Site Plan amendments may only be made pursuant to the same procedures as the original plans were approved. Therefore a pre-application neighborhood meeting, City review and public hearings before the Planning and Zoning Commission and City Council are required.

BACKGROUND:
A Planned Unit Development is a rezoning process that establishes specific zoning and site planning criteria to meet the needs of a specific development proposal that may not be accommodated within existing zoning development regulations. A PUD rezoning provides the opportunity for unified development control for multiple properties or multiple uses.

The existing Englewood Estates PUD is a 1.19 acre site that is vacant. The site was the subject of a PUD rezoning application by Distinctive Builders, LLC that proposed seven single-unit detached dwellings and a one-way private drive that would provide access to the residential lots. The PUD rezoning was approved by Council on August 2, 2004 as Ordinance Number 47, Series of 2004, with the following conditions:

1. Applicant shall obtain and provide documentation for the utility easement for the water line on the adjoining property along the west property line.
2. Fence along West Quincy Avenue cannot be constructed within 20 feet of the West Quincy Circle property line.
3. PUD District Plan – Development Standard A. shall apply: “The Provisions found in this Zone District shall be subject to the requirements and standards for Zone District R-1-C of the Englewood Municipal Code as amended, unless otherwise provided for in this PUD or an amendment hereto.”

Since the PUD rezoning and accompanying subdivision was approved in 2004, no building permits have been applied for and no development has occurred on the property. In the fall of 2006, WSM Properties, LLC showed interested in purchasing the property from Distinctive Builders, LLC contingent upon amending the existing PUD to permit a greater amount of dwelling units on the site. On February 13, 2007 WSM Properties, LLC held a neighborhood meeting on proposed PUD amendments and subsequently submitted an Amendment application on April 9, 2007. The appropriate City departments and divisions reviewed the amendment application and scheduled a public hearing with the Planning and Zoning Commission for August 7, 2007.
At the August 7, 2007 public hearing the Commission recommended that Council approve the PUD amendment request with the condition that the height for all units be limited to a maximum height of 28 feet. On August 17, 2007 the PUD Amendment applicant (WSM Properties, LLC) requested that the application be put on hold temporarily so some issues with the property owner could be worked out. On September 28, 2007, WSM Properties, LLC formally withdrew the application to amend the PUD, citing economic uncertainties. Since the amendment request was withdrawn, it did not move forward to Council; therefore, the original PUD remained in effect.

**RECENT ACTIVITY**
In the fall of 2009, Habitat for Humanity of Metro Denver, Inc. discussed purchasing the property from Distinctive Builders, LLC contingent upon amending the existing PUD to permit a greater amount of dwelling units on the site. On February 4, 2010 Habitat for Humanity held a neighborhood meeting on proposed PUD amendments and subsequently submitted an Amendment application on October 21, 2010. The appropriate City departments and divisions reviewed the amendment application and a public hearing was scheduled for the Planning and Zoning Commission for January 5, 2011.

**NEIGHBORHOOD MEETING SUMMARY:**
Pursuant to the required PUD amendment procedure, the applicant conducted a neighborhood meeting on Tuesday, February 4, 2010, prior to submitting the Amendment application. Notice of the pre-application meeting was mailed to owners of property within 500 feet of the site. The notification area included properties in the R-1-C and I-1 zone districts. A neighborhood meeting summary is attached to this report (See Exhibit B).

**CITY DEPARTMENT AND DIVISION REVIEW:**
The Amended PUD District Plan, Site plan, and application were submitted to the Community Development Department on October 21, 2010. The plans were reviewed by the City’s Development Review Team (DRT) and returned to the applicant on November 10, 2010 with comments from each Department. Identified issues were addressed by the applicant and the Englewood Estates PUD Amendment No.1 packet was re-submitted on November 29, 2010 to be reviewed again by City agencies. The final Englewood Estates PUD Amendment No.1 packet was submitted on December 14, 2010 for the Planning and Zoning Commission public hearing. Technical issues identified by City staff have been adequately addressed in the final submittal.

**OUTSIDE AGENCY COMMENTS:**
Not applicable.

**AMENDMENT NO.1 OVERVIEW:**
Unless modified through this Amendment No.1 application, all conditions and requirements of the original Englewood Estates PUD remain in effect.

**District Plan and Site Plan:** The applicant is proposing the PUD District Plan and Site plan amendments to address issues related to housing conditions and infrastructure costs of the original PUD design. The site is being redesigned to provide affordable housing alternatives
to Habitat for Humanity homeowners while increasing the number of units and consequently mitigating costs of the private road and other improvements.

**Permitted Uses:** Englewood Estates PUD Amendment No.1 proposes a change in the type of residential use from one-unit detached dwellings to one-unit detached dwellings and two-unit attached dwellings. In two-unit attached dwellings, homes are attached and share common party walls that are consistent with property lines between the lots. However, each home is on its own lot and has its own utilities, front and rear yard, etc.

**Residential Density:** The proposed amendments include an increase in the number of residential units from seven (7) one-unit detached dwellings, to three (3) one-unit detached dwellings and four (4) two-unit attached dwellings, for a total of eleven (11) dwelling units. This is an increase from 5.8 units per acre to 9.3 units per acre. Lot sizes vary in both the original PUD and Amendment No.1. The average lot size in the original PUD is 5,784 square feet. The average lot size proposed in Amendment No.1 is 3,454 square feet. The minimum lot size in the original PUD is 5,116 square feet. The minimum lot size proposed in Amendment No.1 is 2,557 square feet.

**Phasing:** The anticipated construction schedule for Englewood Estates PUD Amendment No.1 is beginning infrastructure in the spring of 2012, commencing homebuilding in the beginning of 2013, and completion in the fall of 2013.

