CITY MANAGER'S NOTES
May 17, 2012

Upcoming Council Meetings
City Council will meet on Monday, May 21, 2012. An Executive Session will begin at 5:30 p.m. in the City Council Conference Room. The Study Session will begin at 6:00 p.m. in the Community Room. The Regular Meeting will begin at 7:30 p.m. in Council Chambers. The agendas are enclosed. Sandwiches will be available at 5:00 p.m. in the City Council Conference Room.

City Facilities will be closed for the Memorial Day Holiday, Monday, May 28, 2012.

The following meeting will be Monday, June 4, 2012.

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

1. News Release concerning City offices closed for Memorial Day holiday, May 28th.
2. Articles entitled “Englewood set to accept business murals as art, not regulated,” “Englewood ‘cash mob’ set to shop,” “County celebrates youth at annual ceremony,” “New historical preservations society forms in Englewood,” “Paving project to close West Union Avenue,” “Public forum on proposed sign code changes tonight,” and “City seeks applicants for boards and commissions.”
3. Letter and e-mail concerning nutrients from the Water Quality Control Commission.
4. Memorandum concerning the Project Update.
6. Calendar of Events.
7. Tentative Study Session Topics.
City of Englewood, Colorado

News Release

For Immediate Release: May 15, 2012
Media Contact: Leigh Ann Hoffhines, Communications Coordinator
Phone: 303-762-2316
E-Mail:

City of Englewood offices closed in observance of Memorial Day

The Englewood Civic Center offices will be closed Monday, May 28, 2012 in observance of Memorial Day. The Englewood Public Library, Englewood Recreation Center, and Malley Senior Recreation Center will also be closed for the holiday.

Memorial Day weekend marks the opening of Englewood's Pirates Cove Family Aquatic Center for the summer season, as well as the Belleview Park Children's Farm and Miniature Train. Pirates Cove, the Belleview Park attractions, and Broken Tee Englewood Golf Course will all be open for business on Memorial Day.

#
Englewood set to accept business murals as art, not regulated signs

By Carlos Illescas The Denver Post The Denver Post

ENGLEWOOD — They say that art is in the eye of the beholder.

It sure took Englewood a long time to behold.

After five years of legal squabbling and research on the issue, Englewood appears poised to join other cities that have deemed murals painted on the outsides of businesses as works of art.

In 2007, an Englewood head shop was told to cover a mural that depicted characters from "Alice in Wonderland" smoking shisha from a hookah and popping pills. The rationale: That kind of depiction wasn't allowed under provisions of the city's sign code.

A business owner across the street had found the mural offensive and complained to the city.

The shop's owners went to court to save the mural, and now Englewood has drafted amendments to its sign code that would better define what is acceptable in terms of art and advertising on buildings — a move reflected across the state as cities struggle to regulate what businesses do with their signage.

In this case, the mural on the outside, north-facing wall at the Headed West pipe and tobacco shop on South Broadway and others like it could be deemed "works of art" under the proposal by the Englewood City Council.

The city would have little to no say on what the murals depict, including their size. They would be removed from the list of prohibited signs, and no permit would be required to paint one, although they could not contain advertising.

"We allowed them before, but they were subject to general requirements of the sign code, limitation of footage, location, etc.," Englewood Deputy City Manager Mike Flaherty said. "Under the (proposed amendments), murals are works of art and do not require permits.

"If you want to put up an 'Alice in Wonderland,' you're free to do it."

A public hearing on the matter is scheduled for 6 p.m. Thursday at the Englewood Civic Center, then the issue will be forwarded to the planning and zoning commission. The council is expected to vote on the matter this summer.

"It should have been a work of art in the first place," said Headed West owner Mike Mahaney, who originally had the mural painted to cover up graffiti.

The battle between Englewood and Mahaney renews a long-debated topic between business owners and governments over signage and murals.

Durango officials have scheduled a public hearing today to take up questions about a mural painted on an outside wall of a convenience store, according to The Durango Herald. The owner did not get approval from a review board, and the mural could be seen as advertising, city officials said.
Sam Mamet, executive director of the Colorado Municipal League, said sign issues come up now and then. But in recent months, the big flap has been over people who wave signs outside of businesses such as tax-preparation agencies and medical-marijuana retailers.

"The issue here gets a little tricky in terms of the First Amendment and regulating private property," Mamet said.

Aurora has debated its sign code recently, mainly on the question of fabric banners that are placed outside businesses and apartment complexes.

The city had enacted a moratorium on the banners, limiting how long they can be displayed. The moratorium came when vacancy rates in apartment buildings were high. Now, with apartments filling up in the wake of a high rate of foreclosures, regulations again are in place.

"(The economy) plays into everything," said Nancy Sheffield, director of neighborhood services for Aurora. "We were sensitive to property owners trying to rent out their units."

As for the mural flap in Englewood, the legal battle ended in October 2009 when the Colorado Court of Appeals ruled that Mahaney's constitutional rights to free speech had been violated. A lower court had sided with the city.

Gary Tisch, owner of the Liquor Barn on South Broadway, has a mural of Clydesdale horses, which Budweiser uses to promote its beer, outside his store. But there are no words, a fact he argued when the city approached him years ago about covering it up.

"I think it's good," he said of the proposed revisions. "They're not restricting business. When people drive down Broadway and they see the mural, they may say, 'I want to go there.'"

Carlos Illescas: 303-954-1175 or
Englewood ‘cash mob’ set to shop

Buyers target retailers for random act of spending

BY PETER JONES

Here’s how a cash mob works.

You show up in a parking lot with $10 to $20 or so. Others will have arrived at the same time with roughly the same cash on hand.

When given the cue, all of you walk into a nearby business, identified by a mob leader, and start spending your money—any and all of it—on anything.

Then you go to a local watering hole to celebrate. Done.

A month later, repeat.

That is essentially what the Greater Englewood Chamber of Commerce is endeavoring to do, starting May 16 at 5 p.m. when a group of local business owners and civic boosters are scheduled to rendezvous in a parking lot at the corner of Englewood Parkway and Acoma Street in Downtown Englewood.

The term “cash mob” may sound like a plot device from a crime drama, but it is actually the latest tactic in economic development, guerilla style. The practice has been seen as a grassroots way to support mom-and-pop businesses, even if just moral support to retailers facing a challenging economy.

“I went online and researched cash mobs and they’ve been going on around the whole country,” said Rosemarie Cabral, the Englewood Chamber’s president. “We can generate between $100 and $1,000 in a couple of hours for a small business. And every time you do it, you get a bigger and bigger mob each time.”

At least, that is what the small city-based chamber is hoping. Cabral expects anywhere between 10 and 50 people to show up next Wednesday—armed with modest cash, but a wealth of community loyalty.

The cash-mob concept reportedly began last year in Buffalo, N.Y., and Cleveland, Ohio. Described as a sort of “reverse Groupon,” the efforts have been fostered through the Internet. Englewood’s inaugural mob is being promoted via email blasts, Facebook, Twitter, Meetup and other online social networks.

