AGENDA FOR THE
ENGLEWOOD CITY COUNCIL
STUDY SESSION
MONDAY, NOVEMBER 14, 2011
COMMUNITY ROOM
6:00 P.M.

I.  NOOK Books
Public Library Director Dorothy Hargrove will discuss the Nook Books.

II. Food for Fines
Public Library Director Dorothy Hargrove will discuss 2011 Fall Food for Fines drive.

III. Elevator Inspections @ 6:30 p.m.
Fire Chief Mike Pattarozzi and Chief Building Official Lance Smith will discuss elevator inspections in the City.

IV. Revisions to the Contractor Licensing @ 6:50 p.m.
Fire Chief Mike Pattarozzi and Chief Building Official Lance Smith will discuss revisions to the Contractor Licensing.

V. Englewood Depot Request for Proposal @ 7:15 p.m.
Deputy City Manager Mike Flaherty will discuss a request for proposal for the Englewood Depot.

VI. City Manager’s Choice.

VII. City Attorney’s Choice.

VIII. Council Member’s Choice.

Please Note: If you have a disability and need auxiliary aids or services, please notify the City of Englewood, 303-762-2407, at least 48 hours in advance of when services are needed. Thank you.
COUNCIL COMMUNICATION

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<td>Englewood Public Library's “2011 Fall Food for Fines”</td>
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Initiated By: Library Department

Staff Source: Dorothy Hargrove, Director of Library Services

COUNCIL GOAL AND PREVIOUS COUNCIL ACTION

The Library has sponsored this popular program since 1990, and each year the City Council has voiced its support. In 2003, the annual Food for Fines program was expanded to twice a year at the request of the Library Board, and subsequently approved by City Council, for two weeks during the summer as well as two weeks between Thanksgiving and Christmas as a way to allow patrons to reduce or eliminate their overdue fines while providing a valuable service for the community.

RECOMMENDED ACTION

The Library Department recommends City Council approve a resolution authorizing the Library Department to implement its 2011 Fall Food for Fines program from Monday, November 28 through Sunday, December 11, 2011.

BACKGROUND, ANALYSIS, AND ALTERNATIVES IDENTIFIED

For the past 21 years, the Englewood Public Library has provided its “Food for Fines” program as a way for those patrons with fines on their overdue EPL materials to “pay” them off through the donation of non-perishable food items that are, in turn, forwarded to Inter-Faith Community Services for their food bank for distribution to financially disadvantaged families in the Englewood area. The maximum fine accrual is $5.00 per item, and the Library requires a donation of two non-perishable food items to cancel one overdue fine. Charges for lost or damaged items are not included in this program. This program has been warmly received and supported by the public since its inception, and Library patrons now look forward to it as a way of helping others while relieving their own financial obligations. This program also encourages patrons to return overdue library materials and thus make these materials available to others in the community. The program presents a positive image of the Library and the City and is a “win-win” situation for everyone involved.

FINANCIAL IMPACT

Food for Fines reduces the General Fund revenue provided by overdue fees. These revenues traditionally drop about 50% during each of the Library’s two-week Food for Fines programs, for an estimated loss in revenue of about $500.00. Historically, each of these two biannual events
raises an average of $1,500 to $2,000 in donated food items for the Inter-Faith Community Services food bank.

LIST OF ATTACHMENTS
Proposed Resolution

RESOLUTION NO. ________
SERIES OF 2011

A RESOLUTION AUTHORIZING THE ENGLEWOOD PUBLIC LIBRARY TO IMPLEMENT THE “FALL FOOD FOR FINES” PROGRAM FROM MONDAY, NOVEMBER 28 THROUGH SUNDAY, DECEMBER 11, 2011.