**Setbacks:** A setback is the minimum distance a structure must be located from a property line. The setbacks proposed in the original PUD and Amendment No.1 are as follows:

<table>
<thead>
<tr>
<th>Original PUD</th>
<th>Amendment No.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front: 10’ except garage door face must be 24’ minimum from the edge of the private street or Tract A.</td>
<td>Front: 10’ except garage door face must be 22’ minimum from the edge of the private street or Tract A.</td>
</tr>
<tr>
<td>Side: 5’-15’</td>
<td>Side: 4’ to 15’, except in interior lots where dwelling units are attached the setback is 0’.</td>
</tr>
<tr>
<td>Rear: 15’</td>
<td>Rear: 10’-15’</td>
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**Building Envelope and Lot Coverage:** A building envelope establishes the limits to the area in which structural development may occur. The building envelope is regulated by the front, side, and rear setbacks. Establishment of the envelope does not mean that all buildings will fill the envelope, only that any structure must be contained within the envelope area.

Amendment No.1 redesigns the District and Site plan to permit seven (7) structures containing a total of eleven (11) dwelling units. The total building envelope area for all dwelling units combined in the original PUD is approximately 22,528 square feet. The total building envelope area for all dwelling units combined in the Amendment No.1 is approximately 20,590 square feet.

Amendment No.1 as proposed specifies a 75% maximum lot coverage including covered patio areas, portions of driveways over 12 feet in width, and walks wider than 5 feet.
Building Height: Amendment No.1 does not propose any changes to the original PUD maximum building height of 32 feet. Note that the 28 feet maximum height condition approved by the Commission in 2007 is no longer in effect as that PUD amendment request was withdrawn.

Bulk Plane: Amendment No.1 proposes an increase in the height from which the bulk plane begins; from a 12 foot height in the original PUD, to an 18 foot height in the proposed amendment. This is due partially to the proposed grade elevations at the midpoint of the side lot lines, and the relatively narrow lots width for the two-unit dwellings.

Landscaping: Amendment No.1 proposes a decrease in the minimum landscaped area from 40% in the original PUD, to 30% in the proposed amendment.

Fencing: Amendment No.1 does not propose any changes to fence materials, heights, or general locations.

Parking: The original PUD required four off-street parking spaces per unit including two in the garage and two in the driveway. The original PUD also provided four additional off-street guest parking/snow storage spaces. Amendment No.1 proposes two off-street parking spaces including one in the garage and one in the driveway. Amendment No.1 also provides eleven (11) additional guest parking/snow storage spaces.

Traffic: As part of the Amendment No.1 Site Plan, the private, one-way road has been reconfigured slightly to accommodate the guest parking/snow storage spaces.

Accessory Structures: The original PUD prohibited detached garages. The original PUD allowed storage sheds provided they were less than 9 feet in height. Amendment No.1 prohibits all detached garages and storage sheds.

Drainage: A preliminary drainage report prepared by Carroll & Lange, Inc. was submitted and reviewed by the Public Works Department. A final drainage plan and report will be required by the Public Works Department when the property is re-platted.

Subdivision Plat: If the PUD amendment is approved, the property will have to be re-platted to accommodate the site plan modifications.

SUMMARY: Amendment No.1 to the Englewood Estates PUD proposes the following key changes to the original PUD:

- An increase in the number of residential units from seven (7) to eleven (11) dwelling units.
- A change in the type of residential units from seven (7) one-unit detached dwellings, to three (3) one-unit detached dwellings and four (4) two-unit attached dwellings.
- A decrease in the minimum lot size from 5,116 square feet to 2,557 square feet.
• Minor changes in the private road (Tract A) configuration to accommodate additional parking and snow storage.

Community Development believes that the proposed increase in residential units from seven detached to eleven attached is significant in terms of density. However, the four additional units are to be spread among four separate structures on the site. Amendment No.1 proposes seven structures containing eleven units; in terms of actual structures, this is the same number of structures allowed in the original PUD. In terms of total building envelope area, Amendment No.1 represents a 9% decrease from the original PUD for all dwelling units combined (22,528 square feet to 20,590 square feet). There is no proposed increase in building height, though the bulk plane as proposed would be raised 6 feet. The parking proposed in Amendment No.1 is 3 parking spaces per unit including guest parking; whereas the original PUD provided 4.5 parking spaces per unit including guest parking.

Amendment No.1 proposes attached dwellings between a zone district with detached dwellings and an industrial zone district. While the proposed attached dwellings represent a different building type, it is a common planning and zoning practice to employ higher density residential uses as a buffer between more intensive commercial zones and lower density residential neighborhoods.

The original PUD states “The development of Englewood Estates will ensure consistency with the Englewood Comprehensive Plan by creating an infill residential development on vacant land presently zoned for residential use.” While Amendment No.1 increases the number of units on the vacant property, the proposal is consistent with Comprehensive Plan goals. Given the unique configuration of the site, the infrastructure required for development, and current market conditions; the proposed amendment provides a basis for realistic development of the site.

PLANNED UNIT DEVELOPMENT CONSIDERATIONS:
Amendments to the Englewood Estates Planned Unit Development are addressed under the same procedure as the original PUD application. Therefore the Commission must determine if the modifications proposed in Amendment No.1 meet District Plan and Site Plan criteria as established in the PUD Ordinance. Consideration at this time is made only to the modifications addressed in Amendment No.1.

PUD District Plan
The District Plan sets forth the zoning regulations under which the proposed amendments will occur.

1. The PUD District Plan is, or is not, in conformance with the District Plan requirements and the Comprehensive Plan.

Englewood Estates PUD Amendment No.1 District Plan is in conformance with the applicable requirements set forth for the general location, arrangement, extent and character of the development. The proposed amendments comply with the Comprehensive Plan goals of promoting a balanced mix of housing opportunities
and improving the quality of the City’s housing stock. Additionally, the Comprehensive Plan encourages higher density development in proximity to transit routes. The proposed development is approximately one-third of a mile from the RTD Oxford Light Rail Station.

2. All required documents, drawings, referrals, recommendations, and approvals have been received.

   All appropriate documents concerning Englewood Estates PUD Amendment No.1 District Plan have been received and approved.

3. The PUD District Plan is consistent with adopted and generally accepted standards of development in the City of Englewood.