But no one—not even Cabral—knows where the first mob will go shopping.

“We don’t tell anyone what business we choose. We put a whole bunch of names in a hat and then we walk in a huge group to that business,” she said.

Smaller businesses with limited staff will get an advance warning, however.

The first mob will spend its money at a yet-unannounced retailer in the South Broadway Mile business district north of Hampden Avenue. Future mobs will convene one Wednesday a month to tackle other areas in and around the city’s Broadway and Hampden corridors.

After the shopping spree, the intentional consumers plan to head to a nearby bar—both to revel and to further support the local economy.

To qualify as a mob beneficiary, a retailer must cater to both men and women and sell at least some items in the $10-$20 range.

“You can’t go walking into a golf shop and expect them to buy a set of golf clubs. We’re also trying to find businesses that are hurting right now,” Cabral said.

To keep things interesting and to make sure the shoppers are paying attention to the local environs, Cabral has designed a game to play as the mob walks from the parking lot to the targeted business. At the end of the evening, the correct answer to a neighborhood-related trivia question will yield a free dinner at an Englewood restaurant—at Steakhouse 10 the first week.

Neither mob shoppers nor retailers are required to be chamber members. Everyone is invited to attend the first cash mob on May 16.

For more information, visit www.myenglewoodchamber.com or call 303-789-4473.
Teens honored as positive role models

SUBMITTED BY ARAPAHOE COUNTY

The Arapahoe County Board of Commissioners and elected city officials recently honored 42 teenagers who have overcome personal adversity. The recognition took place during the Mayors and Commissioners Youth Award ceremony.

Commissioners Susan Beckman, Nancy Sharpe, Rod Bockenfeld, Nancy Jackson and Bill Holen were joined by Englewood Mayor Randy Penn and Mayor Pro Tem Jim Woodward, Cherry Hills Village Mayor Doug Tisdale and Littleton City Councilmember Jim Taylor to recognize and honor an inspirational group of young adults who have overcome difficult situations by exhibiting strength and determination.

The Mayors and Commissioners Youth Award program provides businesses, community and civic leaders the opportunity to nominate youth in the community who might not otherwise be recognized. Nomination forms are distributed junior high and high schools in Arapahoe County each year.

"These kids should be very proud of themselves," said Commissioner Nancy Jackson, a former college professor. "Each of them have a story to tell and are an inspiration to others. It is truly an honor to recognize these remarkable young men and women."

Each year, the Colorado Community College System Financial Aid Council awards one $500 scholarship per county. This year, the Board of Commissioners solicited donations to increase the number of scholarships and were able to award seven $500 scholarships to deserving Arapahoe County seniors.

The following students and scholarship recipients were recognized during the ceremony:

- Adrian Alvand-Daigle, Sheridan High School
- Lizette Alvarez, Overland High School
- Nate Andrews, Englewood Middle School
- Marilyn Arroyo (scholarship recipient), Colorado's Finest Alternative High School
- Aye Mimi Aung, Hinkley High School
- Jakob Austin (scholarship recipient), Options High School
- Mariah Bucca, Englewood Middle School
- Samantha Benner, John F. Kennedy High School
- Robert Buckingam, Options High School
- Richard Chagolla, Rangeview High School
- Chidzie Chukwaka, Overland High School
- Bryant Clark, Colorado's Finest Alternative High School
- Kaylee Coles-Moseley, Englewood Middle School
- Baily Coy, Newton Middle School
- Adriana De La Torre Zabia, Englewood Middle School
- Angela English, Englewood Middle School
- Tony Fierro, Colorado's Finest Alternative High School
- Edgar Garcia, Overland High School
- Joshua Garza (scholarship recipient), Amon Central High School
- Casey Giles, Rangeview High School
- Dyanista Gutierrez, Hinkley High School
- Tyler Hastings, Englewood Middle School
- Ryan Haynes, Newton Middle School
- Jody Hemdon, Englewood Middle School
- Tiffany Imran, Englewood Middle School
- Devante Johnson (scholarship recipient), Englewood High School
- Shaeann King, Newton Middle School
- Amber Loos, Englewood Middle School
- Jly Lucasi, Englewood Middle School
- Kirstie Rae Martinez, Options High School
- Miloni Martinez-Palmer, Englewood Middle School
- Liberty Nelson, Colorado's Finest Alternative High School
- Thomas Romero (scholarship recipient), Colorado's Finest Alternative High School
- Sophia Varnakian, Englewood Leadership Academy
- Chase Yelin, Englewood High School
- Zach Zochik, Englewood High School

To learn more about the Arapahoe County Mayor and Commissioners Youth Awards program, contact Carol Domann at 303-795-4630.
Your City

New historical preservation society forms in Englewood

By Clayton Woullard
YourHub Reporter

A new historical society has formed in Englewood with the intention of picking up the pieces where the old one left off and gaining control of the Englewood Depot.

Dave Paschal, historian and interim vice president of the Englewood Historic Preservation Society, said the Englewood Historical Society disbanded around 2000 because many of the members were in their 70s and 80s and had failed to recruit new members before many of them died. Paschal said the group had filed its articles of incorporation with the state and filed for non-profit status. He said the group wants to make sure Englewood residents don't forget their own history.

"There's a mentality of 'let's bulldoze for progress' and that's not necessarily the best way," Paschal said. "You have to know your roots or you don't know the measure of your future."

The group was slated to make a presentation to the city council earlier this week and is hosting the first of a lecture series next week. They ultimately want to buy the Englewood Depot, a train depot built in 1915 that is now vacant and owned by the city. There have been prospective buyers, but they have either backed out or had their offers refused. Paschal said the group wants to turn it into a museum where they could store about 120 artifacts they already own, a railroad model course and perhaps a local artists gallery. He said he understands the group needs to establish a reputation before approaching city council about purchasing it.

"We need to show the city council that we're not another shot in the dark or flash in the pan," he said. "We're here for good — we've got the energy, we've got the prospects to do what needs to be done."

Clayton Woullard: 303-954-2953 or

If you go
The first lecture in the Englewood Historical Preservation Society series will feature History Colorado's Lyle Miller talking about motels along South Santa Fe Drive at 3 p.m., May 25 at the Englewood Public Library, 1000 Englewood Parkway. For more information about the society, call 303-269-9768 or email historiclegacy@gmail.com. 
ENGLEWOOD
PAVING PROJECT TO CLOSE WEST UNION AVENUE

Englewood's Public Works Department has announced a roadway reconstruction project on Union Avenue west of the Union Avenue bridge (just west of South Santa Fe Drive) the weekend of May 18.

West Union Avenue will be closed in both directions beginning May 18 at 7 p.m. and will remain closed until the morning of May 21 for a reconstruction and paving project.

Traffic will be detoured to Bellevue or Oxford avenues during the closure.

Details on the construction project are available at englewoodgov.org.