WHEREAS, the Englewood Public Library has sponsored a “Food for Fines” program since 1990; and

WHEREAS, the “Food for Fines” program allows patrons with overdue fines to “pay” them off through the donation of non-perishable food items; and

WHEREAS, the food items are then forwarded to the Inter-Faith Community Services for their food bank distribution to financially disadvantaged families in the Englewood area; and

WHEREAS, the program is a benefit to the community in that the disadvantaged are assisted; patrons are able to clear their library account of fines; patrons are encouraged to return overdue items and hence increase the availability of library materials for the community; and the program presents a positive image of the Library and 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 authorizes the Englewood Public Library’s implementation of the “Fall Food for Fines” program from Monday, November 28 through Sunday, December 11, 2011. The collected food will then be forwarded to the Inter-Faith Community Services for distribution to financially disadvantaged families in the Englewood area.
MEMORANDUM

TO: Gary Sears, City Manager
THROUGH: Mike Pattarozzi, Fire Chief
FROM: Lance Smith, Chief Building Official
DATE: November 10, 2011
SUBJECT: DRCOG Elevator/Escalator Safety Inspection Program

Effective December 31, 2011, DRCOG will be discontinuing the Elevator/Escalator Safety Inspection Program. The suspension of this program will require that the City either contract with a private inspection company or cancel the Memorandum of Agreement (MOA) with the Colorado Division of Oil and Public Safety (OPS), requiring businesses to contract directly with a private business.

Although DRCOG will not have any oversight in the selection of the private inspection company, they have provided a list of acceptable contractors through a Request for Qualifications (RFQ) process. It will be the responsibility of each jurisdiction, previously represented by DRCOG, to select and contract with the company of their choice. With this choice the City would be billed for the inspection services, add a processing fee and pass the costs on to the building owner. The financial impact of this would be minimal, as all costs are passed on to the building owner. The negative impact would be an increase in costs to the business owner and the possibility of liability concerns for the City.

Of the four companies that responded to the RFQ, the consensus of several jurisdictions are that contracting with Colorado Code Consulting (CCC) would provide a seamless transition as they are in the process of hiring inspectors currently or previously employed by DRCOG.

The second option would be to cancel the MOA with OPS, which would require the business owner to contract directly with a private inspection company and report directly to OPS. This option would have no financial impact to the City.
MEMORANDUM

TO: Gary Sears, City Manager
THROUGH: Mike Pattarozzi, Fire Chief
FROM: Lance Smith, Chief Building Official
DATE: November 14, 2011
SUBJECT: Study Session on revisions to EMC 5-7 Contractor Licensing

The contractor licensing provisions and contractor license fees have not been updated since 1985. The International Code Council (ICC) now administers contractor examinations that are reciprocal with all jurisdictions that are ICC members. The Division of Building and Safety recommends the following changes for updating the contractor licensing provisions:

EMC 5-7-2: Applicability of Provisions.

The provisions of this Chapter shall apply to all contractors, as defined in Section 5-7-1, with the following exceptions:

A. Any homeowners desiring to build, construct, alter, repair, add to or demolish a Group R-3 or Group U occupancy or any accessory building thereto, which he owns and is his primary residence; is not income or rental property and who is doing such work himself the homeowners are doing the work themselves.

Commentary – This change would be consistent with the requirements for commercial income property that requires licensed contractors perform all work that requires a permit.

EMC 5-7-5: License Examinations.

A. Any person submitting an application for a Class A, Class B, Class C, Class D, or Class E contractor's license shall be required to satisfactorily complete a qualifying examination administered by the Division of Building and Safety when the Chief Building Official determines that any of the following conditions exist:

Commentary – Revisions to this section would require examinations to be administered by qualified testing agencies such as ICC.
C. Failure to satisfactorily complete any contractor licensing examination shall be grounds for the Chief Building Official to deny issuance of the license applied for. Reexaminations shall be administered no sooner than two (2) weeks from the date of unsatisfactory completion of any examination.

Commentary - Reexamination testing procedures are the same as in the above comment.

D. The fee for all contractor licensing examinations (including reexaminations) shall be thirty dollars ($30.00) to cover the cost of materials and clerical duties associated with administering such examinations.

Commentary - Eliminating D removes the testing fee of $30. The City administers these tests approximately 10 to 15 times per year. The financial impact would be a reduction of revenues by approximately $300 per year. This would also remove the duty from staff, which would be a savings in staff time.

EMC 5-7-6: Conditions of License and Certificate Issuance.