   The Englewood Estates PUD Amendment No.1 District Plan remains consistent with accepted development standards established by the City of Englewood.

4. The PUD District Plan is substantially consistent with the goals, objectives, design guidelines, policies and any other ordinance, law or requirement of the City.

   Englewood Estates PUD Amendment No.1 District Plan is in conformance with all other ordinances, laws and requirements of the City.

5. When the PUD District Plan is within the Englewood Downtown Development Authority (EDDA) area, the Plan is consistent with the EDDA approved designs, policies and plans.

   Not applicable.

PUD Site Plan
The Site Plan sets forth the site planning and design parameters under which the proposed amendments will occur.

1. The PUD Site Plan is, or is not, in conformance with the District Plan requirements.

   The Englewood Estates PUD Amendment No.1 Site Plan is in conformance with the District Plan which establishes the arrangement, orientation, location, and the building envelopes on the site.

2. All required documents, drawings, referrals, recommendations, and approvals have been received.

   The utility easement for the water line on the adjoining property at 1294 West Quincy Avenue has been executed by both property owners, reviewed by the City of Englewood Water and Sewer Board and is scheduled for review by City Council in January of 2011. All other required Englewood Estates PUD Amendment No.1 Site Plan materials have been received and approved.
3. The PUD Site Plan is consistent with adopted and generally accepted standards of
development of the City of Englewood.

   The Englewood Estates PUD Amendment No.1 Site Plan is consistent with
development standards set forth in the District Plan. The Development Review
Team reviewed the site plan and determined that the proposal meets established
City development standards.

4. The PUD Site Plan is substantially consistent with the goals, objectives and policies and/or
any other ordinance, law or requirement of the City.

   The proposed Englewood Estates PUD Site Plan presented in Amendment No.1 is in
conformance with all other ordinances, laws and requirements of the City.

ATTACHMENTS:
Exhibit A: Englewood Estates PUD Amendment No.1
Exhibit B: Neighborhood Meeting Summary – February 4, 2010
Exhibit C: Original PUD District Plan Development Standards
Exhibit D: Original PUD Site Plan
CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION
REGULAR MEETING
January 5, 2011

I. **CALL TO ORDER**

The regular meeting of the City Planning and Zoning Commission was called to order at 7:03 p.m. in the Council Chambers of the Englewood Civic Center, Chair Knoth presiding.

Present: Bleile, Roth, King, Knoth, Fish, Brick, Calonder
        Kinton (alternate)

Absent: Welker, Krieger

Staff: Brook Bell, Planner II
       Tricia Langon, Senior Planner
       Dan Brozman, City Attorney

Applicant: Andy Blackmun, Habitat for Humanity Land Development Manager
           Jennifer Schaefer, Habitat for Humanity Architectural Designer

II. **APPROVAL OF MINUTES**
    December 7, 2010

Mr. Fish moved:
Mr. Calonder seconded: TO APPROVE THE DECEMBER 7, 2010 MINUTES

Chair Knoth asked if there were any modifications or corrections.

There were none.

AYES: Bleile, Roth, Knoth, Fish, Brick, Calonder
NAYS: None
ABSTAIN: King
ABSENT: Welker, Krieger

Motion carried.

III. **PUBLIC HEARING**

Case #ZON2010-003 Englewood Estates PUD Amendment No. 1

Mr. Roth moved:
Mr. Bleile seconded: TO OPEN THE PUBLIC HEARING FOR CASE #ZON2010-003
AYES:       Bleile, Roth, Knoth, Fish, Brick, Calonder, King
NAYS:       None
ABSTAIN:    None
ABSENT:     Welker, Krieger

Motion carried.

Mr. Bell was sworn in. He stated the case before the Commission is CASE #ZON2010-003, which is a request for Amendment No. 1 to the Englewood Estates Planned Unit Development that was originally approved as Ordinance No. 47 in 2004. The applicant is Habitat for Humanity of Metro Denver, Inc. The property owner is the Estate of Patrick Duggan with Mike Duggan as its representative. The property address is 1210, 1230, 1250, 1255, 1270, 1275 and 1290 W. Quincy Circle. Included for the public record is the Staff Report and associated exhibits, proof of publication, and proof of posting. He stated the Department of Community Development recommends that the Planning and Zoning Commission approve the Englewood Estates PUD Amendment No. 1 as proposed and forward a recommendation of approval to City Council.

Mr. Bell stated the purpose of the public hearing is to:

1. Consider the Planned Unit Development modifications proposed in Amendment No. 1;
2. Take public testimony;
3. Make Findings of Fact based on established criteria; and
4. Make a recommendation to City Council.

He provided background information on the property and an overview of what Amendment No. 1 proposes.

The Commission had questions regarding drainage, areas of concern on survey sheet, parking, landscaping, bulk plane, height limit and adjoining properties.

Mr. Bell introduced Mr. Andy Blackmun.

Mr. Andy Blackmun, Land Development Manager for Habitat for Humanity of Metro Denver, was sworn in. Mr. Blackmun provided an overview of Habitat’s mission, presented a PowerPoint slide show of the project and answered questions from the Commission. He thanked the Commission for their time.

Chair Knoth thanked Mr. Blackmun for his presentation.
PUBLIC TESTIMONY

Mr. David Miller was sworn in. He stated he feels the project has too many units and is not in character with the single family neighborhood. He also voiced concerns regarding traffic.

Mr. Brick moved:
Mr. Fish seconded: TO CLOSE THE PUBLIC HEARING FOR CASE #ZON2010-003

AYES: Bleile, Roth, Knoth, Fish, Brick, Calonder, King
NAYS: None
ABSTAIN: None
ABSENT: Welker, Krieger

Motion carried.

Mr. Fish moved:
Mr. Calonder seconded: CASE #ZON2010-003, ENGLEWOOD ESTATES PLANNED UNIT DEVELOPMENT AMENDMENT NO. 1 BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION.