Public forum on proposed sign code changes tonight. Englewood's Community Development Department will host a public forum at 6 p.m. today to gather input on proposed amendments to the city's sign code. The forum will take place in the Community Room on the second floor of the Englewood Civic Center, 1000 Englewood Parkway.

For background information on the sign code update and details on the proposed amendments, go to englewoodgov.org.

City seeks applicants for boards and commissions. Englewood City Council is seeking volunteers to fill vacancies on several of the city's boards and commissions.

For information on the current vacancies, go to the "Boards and Commissions" page at englewoodgov.org or call 303-762-2310.

The deadline is May 30. City council will interview applicants June 11.

Briefs contributed by City of Englewood.

ARAPAHOE COUNTY
Open house for Comprehensive Plan for
Subject: FW: Letter from Governor to WQCC re Nutrients

Gary et al:

Just to be clear, the letter was sent to the Water Quality Control Commission about ten minutes before the meeting this morning to consider final approval of Regs 31 & 85. Needless to say, it threw off their whole morning! Their final decision was to:

The decision was to reopen the rules for the limited purpose of receiving written comments regarding the Governor’s request to:

1) Delay the effective date of the rules to no earlier than July 1, 2013, to provide time for the state to seek financial assistance for water treatment providers, and;

2) Exemptions for wastewater treatment facilities between 0.5 mg/d and 1.0 mg/d from Regulation 85 numeric effluent standards, based on the cost of compliance.

Comments will be accepted until May 30, and we expect more details from the WQCC to be forthcoming.

Kevin Bommer
Legislative Advocacy Manager
Colorado Municipal League
1144 Sherman Street, Denver, CO 80203
303-831-6411 • 866-578-0936
Hi all,

I talked to Kevin Bommer with the Colorado Municipal League this afternoon and he indicated that Governor Hickenlooper has issued a letter (attached) extending policy making regarding nutrient regulations until July 1, 2013. It is somewhat unclear what this new date will mean for the Littleton Englewood Wastewater Treatment Plant, but I wanted to keep you in loop about the issue and perhaps we can discuss this on Thursday at the Supervisory meeting, along with the letter from the EPA (attached).

Sue, would you please also include the letters from Kevin Bommer, the Governor, and EPA in this week’s packet.

Thanks, Gary

From: Kevin Bommer
Sent: Monday, May 14, 2012 3:28 PM
To: Gary Sears
Subject: FW: Letter from Governor to WQCC re Nutrients

Here you go.
The Water Quality Control Commission office has received the attached letter from the Governor's office. Also attached is the referenced letter from EPA. The Commission will be discussing the Governor's office request in conjunction with today's agenda item regarding final action on the Nutrients rulemaking. If you wish to listen in on the discussion, you can call in as follows: The call in number is 1-218-862-1300. The Conference Code is 425132. The Commission meeting begins at 9:00 a.m. with Nutrients as one of the first items.

Nancy Horan
Program Assistant
Water Quality Control Commission
Colorado Dept. of Public Health & Environment
4300 Cherry Creek Drive South
Denver, CO 80246
303-692-3463

From: CDPHE-Water Quality Commission
Sent: Monday, May 14, 2012 8:48 AM
Subject: Letter from Governor to WQCC re Nutrients
May 14, 2012

Colorado Water Quality Control Commission
Attention: Dr. Andrew Todd, Hearing Chair
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South, A-5
Denver, CO 80246-1530

RE: Update regarding Executive Order 2011-005 process regarding possible unfunded mandates as applied to the proposed nutrient water quality regulations and request to postpone final decision of the Commission

Dear Dr. Todd:

On May 10, 2012, we received a response to our March 9, 2012 request from the U.S. Environmental Protection Agency (attached). While we believe that nutrient water quality regulations constitute a federal mandate under the Executive Order D 2011-005 (EO-5) process, the extensive nature of the associated costs to local entities is too severe to ignore. Our commitment to water quality and to local entities demands that we work together to seek funding options while working to preserve the quality of Colorado’s water. Therefore, we request that the Commission postpone taking final agency action in order to reopen rulemaking for the limited purpose of considering costs associated with regulatory compliance, implementation date to address costs, and exemption of facilities smaller than 1.0 million gallons per day (mg/d).

Specifically, due to the cost of compliance identified through the EO-5 process, the Commission should consider removing water treatment facilities between 0.5 mg/d and 1.0 mg/d from the scope of technology-based standards. Also due to the cost of compliance identified through the EO-5 process, we request that the effective date of the regulations be changed to no earlier than July 1, 2013 in order to provide the State time to seek financial assistance for water treatment providers impacted by these regulations. While this assistance is not required under the EO-5 process, we feel it is the right thing to do.

As you know, the quality of Colorado’s water is vital and requires us to work collaboratively. We want to express our appreciation to you and the members of the Commission for your continued hard work and the dedication demonstrated throughout this rulemaking process. The issues presented have been highly technical and complex, and the Commission has devoted considerable time analyzing and understanding the various positions and concerns.
We also want to thank all the parties, local governments and members of the public who have devoted significant time and effort on these important issues. Working together we will continue to protect the quality of Colorado’s waters while working to assist local governments in off-setting costs associated with compliance with federal mandates.

Sincerely,

Roxane White
Chief of Staff, Governor John W. Hickenlooper

cc: Dr. Chris Urbina, Executive Director, Colorado Department of Public Health and Environment
    John “Chip” Taylor, Executive Director, Colorado Counties, Inc.
    Sam Mamet, Executive Director, Colorado Municipal League
    Ann Terry, Executive Director, Special District Association
MAY 10 2012

Roxane White
Chief of Staff, Governor John W. Hickenlooper
Office of the Governor
136 State Capitol
Denver, CO 80203

Re: Nutrients and Executive Order EO5

Dear Ms. White:

I am writing to respond to your letter of March 9, 2012, seeking clarification from the Environmental Protection Agency (EPA) regarding Clean Water Act requirements that apply to State water quality programs for the control of nutrients in surface waters. Your letter explained that input from the EPA would assist with finalizing the Executive Order D 2011-005 (EO5) review process. Responses to your questions are provided below.

Does the EPA consider rules to control the discharge of nutrients (such as phosphorous and nitrogen) to be required under the Clean Water Act? If so, please provide the precise nature of that legal requirement under the Act.

The Clean Water Act requires States to adopt water quality criteria that protect designated uses. These criteria are to be used to: (1) establish water quality-based effluent limits in discharge permits, (2) assess the condition of the state's waters, and (3) develop TMDLs where ambient water quality measurements exceed established criteria.

In Colorado waters, nutrients are commonly measured at elevated concentrations which threaten or impair designated uses. There are also many high quality waters where nutrients are at low levels. Adoption of protective water quality standards is required by the CWA in both of these scenarios. The objective of the Act is to restore and maintain the chemical, physical, and biological integrity of the Nation's waters.
To ensure that water quality criteria for nutrients protect designated uses as required by the CWA, it is important to address both phosphorus and nitrogen. The EPA Scientific Advisory Board stated that:

"Nitrogen and phosphorus may be limiting in different portions of the fresh to marine continuum, and in some cases may be co-limited. Thus, a dual nutrient (N and P) strategy is warranted, and we agree with the Agency’s decision to take this approach."