A. License, Certificate of Registration; Issued. Upon the endorsement of the Chief Building Official, after a determination from the information and references provided, that the applicant does not have a required State license under revocation and is qualified for the type of license or certificate of registration sought, or upon satisfactory completion of an appropriate contractor licensing examination, a license or certificate of registration may be issued by the City License Officer Division of Building and Safety.

Commentary – This changes the responsibility of issuing contractor licenses to the Division of Building and Safety.

B. License, Certificate of Registration Denied; Appeal. In the event that an application for a license or certificate of registration is denied, the applicant may request a review of the application by the Board of Adjustment and Appeals. A fee of twenty dollars ($20.00) shall accompany the appeal request, which amount shall be returned to the applicant in the event the Board orders issuance of the license. The fee for an appeal shall be as set forth in EMC 16-2-3:C.

Commentary – Fees for an appeal are set by resolution under Title 16.
D. **Work Done Without License or Certificate of Registration; Penalty.** Starting work on any project before the required license or certificate of registration has been secured will result in a fifty percent (50%) one-hundred percent (100%) increase of the license or registration fee being levied against the contractor involved.

*Commentary – Increasing the penalty for working as an unlicensed contractor is consistent with the penalties for working without a permit. The financial impact would be an increase of revenues by approximately $300 per year.*

**5-7-10: Fees for Licenses and Certificates of Registration.**

The City Council shall determine and set license and certification of registration fees for this Chapter by resolution.*

- Class A Unlimited General Contractor $200 $225
- Class B Limited General $125 $150
- Class C Jobber Residential Contractor $75 $100

*Comments – The term “Jobber” is undefined in the EMC. Changing to “Residential” is consistent with the ICC classification for this license.*

- Class D Contractor $50 $75
- Class E Special Contractor $50 $75
- Class F Structure Mover/Demolition Contractor $50 $75

**Certificates of Registration**

- R-2 Plumbing Contractor $50 $75
- R-3 Plumbing/Mechanical Contractor $75 $100

*Commentary – Fees for contractors’ licenses have not been increased since 1985, while the cost of processing these licenses and certificates of registration has increased during this period. The financial impact would be an increase of revenues by $31,000.*
Memorandum
City Manager’s Office

TO: Mayor Penn and Members of City Council
THROUGH: Gary Sears, City Manager
FROM: Michael Flaherty, Deputy City Manager
DATE November 7, 2011
SUBJECT: Request for Proposal for Sale of the Historic Englewood Depot

During the City Council Study Session of September 26, I informed City Council that I had been contacted by two different parties expressing interest in purchasing the Englewood Depot. At that time, City Council members indicated that they preferred that the sale of the Depot be opened to any and all interested parties. Based on Council’s previously stated objective that a sale of the Depot must protect the historical nature of the building and prevent the demolition for a period of at least 50 years, I proposed that a Request for Proposal (RFP) format be utilized. I am nearing completion of the RFP, with a projected issuance date of November 21, 2011.

Prior to issuing the RFP, I am seeking guidance from City Council on the sale of the Depot. Specifically, I would like to ascertain whether Council is open to a sale that would balance the value of preserving the historic structure for future generations against optimizing the sale price of the property based exclusively on the appraised value of the property. The appraised value of the property, based on an appraisal conducted on behalf of the City by Metropolitan Appraisers, Inc., and adjusted to accommodate the requirement that the building be preserved, is $250,000. From information gathered from the Architectural Assessment conducted in 2002 by SlaterPaul Architects, and the more recent estimate by Lauri Jekel, the estimated cost of rehabilitating the structure exceeds $300,000. It may be unrealistic to expect that a purchase proposal will match the City’s appraised value, even through a competitive process.

The selection criteria of the RFP, in addition to the proposed purchase price, will include the financial qualifications of the prospective buyer, budget and schedule for rehabilitation, proposed innovative use, preservation technique and experience, and benefits to the community. The intent of the additional criteria is to provide for balancing a successful rehabilitation and adaptive reuse of the historic depot with an acceptable (if not purely appraisal-based) purchase price.

Provided that these criteria are acceptable to City Council, I will proceed with issuance of the RFP.