Mr. Bleile voiced concerns regarding density and front facing garages. He said he felt Habitat for Humanity put forth a good solution for the limited amount of property space available.

Mr. King said the property is a transitional site between industrial and residential which tends to typically have more density. He said he feels the site is not suited for a single-family home; the economics would not work. It's a tough site to develop.

Mr. Calonder said he believes, when you consider the alternative, the highest and best use may very well be what Habitat is proposing, otherwise the City is left with a vacant lot. In the future there could be similar projects in the area in close proximity to the light rail. He said he felt it is a great idea.

Mr. Fish said he did not believe traffic was an issue connected to the development.

Mr. Roth said he too had issues with the front loading garages. The only mitigating factor is that they are facing into the project and most of the bulk plain issues are internal. The setbacks for lots 10 and 11 may need to be looked at.
Chair Knoth stated he likes the project. Density is always a concern, but a single-family home against an industrial property is a tough sell. He said he likes the change in density as you go down from industrial to single-family and likes the idea of having different density projects in Englewood.

Mr. Bleile asked Mr. Bell if the 2004 PUD included the single-family residence at 1294 W Quincy Avenue. Mr. Bell said the 2004 PUD has the exact same boundaries as the proposed amendment. 1294 W Quincy Avenue was never a part of the PUD in 2004 or a part of this PUD. The property is currently made up of 7 properties and Tract A. The PUD Amendment would amend the requirements for all 7 of the properties. The properties will have to be replatted into 11 properties so the internal property lines will shift around; the external property lines will not change at all.

Mr. Fish said this project could end up being very beneficial to the City. It could potentially form a seed that might actually spread higher density housing into the Industrial Zone.

Mr. King offered a friendly amendment to the motion amending the rear setback on lots 10 and 11 to the original and consistent rear setback with the rest of the project of 15 feet.

Mr. Fish and Mr. Calonder accepted Mr. King’s friendly amendment.

AYES: Bleile, Roth, Knoth, Fish, Calonder, King
NAYS: Brick
ABSTAIN: None
ABSENT: Welker, Krieger

Mr. Fish votes yes because the development is probably the best we can do considering the constraints of the property and it conforms with Roadmap Englewood: 2003 Englewood Comprehensive Plan. It fits with what Englewood wants to do in trying to develop properties in this area that are difficult to develop and offers a potential seed for similar development in the area that will take advantage of the light rail. Those issues overcome the negativity of higher density.

Mr. Brick said the project is consistent with Roadmap Englewood: 2003 Englewood Comprehensive Plan in terms of density; however, this specific project is not in the best interest of the health and welfare of the people who are going to be living there and it is out of character for the neighborhood. He voted no.

Mr. Roth stated he too had many of those concerns, but does think ultimately if the area gets developed this project will serve as a buffer. Development along Windermere will probably be more than two stories. It meets Roadmap Englewood: 2003 Englewood Comprehensive Plan provisions.
Mr. Calonder voted yes because he believes it is the highest and best use for that area and the alternative options are worse.

Mr. Bleile said he firmly believes that the Habitat for Humanity mission is outstanding. It is a wonderful organization that rewards people after putting in a lot of hard effort. He believes there needs to be some type of buffer between future high density potential in the area and even the current industrial area. An empty lot does not benefit Englewood. He voted yes.

Mr. King said he voted yes because the amendment is not changing much from the original PUD. From West Quincy Avenue you don’t even see the site. He said he hopes that if the neighborhood is not happy with the decision of the Planning and Zoning Commission they will organize and voice their concerns at the City Council Public Hearing. Without their input here it can only be assumed that the majority of the neighborhood is not opposed to the development.

Motion carried.

IV. PUBLIC FORUM

There was no public in attendance.

V. DIRECTOR’S CHOICE

Director White was not present.

VI. STAFF’S CHOICE

Ms. Langon reviewed topics for upcoming meetings:

- January 19: Medical Marijuana Amendments, Study Session
- February 8: Medical District Small Area Plan, Study Session
- February 23: Election of Officers, Study Session

VII. ATTORNEY’S CHOICE

City Attorney Brotzman had nothing further to report.

VIII. COMMISSIONER’S CHOICE

Mr. Bleile wished Habitat for Humanity good luck on their project. He said it was a good discussion tonight and was proud to participate in it.

Mr. Brick echoed Mr. Bleile’s comments.
The meeting adjourned at 8:40 p.m.

Barbara Krecklow, Recording Secretary
CITY OF ENGLEWOOD PLANNING AND ZONING COMMISSION

IN THE MATTER OF CASE #ZON2010-003  
FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATIONS FOR AN AMENDMENT TO THE ENGLEWOOD ESTATES PLANNED UNIT DEVELOPMENT

INITIATED BY:  
Habitat for Humanity of Metro Denver, Inc.  
Andy Blackmun  
3245 Eliot Street  
Denver, Colorado 80211

Commission Members Present: Brick, Fish, Knoth, Roth, Calonder, King, Bleile
Commission Members Absent: Welker, Krieger

This matter was heard before the City Planning and Zoning Commission on January 5, 2011, in the City Council Chambers of the Englewood Civic Center.

Testimony was received from Staff, the applicant and the public. The Commission received notice of Public Hearing, Certification of Posting, Staff Report and supplemental information from Staff, which were incorporated into and made a part of the record of the Public Hearing.

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

FINDINGS OF FACT

1. THAT the Englewood Estates Planned Unit Development was approved as Ordinance No. 47 in 2004.

2. THAT the request for Amendment No. 1 to the Englewood Estates Planned Unit Development was filed by Habitat for Humanity of Metro Denver, Inc. on October 21, 2010.
3. **THAT** Public Notice of the Public Hearing was given by publication in the *Englewood Herald* on December 17, 2010 and was on the City’s website from December 9, 2010 through January 5, 2011.

4. **THAT** the property was posted as required, said posting setting forth the date, time, and place of the Public Hearing.