Although a range of stakeholder perspectives was offered at the March WQCC hearing, the above SAB conclusion was echoed by CDPHE staff and also Dr. William M. Lewis, Jr., a Professor at University of Colorado-Boulder and Director of the Center for Limnology at the Cooperative Institute for Research in Environmental Sciences. The EPA Region 8 has strongly and consistently emphasized the need to address both nitrogen and phosphorus. Our rationale for addressing nitrogen in Regulation #31 and #85 was presented in Enclosure 5 of our February 17, 2012 comment letter. A September 30, 2010 Region 8 letter to CDPHE also stressed the importance of controlling both nitrogen and phosphorus.

Numeric nutrient criteria are a key first step to reducing nutrient loads. They are used to identify waters that are impaired by nutrients; help prioritize waters/watersheds for nonpoint source control projects and funding; provide the regulatory basis for control of point sources through discharge permits; and help maintain and protect high quality waters.

The State of Colorado has a strong and effective water quality program and the Water Quality Control Division has been a national leader on a number of issues. However, regarding nutrients, there is much that remains to be done. Although numeric standards and control regulations have been adopted for a handful of reservoirs, in other locations the State generally has not used narrative standards as a basis to list water bodies as impaired or to set effluent limits in discharge permits. Instead, since 2001, the Colorado Department of Public Health and Environment has focused on reviewing and developing scientific information to support adoption of numeric standards for nutrients. The work group process for numeric nutrient criteria was initiated in 2001 and in 2010 the Department began work on Regulation 85.

The EPA agrees that incorporating interim numeric nutrient values into Regulation 31 would be useful and important, because it would provide a starting point for future application of numeric standards to individual segments based on site-specific circumstances. Our understanding is that under the approach preliminarily adopted by the Water Quality Control Commission on March 14, 2012, numeric standards adoption is to be completed over a 15-year period. During this interim period, the technology limits in Regulation 85 would be the State’s primary means of regulating nutrient discharges. These “phase 1” limits would apply to roughly 15% of domestic facilities in three designated watersheds. Even within that small universe of facilities, where compliance is not affordable for a covered facility, Regulation 85 would authorize variances so that affordable effluent limits can be included in discharge permits.

Adoption of the CDPHE proposal will be an important advancement in addressing nutrients. However, Colorado will need to adopt additional rules and take further action (i.e., regarding state-wide WQS,
303(d) listings, TMDLs, and WQBELs in discharge permits) before the Clean Water Act requirement that States control discharges and protect designated uses is fully satisfied.

**If this is a requirement, what does the EPA require in terms of the timeline for states to promulgate and implement such rules?**

The Clean Water Act does not per se establish a deadline or schedule for taking such actions. However, the statute requires that States review their water quality standards every three years and update as necessary. As discussed above, adoption of Regulation 31 and 85 would place Colorado on a pathway toward achieving compliance with Clean Water Act requirements. It will take time for the Division and Commission to complete the adoption of numeric standards, develop impaired waters listing methods, identify and list impaired waters, develop TMDLs, and modify or issue discharge permits to include appropriate WQBELs for nutrients.

The EPA has indicated that it is willing to be supportive and flexible on State schedules for complying with CWA requirements, provided meaningful short-term progress is being achieved. The EPA’s March 16, 2011 memorandum “Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions” signed by Nancy K. Stoner, Acting Assistant Administrator, Office of Water, memorandum to EPA Regional Administrators clearly articulates this policy position. In that regard, Regulation 85 is critical because its implementation would result in short-term load reductions while the longer-term activities are being completed.

We note that Colorado’s nutrients rulemaking has been under development since 2001 and the rulemaking to consider numeric criteria already has been postponed twice. The implications of further delay include increased risk of water quality and human health impacts and increased risk of third party challenges. In addition, as described in our pre-hearing written comments, the EPA oversight actions are more likely where States fail to act.

**Has the EPA estimated the costs associated with the treatment of discharges to control nutrient loading in water bodies for Colorado or generally? If so, what are those estimated costs? If not, we would appreciate the EPA’s assistance in calculating those costs.**

The EPA has not estimated costs to comply with either technology-based or water quality-based effluent limits in Colorado. However, various studies of the costs of nutrients control have been completed, including the cost/benefit study completed by CDPHE. Other States (e.g., Utah, Montana, Florida, and Wisconsin) have also studied the costs of nutrient controls. To support its promulgation of water quality criteria for waters in Florida, the EPA also estimated the costs of the proposed rules. These materials may provide useful cost information to help finalize the EO5 review process, and we would be willing to meet with you to discuss/explore alternatives for developing additional information.

**In addition, is there any funding assistance that the EPA can make available to Colorado and local communities to help defray the costs associated with implementing these rules? If not, would the EPA be willing to work with us to address the funding issues?**
The EPA provides money to capitalize State Revolving Funds and assist with the control of domestic point source discharges. SRF loans are available to help communities construct necessary treatment plant upgrades. States prioritize funding of these projects. CWA Section 319 provides additional funds for construction of projects to control nonpoint sources. CWA 106 monies are provided to help cover CDPHE's costs of implementing/administering the required water quality programs.

It has been a pleasure to work collaboratively with CDPHE to develop the proposed rules for nutrients. Adoption of these rules would put Colorado on a path toward achieving compliance with multiple CWA requirements. We hope this information will support finalization of the EO5 review process. If there are additional questions please do not hesitate to contact me.

Sincerely,

cc: Chris Urbina, Director, CDPHE
MEMORANDUM

TO: Gary Sears, City Manager

THROUGH: Rick Kahm, Director of Public Works

FROM: David Henderson, Engineering/Capital Projects Administrator

DATE: May 17, 2012


DENVER WATER PROJECTS (CONDUIT 13 REHABILITATION)

Vault Repair at Quincy/Broadway
The Denver Water Department’s contractor, Concrete Works of Colorado, completed patching asphalt and re-opened Quincy Ave. The contractor will be repairing asphalt and re-installing crosswalks. This work will require a one-day closure of Quincy at Broadway (8:30 AM to 3:30 PM), and is anticipated to be completed next week. Local access to the bank and alley will be maintained.

DUNCAN PARK DEMOLITION
Environmental remediation is complete. Demolition of the old school building is on hold until Xcel Energy completes gas and electric disconnects.

PIRATES COVE PROJECTS
The following maintenance and repair projects will be completed before the pool opens on May 26th:
- Lazy River Painting
- Bucket Repair and Painting
- Play Structure/Panel Restoration in the Leisure Pool.
Concrete Repairs are complete.
Competition Pool Resurfacing is complete.