5. **THAT** Planner Bell testified the request is for Amendment No. 1 to the Englewood Estates Planned Unit Development. Mr. Bell testified to the criteria the Commission must consider when reviewing an amendment to a PUD application. Mr. Bell further testified that Staff recommends approval of the amendment.

6. **THAT** the PUD District Plan is consistent with adopted and generally accepted standards of development in the City of Englewood.

**CONCLUSIONS**

1. **THAT** the application was filed by Habitat for Humanity of Metro Denver, Inc. seeking approval for Englewood Estates Planned Unit Development Amendment No. 1.

2. **THAT** proper notification of the date, time, and place of the Public Hearing was given by publication in the official City newspaper, posting on the City’s website and by posting of the property for the required length of time.

3. **THAT** all testimony received from staff members, the applicant and the public has been made part of the record of the Public Hearing.

4. **THAT** the request meets the criteria for an amendment.

5. **THAT** the Englewood Estates Planned Unit Development Amendment No. 1 is in conformance with Roadmap Englewood: 2003 Englewood Comprehensive Plan.

**DECISION**

**THEREFORE,** it is the decision of the City Planning and Zoning Commission that the application filed by Habitat for Humanity of Metro Denver, Inc. for Englewood Estates Planned Unit Development Amendment No. 1 be recommended to City Council for approval.

The decision was reached upon a vote on a motion made at the meeting of the City Planning and Zoning Commission on January 5, 2011, by Mr. Fish, seconded by Mr. Calonder, which motion states:
Mr. Fish moved:
Mr. Calonder seconded: CASE #ZON2010-003, ENGLEWOOD ESTATES PLANNED UNIT DEVELOPMENT AMENDMENT NO. 1 BE RECOMMENDED FOR APPROVAL TO CITY COUNCIL WITH A FAVORABLE RECOMMENDATION FOR ADOPTION WITH THE FOLLOWING AMENDMENT:

➤ AMEND THE REAR SETBACK FOR LOTS 10 AND 11 TO THE ORIGINAL AND CONSISTENT REAR SETBACK WITH THE REST OF THE PROJECT OF 15 FEET.

AYES: Calonder, King, Knoth, Roth, Bleile, Fish
NAYS: Brick
ABSTAIN: None
ABSENT: Welker, Krieger

The motion carried.

These Findings and Conclusions are effective as of the meeting on January 5, 2011.

BY ORDER OF THE CITY PLANNING & ZONING COMMISSION

__________________________
Chad Knoth, Chair
Neighborhood Meeting
Proposed Planned Unit Development Amendment
Englewood Estates Planned Unit Development

Subject Site:
1210 West Quincy Circle

Applicant:
Habitat for Humanity of Metro Denver

Neighborhood Meeting:
A pre-application meeting was held on February 4, 2010 at 7:00 pm at the Englewood Middle School Auditorium on 300 West Chenango Avenue, Englewood, Colorado 80110. As required by Planned Unit Development (PUD) regulations, property owners within a 500 feet radius of the site of the proposed PUD amendment were notified by mail (See attached letter dated January 21, 2010).

Attendees:
Public: (See attached sign-in sheet)

Habitat for Humanity
Andy Blackmun, Land Development Manager
Jennifer Schaefer, Architectural Designer

Carroll & Lange-Manhard
Brian Hart, Project Manager/Engineer

City of Englewood:
Brook Bell, Planner II

Introduction/Welcome
Brook Bell with the City of Englewood, introduced Habitat for Humanity and Carroll & Lange-Manhard representatives, and welcomed all those in attendance. All meeting attendees were asked to sign in. Mr. Bell described the history of the project and agenda for the meeting. He stated that the applicant was required to conduct a neighborhood meeting and City staff takes a non-partisan position being neither a proponent nor opponent of the project.

PUD Process Overview
Mr. Bell, a Planner with Community Development Department indicated that a document outlining the PUD process and frequently asked questions about PUDs had been included in all the mailed meeting notices. He highlighted the next steps in the process and additional opportunities for input that will include:
1. Planning and Zoning Commission Public Hearing where the public is welcome to speak.
2. City Council Public Hearing where public testimony is again welcome.
3. Any public input directed to staff is incorporated into reports prepared for the public hearings.
Mr. Bell noted that the City must publish a notice and the applicant must post the property prior to Public Hearings; however, individual mailings to property owners (similar to the neighborhood meeting) are not required. The proposed PUD amendment being presented tonight is not a "done deal". Ultimately, City Council votes to approve, deny, or conditionally approve PUD amendments. He then provided his contact information and stated that any questions pertaining to the City's PUD process would be handled by City staff.

Presentation
Mr. Blackmun of Habitat for Humanity indicated he would make a brief presentation and then open the discussion to questions and comments from the group. Mr. Blackmun provided an overview of Habitat's mission, program, and process. He indicated that there are restrictions prohibiting any rentals placed on the deed of each home. The buyers obtain a zero interest loan from Habitat and must provide 250 hours of sweat equity to the organization.

The units would be under fee simple ownership, and there would party wall agreements between units. A homeowners association would have to be formed to maintain some of the common elements such as the road and walks. The homes would have an energy star rating to keep long term costs down. The exterior would be finished with fiber cement board siding and the roofs would be asphalt shingle. Exterior colors would be chosen to match the neighborhood.

Public Questions and General Discussion Items:
The following paraphrased questions and comments where offered. Answers to questions are in italics.

1. How do the proposed building setbacks compare with those in the existing PUD? The proposed setbacks in the PUD amendment are almost identical to the existing PUD. The setbacks adjacent to the angled parking area were decreased to 6 feet to accommodate the guest parking.

2. There is a concern that the two-story units that back up to the existing residences will be able to peer down into the existing residential backyards and windows. Habitat will look into the proposed window configurations in those areas to see if that can be minimized.

3. Will this project help or hurt property values? It depends on what the market value of the homes ends up being.

4. What happens if the property owner turns around and sells the property to a less qualified buyer? Habitat maintains a first right of refusal on each property and can re-acquire the property if they feel it is necessary. Additionally, if the property owner sells it within the first 5 years, they cannot keep any of the equity that may have built up.

5. How many foreclosures have there been in Habitat homes? Fewer than 10 foreclosures in approximately 400 homes.

6. Some of the properties in the area have very low water pressure, how will the proposed project affect that? There should not be a problem, but Habitat's engineers will look further into this issue.
7. What is the selection process for Habitat homeowners? First, Habitat verifies the applicants' legal residency status and income. An interview in the applicants' home is conducted, and a short list of applicants is generated. The applicants are required to attend a workshop on home maintenance and household budgeting. In all, it is about a one and half year process to become a Habitat homeowner.

8. What is the percentage of habitat projects that don't go forward due to neighborhood opposition? Only one of Habitat's projects has not gone forward, and that was because of traffic issues.

9. Will the power lines be undergrounded? Most likely.

10. Who owns the property now? Distinctive Builders owned the property at the time of the original PUD and continues to own the property. Habitat is under contract to purchase the property if the proposed PUD Amendment is approved.

11. Will crime rise with putting that many people in a smaller space? There has not been any evidence of increased crime in other Habitat projects.

12. How wide is the street? The street is 20 feet wide where it meets Quincy. It is a one-way street, with no parallel parking allowed.

13. Will there be enough parking? As proposed, there are two off-street parking spaces per unit and 10 guest parking spaces off of West Quincy Circle for a total of 32 parking spaces. We anticipate some people using the light rail nearby instead of a car.

14. Would you improve the lighting on Navajo to the light rail station on Windermere. You would need to speak with the City's Public Works Department for that type of request.

Meeting Adjourned
Mr. Blackmun asked if there were any more questions or comments. Interested attendees were invited to view the presentation boards created by Habitat. Following a few one on one discussions, the meeting was adjourned.

Attachments:
Sign-In Sheets (1)

Submitted by:
Brook Bell, Planner II
City of Englewood
Community Development Department
Please Sign In

Planned Unit Development Amendment
Neighborhood Meeting
February 4, 2010

City Planner: Brook Bell
Applicant: Habitat for Humanity of Metro Denver
Site: 1210 West Quincy Circle, Englewood Estate PUD

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<th>Name</th>
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<tr>
<td>Nancy &amp; Tim Baker</td>
<td>1294 W. Quincy Ave</td>
<td>Englewood</td>
<td>80110</td>
</tr>
<tr>
<td>David Miller</td>
<td>4245 S. Lipan St</td>
<td>Englewood</td>
<td>80110</td>
</tr>
<tr>
<td>Jerald Hughes</td>
<td>4240 S Lipan St</td>
<td>Englewood</td>
<td>80110</td>
</tr>
<tr>
<td>Andy Blackmun (HFH)</td>
<td>3245 Eliot</td>
<td>Denver</td>
<td>80211</td>
</tr>
<tr>
<td>Hubert &amp; Louise Oakley</td>
<td>1210 W. Radcliff Av</td>
<td>Englewood</td>
<td>80110</td>
</tr>
<tr>
<td>Jim &amp; Cheryl Swiger</td>
<td>1211 W. Quincy</td>
<td></td>
<td>80110</td>
</tr>
<tr>
<td>Dean Emery</td>
<td>1180 W. Radcliffe Av</td>
<td>Englewood</td>
<td>80110</td>
</tr>
<tr>
<td>Sara Linstead</td>
<td>1221 W. Radcliffe Av</td>
<td></td>
<td>80110</td>
</tr>
<tr>
<td>Rachael Shields</td>
<td>4298 S. Lipan St</td>
<td></td>
<td>80110</td>
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Karen Rodriguez
Mailing: 4320 S. Kalama, Englewood
Highlands Ranch CO 80120
PUD DISTRICT PLAN - DEVELOPMENT STANDARDS:

A. PUD DISTRICT PLAN - DEVELOPMENT STANDARDS A STATE: "GENERAL REGULATIONS: THE PROVISIONS FOUND IN THIS ZONE DISTRICT SHALL BE SUBJECT TO THE REQUIREMENTS AND STANDARDS FOR ZONE DISTRICT R-1-C OF THE CITY OF ENGLEWOOD MUNICIPAL CODE AS AMENDED, UNLESS OTHERWISE PROVIDED FOR IN THIS PUD OR AN AMENDMENT HERETO."

B. PERMITTED PRINCIPAL USE: SINGLE-FAMILY RESIDENCES

C. MINIMUM LOT AREA FOR PERMITTED PRINCIPAL USE: 5,116 SQUARE-FEET

D. MINIMUM TOTAL FLOOR AREA: 1,600 SQUARE-FEET (INCLUDING GARAGE)

E. MINIMUM LOT FRONTAGE: NOT APPLICABLE TO THIS DISTRICT

F. MAXIMUM BUILDING HEIGHT:
   1. PRINCIPAL USE BUILDINGS AND GARAGES: 32 FEET
   2. SEE SECTION I. BELOW FOR ADDITIONAL REQUIREMENTS

G. BUILDING SETBACKS SHALL ADHERE TO THE DEVELOPMENT ENVELOPES AS SHOWN ON THIS PLAN, EXCEPT THAT THE FACE OF A GARAGE DOOR MUST BE SETBACK A MINIMUM 24 FEET FROM THE EDGE OF "TRACT A" OF PRIVATE STREET.

H. MINIMUM OFF-STREET PARKING:
   1. PRINCIPAL USE: 4 SPACES MINIMUM (2 MINIMUM WITHIN GARAGE AND 2 IN DRIVEWAY)
   2. OFF STREET PARKING: 4 OFF STREET PARKING SPACES SHALL BE PROVIDED AS SHOWN. THIS PARKING MAY BE UTILIZED AS SNOW STORAGE AREA.