CENTENNIAL PARK TRAIL LOOP PROJECT
A contract has been awarded to Standard Concrete, Inc. of Denver, CO for improvements to the loop trail including removing the asphalt and replacing it with a 10-ft. wide concrete path. Plans are to close one-half of the path at a time, maintaining some access to the trail for users. Additionally, landscaping will be addressed around the small pond on the Centennial side. Further improvements will also be made regarding the fishing access along the lake, providing for ADA accessibility. Along the bank, plans are to create shoreline stability; and a new ADA accessible bridge will replace the existing one near the fishing side. This project started on Monday, May 14th and is expected to take approximately three months to complete. The southern portion of the trail will be closed next week for demolition of the existing asphalt trail. Signage has been installed to notify users of the closure. Approximately ½ of the trail around the lake will remain open to provide access for fishing and to the Platte River.
Continuum Partners and Regency Centers Corporation are supplying bi-weekly project information. A link to this information is available on the City’s web site:

The contractor, Mark Young Construction, Inc., completed parking lot construction. Sidewalk and ramp construction on the east side of University is scheduled to begin soon. Traffic signal activation process will follow with full signal operation expected by mid May.

Colorado Structures Inc., continued foundation work for the “Fresh Fare by King Soopers”. On-site underground utility installation continued. The contractor expects to install a portion of the sidewalk on the east side of University by next week. Pending completion of the sidewalk through the bus stop on the east side of University and installation of pavement markings, the signal may be turned on after the Memorial Day holiday.

**Xcel Energy Projects**

*Gas Line Replacement Projects*
Xcel Energy has substantially completed the installation and upgrade of gas lines in the northbound lanes of the 4200-4400 blocks of S. Broadway. Pavement restoration work remains.

Installation and upgrade of gas lines in the 3600 block of S. Broadway continues. Staff is meeting with Xcel Energy representatives regarding pavement restoration.

**Denver S. Broadway Improvements**
The City of Denver continued construction on S. Broadway between Wesley and Yale. Paving of the Yale intersection is complete. Pavement markings should be installed by next week. Information about the Denver project can be seen at the following website:
http://www.denvergov.org/ProjectsinProgress/SouthBroadwayWesleytoYale/tabid/434078/Default.aspx

**Concrete Utility 2012**
City Council approved awarding a contract to NORAA Concrete Construction at the April 2nd City Council meeting. Staff continued marking concrete scheduled for removal and replacement. Work is expected to begin around the first of June. Questions regarding the upcoming program should be directed to the Concrete Utility, 303-762-2360 or

**Union Ave. Paving Project**
The project will remove asphalt, and a concrete paving section will be constructed. Council approved a motion to award the contract to New Design Construction at the May 7th Council Meeting. Notification flyers were sent to approximately 400 neighboring residents and businesses. Variable Message Board signs, notifying the traveling public, were installed last Friday. The road will be closed Saturday, May 18th and is expected to reopen on Monday morning. Preliminary work (fencing, etc.) began without affecting through traffic.

**City Radio System-Replacement with Push to Talk**
The Servicenter Garage continues to remove old radios from vehicles as they are being serviced.

**Street Maintenance Projects 2012**
Avery Asphalt continued the 2012 Spring Crack Sealing Project. The contractor completed 24 blocks in the northwest section of the City and has moved to the northeast.

The 2012 In-House Overlay Program is underway. Project lists, as well as construction updates, are on the City’s web site under Street Closures.

**CityCenter Site Development**
**City Center Site Development**

*Alexan East and West Parcels*

438 residential units. Alexan’s occupancy level for March, 2012 is 94.5%. Commercial uses: Let It Bead, State Farm, Lifetime Family Practice, Cuttin’It Loose, Jackson Hewitt Tax Service, Foothills Physical Therapy, Creative Perspectives, CityCenter Community, Solid Grounds, and Weingarten Realty.

*Parkway Retail / Office Buildings*

Commercial uses: The International House of Pancakes (IHOP), Qdoba, GNC, Supercuts, Nails Center, CityCenter Dental Group, MMB Hearing, Tableaux Interior Design, Englewood Eyecare, Collective Licensing Int’l, Inc., M.P. Hayutin, LLC, CityCenter Wine and Spirits, Quizno’s, Miller, Air Walk, “Insurance Company of the West”, Printwear Express, Fred Astaire Dance Studio, Wellness Treatment Center, SB Clark Companies, Unifocus, and Bartertown Comics.

*Bally’s Building*

Tenants include Bally’s, “Blondies Fire House Pub and Restaurant”, and MaxFour.

*Retail South of the Parkway*

Tenants: Petco, Ross, Payless Shoes, Coldstone Creamery, Noodles, Sports Authority, and Office Depot. Payless Shoes has closed.

*Gold Mine Pad*

Tenants include: Jamba Juice, Tokyo Joe’s, and Mega Wraps. Weingarten Realty announced a new tenant for the vacant space between Mega Wraps and Tokyo Joes, Doctors Express Urgent Care Facility.

*City Center Site*

EEFI continues project management of all infrastructure on the site. Staff is monitoring the security, sweeping, snow removal, and day porter services performed under the Common Area Maintenance.

*Bradley Station Environmental*

EEFI’s environmental consultants prepared an Executive Summary Report (dated July 28, 2008). Updates will be provided as additional information is received.

**Englewood McEllan Reservoir Foundation (EMRF)**

*PA-84 West*

The Mike Ward Infiniti dealership opened on Monday, August 29th. A Grand Opening was held on November 10th.

The EMRF lease with the Larry Miller Nissan Dealership was signed on February 7th.

*PA-85 (RTD site)*

RTD paid the final billing in the amount of $591,836.86. Finance has deposited this money in the LTAR fund.

*PA-85 (Benjamin Franklin Charter School)*

The Benjamin Franklin Charter School has received their Certificate of Occupancy.

**Air Quality/Energy Saving Projects**

*Flex Fuel Program*

Currently, 39 of our fleet vehicles are running on E-85 ethanol fuel. All new replacement vehicles (less than ¾ ton) will be compatible with E-85. Approximately 50 Flex Fuel vehicles will be in our fleet within two years. Currently, the cost of E-85 fuel is approx. $0.40 per gallon less than regular unleaded gasoline. Ten of our fleet vehicles run on Compressed Natural Gas (CNG). 39 on-road vehicles and 23 off road (construction equipment) run on biodiesel fuel.

*Hybrid Vehicle Purchase*

Two hybrid vehicles are in service, one in the Fire Department and one in the Building Division.
“Green” Programs
We continue to work with our vendors to expand the Green product line as it becomes available. 90% of our custodial paper supplies are from recycled sources. The Servicenter is now “single-streaming” waste at the Servicenter and a dumpster has been supplied for cardboard only recycling.

Energy Saving Projects
In 2001, the Public Works Traffic Division began an ongoing program to convert traffic signals from incandescent lamps to Light-Emitting-Diode (LED) bulbs. To date, 80% of our City maintained signals have been converted. LED traffic signals use 90% less energy than incandescent lamps, last 5 times longer, and provide better visibility.

Electric Vehicle Charging Stations
Staff discussed a potential grant to install charging stations at the Study Session on May 23rd. The joint application has been submitted to the Department of Energy. We have received word that the grant has been approved. Discussions, through the State, continue regarding local regulations, Xcel power issues, public use, and cost.

GPS in Vehicles
The City received a grant, through RAQC (Regional Air Quality), to install 37 GPS units in some of our fleet vehicles. Our match to the project is the installation. The Servicenter Garage will install with in-house labor. The GPS units will be installed in Police patrol vehicles, Public Works vehicles, Fire Department equipment, and some Wastewater Treatment Plant vehicles. GPS equipment installation continued. 20 of the 37 units have been installed so far. The system will allow us to track locations, easily obtain information regarding quantities of ice slicer dispensed, monitor idle times, and allow the public to track where plow trucks have been.
Englewood Police Department Summary Report
For Period April 1, 2012 through April 30, 2012

<table>
<thead>
<tr>
<th>TYPE OF INCIDENT</th>
<th>April 2012</th>
<th>April 2011</th>
<th>YTD 2012</th>
<th>YTD 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PATROL AND TRAFFIC</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Activities</td>
<td>5,758</td>
<td>6,132</td>
<td>24,237</td>
<td>23,146</td>
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<tr>
<td>Officer Initiated Activities</td>
<td>2,727</td>
<td>3,135</td>
<td>12,661</td>
<td>12,197</td>
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<tr>
<td>Misdemeanor Arrests</td>
<td>149</td>
<td>194</td>
<td>665</td>
<td>663</td>
</tr>
<tr>
<td>Felony Arrests</td>
<td>16</td>
<td>37</td>
<td>86</td>
<td>93</td>
</tr>
<tr>
<td>Warrant Arrests</td>
<td>47</td>
<td>47</td>
<td>192</td>
<td>161</td>
</tr>
<tr>
<td>DUI Arrests</td>
<td>30</td>
<td>23</td>
<td>126</td>
<td>100</td>
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<tr>
<td>Hazardous Summonses</td>
<td>263</td>
<td>390</td>
<td>1,348</td>
<td>1,476</td>
</tr>
<tr>
<td>Laser Summonses</td>
<td>472</td>
<td>385</td>
<td>1,710</td>
<td>1,498</td>
</tr>
</tbody>
</table>

| INVESTIGATIONS                   |            |            |          |          |
| Case Filings                     | 45         | 25         | 90       | 69       |
| Summons                          | 0          | 3          | 7        | 9        |
| Deactivated (no additional leads)| 24         | 46         | 115      | 139      |
| Unfounded                        | 6          | 14         | 29       | 37       |
| Victim Failure to Prosecute      | 5          | 6          | 16       | 22       |
| Other Jurisdiction               | 12         | 12         | 27       | 39       |
| Located Missing Person/Runaway   | 2          | 5          | 11       | 26       |
| Non Criminal Death Investigations | 2          | 11         | 15       | 29       |
| Prosecution Declined by District Attorney | 1 | 0 | 4 | 6 |
| **TOTAL**                        | 97         | 122        | 314      | 376      |

| NEIGHBORHOOD SERVICES            |            |            |          |          |
| Impact Team                      |            |            |          |          |
| Projects initiated               | 28         | 21         | 88       | 96       |
| Residential                      | 23         | 15         | 53       | 57       |
| Business                         | 5          | 6          | 35       | 39       |
| Projects Cleared                 | 15         | 15         | 55       | 65       |
| Community Contacts               | 3          | 43         | 76       | 134      |
| Residential                      | 2          | 1          | 4        | 1        |
| Business                         | 1          | 42         | 72       | 133      |
| Community Events                 | 6          | 5          | 33       | 15       |
| Code Enforcement                 |            |            |          |          |
| Cases Opened                     | 544        | 394        | 1,575    | 1,554    |
| Notices of Violation             | 244        | 177        | 742      | 869      |
| Postings                        | 86         | 50         | 196      | 179      |
| Summons                          | 14         | 22         | 61       | 60       |
| Patrol Referrals                 | 50         | 25         | 167      | 109      |
| **TOTAL**                        | 938        | 668        | 2,741    | 2,771    |
| Traffic Bureau                   |            |            |          |          |
| High Accident Locations - Summons| 178        | 102        | 585      | 530      |
| School Zone - Summons            | 0          | 22         | 20       | 87       |
| Citizen Complaint                | 90         | 146        | 299      | 426      |
| Other                            | 3          | 14         | 9        | 28       |
| **TOTAL**                        | 271        | 284        | 913      | 1,071    |
| Community Relations              |            |            |          |          |
| Community Events/Activities      | 15         | 13         | 41       | 52       |
| Persons in Attendance            | 867        | 943        | 1,712    | 2,774    |
### ENGLEWOOD POLICE DEPARTMENT SUMMARY REI

For Period April 1, 2012 through April 30, 2012

#### TYPE OF INCIDENT

<table>
<thead>
<tr>
<th>INCIDENT TYPE</th>
<th>April 2012</th>
<th>April 2011</th>
<th>YTD 2012</th>
<th>YTD 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Rape</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Robbery</td>
<td>5</td>
<td>4</td>
<td>10</td>
<td>14</td>
</tr>
<tr>
<td>Assault (includes all assaults)</td>
<td>33</td>
<td>28</td>
<td>131</td>
<td>146</td>
</tr>
<tr>
<td>Burglary</td>
<td>26</td>
<td>28</td>
<td>85</td>
<td>96</td>
</tr>
<tr>
<td>Theft</td>
<td>140</td>
<td>142</td>
<td>518</td>
<td>532</td>
</tr>
<tr>
<td>Auto Theft</td>
<td>15</td>
<td>24</td>
<td>56</td>
<td>80</td>
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<tr>
<td>Arson</td>
<td>1</td>
<td>3</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>Reported Part I Crimes</td>
<td>TOTAL</td>
<td>222</td>
<td>232</td>
<td>805</td>
</tr>
<tr>
<td>Calls for Service</td>
<td>TOTAL</td>
<td>4,433</td>
<td>3,816</td>
<td>16,856</td>
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</table>