I. ACCESSORY BUILDINGS AND PERMITTED ACCESSORY USES SHALL BE LOCATED ENTIRELY WITHIN THE DESIGNATED "BUILDING ENVELOPE" AS SHOWN ON THE PLAN.
   1. ATTACHED GARAGE: MINIMUM OF A 2-CAR GARAGE SHALL BE PROVIDED FOR EACH PRINCIPAL USE AS FOLLOWS:
      A) MAXIMUM TOTAL FLOOR AREA: 1,000 SQUARE-FEET
      B) MAXIMUM HEIGHT: 32 FEET
      C) GARAGE MAY NOT BE CONVERTED TO ANOTHER USE.
      D) DETACHED GARAGES SHALL NOT BE ALLOWED.
   2. STORAGE SHEDS SHALL BE LOCATED BEHIND THE SIDE YARD FENCE SUCH THAT THE FENCE OBSTRUCTS THE VIEW OF THE LOWER 6 FEET OF THE STORAGE SHED FROM WEST QUINCY CIRCLE. THE MAXIMUM HEIGHT SHALL BE 9 FEET.
   3. HOME OCCUPATION: HOME OFFICES SHALL BE ALLOWED AND SHALL CONFORM TO THE FOLLOWING REQUIREMENTS:
      A) HOME OFFICES SHALL BE FOR THE USE OF THE OCCUPANTS OF THE RESIDENCE ONLY AND SHALL BE OPERATED ENTIRELY WITHIN THAT PRINCIPAL USE.
      B) THERE SHALL BE NO ON-SITE SALES.
      C) THERE SHALL BE NO ON-SITE STORAGE FOR ANY OFF-SITE SALES, OR INSTALLATIONS.
      D) NO ASSISTANT SHALL BE EMPLOYED.
      E) THERE SHALL BE NO SEPARATE OUTDOOR ENTRANCE.
      F) THE OFFICE OCCUPATION, INCLUDING STORAGE OF MATERIALS, EQUIPMENT, AND SUPPLIES SHALL NOT UTILIZE MORE THAN 400 SQUARE-FEET OF THE PRINCIPAL USE.
      G) THE HOURS AND MANNER OF USE SHALL NOT INTERFERE WITH THE PEACE, QUIET AND DIGNITY OF ADJOINING PROPERTIES.

J. LANDSCAPE:
   1. SINGLE FAMILY DWELLINGS: LOTS 1 THRU 7
      A) 100% OF THE AREA BETWEEN ANY PRINCIPAL BUILDING AND THE PRIVATE DRIVE, NOT INCLUDING DRIVEWAYS AND WALKS, SHALL BE LANDSCAPED.
      B) NO LESS THAN 40% OF THE LOT AREA SHALL BE LANDSCAPED.
      C) THE USE OF NON-LIVING MATERIAL SHALL NOT EXCEED 35% OF THE REQUIRED LANDSCAPED AREA.
      D) AT LEAST ONE TREE AND FIVE SHRUBS SHALL BE PROVIDED PER 750 SQUARE- FEET OF REQUIRED LANDSCAPED AREA.
      E) SPRINKLER SYSTEMS WILL BE INSTALLED BY THE HOME BUILDER TO PROVIDE IRRIGATION TO THE FRONT YARD OF EACH LOT AT A MINIMUM

K. FENCES:
   1. A 6-FOOT TALL WOOD PERIMETER FENCE WILL BE ERECTED ALONG THE EAST, WEST, NORTH, AND SOUTH PROPERTY BOUNDARIES, AND ALONG THE NORTHERLY BOUNDARY OF LOTS 6 AND 7, AS INDICATED ON THE PLAN. THIS FENCE WILL BE INSTALLED BY THE DEVELOPER PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY.
   2. 6-FOOT TALL SIDEYARD FENCE MAY BE ERECTED BY EACH RESIDENCE WITH THE FOLLOWING CONDITION:
      A) NO FENCES SHALL BE CONSTRUCTED IN FRONT OF THE MAIN ENTRANCE SIDE OF THE PRINCIPAL STRUCTURE. FENCE SHALL BE NO CLOSER THAN 6 FEET TO THE BACK OF CURB ON WEST QUINCY CIRCLE. FENCES MAY BE CONSTRUCTED TO A MAXIMUM HEIGHT OF 6 FEET. CHAIN LINK IS PROHIBITED. FENCE ALONG WEST QUINCY AVENUE CANNOT BE CONSTRUCTED WITHIN 20 FEET OF THE WEST QUINCY CIRCLE PROPERTY LINE.

L. SIGNAGE: ALL SIGNAGE SHALL CONFORM TO THE ENGLEWOOD MUNICIPAL CODE.

M. OTHER PROVISIONS AND REQUIREMENTS:
   1. NO STRUCTURE OR VEHICLE ON THE SAME LOT WITH THE DWELLING SHALL BE USED FOR RESIDENTIAL PURPOSES.
   2. THERE SHALL BE NO PARKING IN TRACT A EXCEPT AS SHOWN HEREON.
BY AUTHORITY

ORDINANCE NO. ______ SERIES OF 2011
COUNCIL BILL NO. 8
INTRODUCED BY COUNCIL MEMBER ____________

A BILL FOR

AN ORDINANCE AUTHORIZING THE ENGLEWOOD ESTATES PLANNED UNIT
DEVELOPMENT (PUD) AMENDMENT NO. 1, LOCATED AT 1210, 1230, 1250, 1255, 1270,
1275 AND 1290 WEST QUINCY CIRCLE IN THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, Distinctive Builders, L.L.C., owner of the property at 1296 West Quincy Avenue,
Englewood, Colorado, submitted an application to rezone the property from R-1-C Single-Family
Residence District to PUD and to subdivide the property contained within the PUD; and

WHEREAS, the Englewood Estates Subdivision divided the site commonly addressed at 1296
West Quincy Avenue into seven single-family building sites and establishes a private one-way
street, known as West Quincy Circle, to provide access to the proposed development; and

WHEREAS, the Englewood City Council approved Englewood Estates Planned Unit
Development (PUD) by the passage of Ordinance No. 47, Series of 2004; and

WHEREAS, in 2009 Habitat for Humanity of Metro Denver, Inc. discussed purchasing the
property from Distinctive Builders, LLC contingent upon amending the existing PUD to permit a
greater amount of dwelling units on the site; and

WHEREAS, Amendment No. 1, proposes the following changes to the original PUD:
• An increase in the number of residential units from 7 to 11 dwelling units.
• A change in the type of residential units from 7 one-unit detached dwellings, to 3 one-unit
detached dwellings and 4 two-unit attached dwellings.
• A decrease in the average lot size from 5,784 square feet to 3,454 square feet.
• Minor changes to building setbacks including 0’ side setbacks for the attached dwelling
units.
• An increase in the height from which the bulk plane begins; from a 12’ height in the
original PUD, to an 18’ height in th proposed amendment.
• A decrease in the amount of parking from 4.5 parking spaces per unit including guest
parking to 3.0 parking spaces per unit including guest parking.
• A decrease in the minimum landscaped area from 40% to 30%.
• Minor changes in the private road (Tract A) configuration to accommodate additional
parking and snow storage.
• The original PUD allowed storage sheds provided they were less than 9 feet in height.
Amendment No. 1 prohibits all storage sheds.

WHEREAS, pursuant to E.M.C. 16-2-7(F)(2)(c), 16-2-7(H)(2) and 16-2-7(H)(3), amendments
to Planned Unit Developments are reviewed under the same procedure and criteria as original PUD
applications; and
WHEREAS, the Planning and Zoning Commission held a Public Hearing on January 5, 2011 and took testimony on the subject property which is currently zoned Englewood Estates PUD; and

WHEREAS, the Commission recommends approval of this Planned Unit Development Amendment No. 1;

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

Section 1. The Englewood City Council has reviewed the Amendment No. 1 to the Englewood Estates Planned Unit Development and pursuant to 16-2-7(F)(2)(c); 16-2-7(H)(2) and 16-2-7(H)(3) E.M.C., finds that the P.U.D. amendment is in conformance with the approved Planned Unit Development requirements.

Section 2. The Englewood City Council finds that all required documents, drawings, referrals, recommendations and approvals have been received.

Section 3. The Englewood City Council finds that the amended P.U.D. site plan is consistent with adopted and generally accepted standards of development within the City.

Section 4. The amended P.U.D. site plan is substantially consistent with the goals, objectives and policies and/or any other ordinance, law or requirement of the City.

Section 5. The City Council of the City of Englewood, Colorado hereby approves Amendment No. 1 to the Planned Unit Development for Englewood Estates, attached hereto as Exhibit A.

Introduced, read in full, and passed on first reading on the 7th day of February, 2011.

Published by Title as a Bill for an Ordinance in the City’s official newspaper on the 11th day of February, 2011.

Published as a Bill for an Ordinance on the City’s official website beginning on the 9th day of February, 2011 for thirty (30) days.

________________________________________
James K. Woodward, Mayor

ATTEST:

________________________________________
Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of a Bill for an Ordinance, introduced, read in full, and passed on first reading on the 7th day of February, 2011.

________________________________________
Loucrishia A. Ellis
ALTA/ACSM LAND TITLE SURVEY
A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO.

Sheet 2 of 3
COUNCIL COMMUNICATION

Date: February 7, 2011
Agenda Item: 11 c i
Subject: A resolution setting a $20.00 fee for a Golf Car Permit valid for three years

Initiated By: Police Department
Staff Source: Sergeant Mike O'Connor

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

Council passed Ordinance 54, Series 2010, on December 20, 2010, allowing electric golf cars on certain City roadways.

RECOMMENDED ACTION

The Police Department and the Englewood Transportation Advisory Committee are recommending that Council set a fee of ($20.00) twenty dollars, by resolution, for the golf car inspection and City permit. The City permit would be valid for (3) three years.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

The ordinance allowing electric golf cars on City streets went into effect on January 22, 2011, at 12:01 a.m. The ordinance calls for a City permit sticker and notes that “Fees for the inspection and City permit shall be set by Council resolution.” The inspection and permit are intended to ensure that owners/operators of golf cars on Englewood streets have the required equipment and are aware of all of the rules and regulations set forth in the new ordinance.

FINANCIAL IMPACT

The financial impact to the Police Department will be approximately ($20.00) twenty dollars per inspection. Fees collected will help offset the costs of the inspection and permit process. Inspections will be conducted by a Police Officer at the Police Department, or any location within the City of Englewood, and should take approximately (30) thirty minutes.

LIST OF ATTACHMENTS

Proposed Resolution
RESOLUTION NO. _____
SERIES OF 2011

A RESOLUTION ESTABLISHING PERMIT FEES FOR GOLF CAR VEHICLES FOR THE CITY OF ENGLEWOOD, COLORADO.

WHEREAS, the City Council of the City of Englewood, Colorado amended Title 11, Chapter 1, of the Englewood Municipal Code 2000 allowing Golf Cars and Low Powered Scooters in the City of Englewood, Colorado with the passage of Ordinance No. 54, Series 2010; and

WHEREAS, Title 11-1-1(B)(4)(14)(4) E.M.C. set forth such permit requirements; and

WHEREAS, a Golf Car vehicle permit requires that the golf car shall be inspected for safety and required equipment by the Englewood Police Department every three (3) years and , if acceptable, issued a permit sticker by the City; and

WHEREAS, the passage of this Resolution establishes the 3 year permit fee for Golf Car Vehicles in the City of Englewood, Colorado;

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

Section 1. The City Council of the City of Englewood, Colorado hereby authorizes the setting of the City’s three year Golf Car Vehicle Permit Fee, as follows:

Golf Car Vehicle Fees.

A. A three year Golf Car Vehicle Permit Fee - $20.00

These fees shall be in addition to any annual fees imposed by the State or other agency.

ADOPTED AND APPROVED this 7th day of February, 2011.

ATTEST: _______________________________

James X. Woodward, Mayor

Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk for the City of Englewood, Colorado, hereby certify the above is a true copy of Resolution No. _____, Series of 2011.

Loucrishia A. Ellis, City Clerk