#### VICTIM ASSISTANCE RESPONSE

<table>
<thead>
<tr>
<th></th>
<th>April 2012</th>
<th>April 2011</th>
<th>YTD 2012</th>
<th>YTD 2011</th>
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</thead>
<tbody>
<tr>
<td>Incidents with victim</td>
<td>80</td>
<td>93</td>
<td>326</td>
<td>379</td>
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<tr>
<td>assistance provided</td>
<td></td>
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<tr>
<td>People served relative</td>
<td>110</td>
<td>110</td>
<td>241</td>
<td>476</td>
</tr>
<tr>
<td>to incidents</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>27</td>
<td>39</td>
<td>202</td>
<td>149</td>
</tr>
<tr>
<td>victims</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>Time</td>
<td>Event</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>-------</td>
<td>----------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon., May 21</td>
<td>5:30 p.m.</td>
<td>Executive Session, City Council Conference Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:30 p.m.</td>
<td>Council Meeting, Council Chambers</td>
<td></td>
<td></td>
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<tr>
<td>Tues., May 22</td>
<td>Canceled</td>
<td>Planning and Zoning Commission, City Council Conf. Rm.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon., May 28</td>
<td></td>
<td>City Hall closed — Memorial Day</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon., June 4</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>7:30 p.m.</td>
<td>Council Meeting, Council Chambers</td>
<td></td>
<td></td>
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<tr>
<td>Tues. June 5</td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Chambers</td>
<td></td>
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<tr>
<td>Wed., June 6</td>
<td>5:45 p.m.</td>
<td>Cultural Arts Commission, City Council Conference Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon., June 11</td>
<td>6:00 p.m.</td>
<td>Board and Commission Interviews, City Council Conf. Rm.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tues. June 12</td>
<td>5:00 p.m.</td>
<td>Water and Sewer Board, Comm. Development Conf. Rm.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Library Board, Library Board Room</td>
<td></td>
<td></td>
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<tr>
<td>Wed. June 13</td>
<td>6:30 p.m.</td>
<td>Urban Renewal Authority, Comm. Development Conf. Rm.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>7:00 p.m.</td>
<td>Board of Adjustment and Appeals, Council Chambers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thurs. June 14</td>
<td>11:30 a.m.</td>
<td>Alliance for Commerce in Englewood Committee, City Council Conference Room</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon., June 18</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>7:30 p.m.</td>
<td>Council Meeting, Council Chambers</td>
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<tr>
<td>Tues. June 19</td>
<td>Canceled</td>
<td>Planning and Zoning Commission, City Council Chambers/City Council Conference Room</td>
<td></td>
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<tr>
<td>Wed., June 20</td>
<td>7:00 p.m.</td>
<td>Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mon., June 25</td>
<td>Canceled</td>
<td>Study Session</td>
<td></td>
<td></td>
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5/16/12
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>Mon., July 2</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
</tr>
<tr>
<td>Mon., July 2</td>
<td>7:30 p.m.</td>
<td>Council Meeting, Council Chambers</td>
</tr>
<tr>
<td>Tues. July 3</td>
<td>Cancelled</td>
<td>Planning and Zoning Commission, City Council Chambers/City Council Conference Room</td>
</tr>
<tr>
<td>Wed., July 4</td>
<td>Cancelled</td>
<td>Local Liquor and Medical Marijuana Licensing Authority, Telephone Poll</td>
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<tr>
<td>Mon., July 9</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
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<tr>
<td>Tues. July 10</td>
<td>5:00 p.m.</td>
<td>Water and Sewer Board, Community Development Conference Room</td>
</tr>
<tr>
<td>Tues. July 10</td>
<td>7:00 p.m.</td>
<td>Library Board, Library Board Room</td>
</tr>
<tr>
<td>Wed. July 11</td>
<td>5:45 p.m.</td>
<td>Cultural Arts Commission, City Council Conference Room</td>
</tr>
<tr>
<td>Wed. July 11</td>
<td>6:30 p.m.</td>
<td>Urban Renewal Authority, Community Development Conference Room</td>
</tr>
<tr>
<td>Wed. July 11</td>
<td>7:00 p.m.</td>
<td>Board of Adjustment and Appeals, Council Chambers</td>
</tr>
<tr>
<td>Thurs. July 12</td>
<td>11:30 a.m.</td>
<td>Alliance for Commerce in Englewood Committee, City Council Conference Room</td>
</tr>
<tr>
<td>Thurs. July 12</td>
<td>6:30 p.m.</td>
<td>Transportation Advisory Committee, City Council Conference Room</td>
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<tr>
<td>Mon., July 16</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
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<td>Mon., July 16</td>
<td>7:30 p.m.</td>
<td>Council Meeting, Council Chambers</td>
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<tr>
<td>Tues. July 17</td>
<td>7:00 p.m.</td>
<td>Planning and Zoning Commission, City Council Chambers/City Council Conference Room</td>
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<tr>
<td>Wed., July 18</td>
<td>6:30 p.m.</td>
<td>Code Enforcement Advisory Bd., City Council Conf. Room</td>
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<tr>
<td>Wed., July 18</td>
<td>7:00 p.m.</td>
<td>Local Liquor and Medical Marijuana Licensing Authority, City Council Chambers</td>
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<td>Mon., July 23</td>
<td>6:00 p.m.</td>
<td>Study Session, Community Room</td>
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<tr>
<td>Wed., Aug. 1</td>
<td>5:45 p.m.</td>
<td>Cultural Arts Commission, City Council Conference Room</td>
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<tr>
<td>Wed., Aug. 1</td>
<td>Cancelled</td>
<td>Local Liquor and Medical Marijuana Licensing Authority, telephone poll</td>
</tr>
</tbody>
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TENTATIVE

STUDY SESSIONS TOPICS

FOR ENGLEWOOD CITY COUNCIL

May 28
Memorial Day Holiday – Civic Center closed
No meeting scheduled.

June 4
Study Session & Regular Meeting
NonEmergency Employees Retirement Plan Changes
Economic Development Strategies/Incentives
Board and Commission Alternate Members
Humane Society of South Platte Valley
DRCOG TIP Projects
Sandia National Labs

June 11
Study Session
Board and Commission Interviews

June 18
Study Session & Regular Meeting
Financial Report
South Platte River Projects
Board and Commission Reports

June 25
Study Session
Meeting cancelled - tentative

July 2
Study Session & Regular Meeting
Long Term Asset Reserve Fund - tentative

July 9
Study Session
EURA
McLellan Reservoir Update

July 16
Study Session & Regular Meeting
Financial Report & 6-Month Financial Review
Englewood Depot
Board and Commission Reports

July 23
Study Session
Board and Commission Appreciation

5/16/2012
<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 30</td>
<td>5th Monday – No meeting scheduled</td>
</tr>
<tr>
<td>August 6</td>
<td>Study Session &amp; Regular Meeting</td>
</tr>
<tr>
<td>August 13</td>
<td>Study Session</td>
</tr>
<tr>
<td>August 20</td>
<td>Study Session &amp; Regular Meeting</td>
</tr>
<tr>
<td></td>
<td>Financial Report</td>
</tr>
<tr>
<td>August 27</td>
<td>Study Session</td>
</tr>
<tr>
<td></td>
<td>Board and Commission Reports</td>
</tr>
<tr>
<td>September 4</td>
<td>Study Session &amp; Regular Meeting - Tuesday</td>
</tr>
<tr>
<td>September 10</td>
<td>Study Session</td>
</tr>
<tr>
<td></td>
<td>Preliminary 2013 Budget Discussion</td>
</tr>
<tr>
<td>September 17</td>
<td>Study Session &amp; Regular Meeting</td>
</tr>
<tr>
<td></td>
<td>Financial Report</td>
</tr>
<tr>
<td>September 24</td>
<td>Study Session</td>
</tr>
<tr>
<td></td>
<td>2013 Proposed Budget Workshop</td>
</tr>
<tr>
<td></td>
<td>Board and Commission Reports</td>
</tr>
</tbody>
</table>

**FUTURE STUDY SESSION TOPICS**

- Historic Preservation
- ACE role in business initiatives
- Security Cameras Update
- Acoma Parking Lot Landscape
- Board and Commission Alternate Members
- CityCenter RTD Parking (July)
- Citizens Budget Committee (Fall)
- Comprehensive Plan Update (May or June)
  - Neighborhood Preservation
- Full Service City (During Fall Budget Process)
- Water Conservation Plan (April or May)
- Concrete Utility Program
I. CALL TO ORDER

The Regular Meeting of the Englewood Housing Authority Board of Commissioners was called to order at 4:00 p.m. on Wednesday, January 4, 2012 at 3460 South Sherman Street, Suite 203, Englewood, Colorado, 80113, by Chair Beverly Bradshaw.

II. ROLL CALL

Members Present: Beverly Bradshaw, Chair
Jennifer Haynes, Commissioner
Jarrod Schleiger, Commissioner
Margaret Williams, Commissioner
James Woodward, Mayor Pro Tem & Council Liaison

Members Absent: Rodger Hara, Vice Chair (Excused)

Also Present:
Dawn Shepherd, Executive Director
Renee Tullius, Administrative Manager
Geula Sherman, Financial Services Manager

III. SCHEDULED VISITORS

There were no scheduled visitors. Littleton Capital Partners did not attend as they determined they were not ready to proceed with their intended project at Oxford and Santa Fe.

IV. UNSCHEDULED VISITORS

There were no unscheduled visitors.

V. MINUTES

A. Regular Meeting held December 7, 2011.

Renee Tullius clarified that on page 5, paragraph 4, the amount of PILOT contributed to the City as $20,265.00. The amount of the discount is $5,000.00. Commissioner Haynes noted that page 2, paragraph 4, voucher is corrected to vouchers. Geula Sherman clarified that on
page 2, paragraph 2, approximately $26,000 of the Sheridan Administrative Reserve Account was utilized.

COMMISSIONER HAYNES MOVED TO ACCEPT AND APPROVE THE MINUTES OF THE REGULAR MEETING OF THE ENGLEWOOD HOUSING AUTHORITY BOARD OF COMMISSIONERS AS CORRECTED HELD DECEMBER 7, 2011. COMMISSIONER WILLIAMS SECONDED THE MOTION.

Ayes: Bradshaw, Schleiger, Haynes, Williams
Nays: None
Abstained: None
Absent: Hara

The Chair declared the motion carried.

VI. DIRECTOR’S REPORT

A. Narrative

Commissioner Haynes clarified that there were no residents injured in the aftermath of the recent snow storm. An aide of one of our residents did fall. The walkway that is the responsibility of the housing authority had been cleared. The Housing Authority Insurance Group was notified and an adjuster assigned. The adjuster has been trying to meet with the aide to determine where she fell. The aide did call 911 and did go to the ER by ambulance. Workman’s compensation may be involved if the agency employing the aide is covered.

B. Financial Reports

Generally the actual year to date amounts and the budgeted year to date amounts on the consolidated income statement are close. Dawn Shepherd noted the positive cash flow in 2011 and the major capital improvements.

C. Program Reports

Occupancy rates were characterized as great. The board member noted the murder of a Section 8 client. EHA did send a card to the family.

VII. DISCUSSION ITEMS, MOTIONS AND RESOLUTIONS

There were no discussion items, motions or resolutions.

VIII. INFORMATION AGENDA
Commissioner Haynes noted the numerous thank you notes from the residents regarding the holiday brunches. Commissioner Schleiger discussed the Family Self Sufficiency Program. The EHA program is very successful due to excellent case management.

 IX. GENERAL DISCUSSION

 A. Commissioner’s Choice

 There was no discussion.

 B. Director’s Choice

 There was no discussion.

 C. Council Communication

 Mayor Pro Tem Woodward noted that term limits do not affect the housing authority board and characterized the prior month as quiet.

IX. ADJOURNMENT

 Chair Bradshaw declared the meeting adjourned at 4:45 pm.

Jennifer Haynes, Chair
Englewood Housing Authority
Board of Commissioners

Dawn Shepherd, Executive Director
Englewood Housing Authority
Board of Commissioners
I. CALL TO ORDER

The Annual Meeting of the Englewood Housing Authority Board of Commissioners was called to order immediately following the Regular Meeting on Wednesday, January 4, 2012, at 3460 South Sherman Street, Suite 203, Englewood, Colorado, 80113, by Chairman Beverly J. Bradshaw.

II. ROLL CALL

Members Present: Beverly Bradshaw, Chair
Jennifer Haynes, Commissioner
Jarrod Schleiger, Commissioner
Margaret Williams, Commissioner
James Woodward, Mayor Pro Tem & Council Liaison

Members Absent: Rodger Hara, Vice Chair (Excused)

Also Present: Dawn Shepherd, Executive Director
Renee Tullius, Administrative Manager
Geula Sherman, Financial Services Manager

III. DIRECTOR’S ANNUAL REPORT ON 2010

Chair Bradshaw commented that it had been a productive year. Board Member Woodward asked about the savings realized from the energy conservations measures. Johnson Controls is calculating that and has not yet finished their study. HUD staff will be reviewing unit maintenance files on January 5th. Commissioner Schleiger noted favorably the variety of trainings available to all staff; Chair Bradshaw described the training as an investment in the future. Chair Bradshaw expressed appreciation of the improved relationship with the City and noted Dawn Shepherd’s volunteer activities in the community.

IV. DISCUSSION ITEMS, MOTIONS, AND RESOLUTIONS
A. Reaffirm EHA Mission Statement for 2012

**MOTION**

COMMISSIONER HAYNES MOVED TO REAFFIRM THE EHA MISSION STATEMENT. COMMISSIONER SCHLEIGER SECONDED THE MOTION.

Ayes: Bradshaw, Haynes, Schleiger, Williams
Nays: None
Abstained: None
Absent: Hara

The Chair declared the motion carried.

B. Agency Goals and Objectives

Dawn Shepherd sees the opportunity for growth reinforced by the agency goals. There is a consensus on the goal of increasing affordable housing. Chair Bradshaw is glad the west stair case is on the 2012 goals. The possibility of utilizing a mapping program to demonstrate the location of subsidized/affordable housing was discussed. The board indicated an interest in investigating co-housing. Mayor Pro Tem Woodward suggested amending Goal 1, Objective 3 to indicate that that the reserve account could be utilized to fund the future purchase or replacement of the solar system rather than simply the purchase.

**MOTION**

COMMISSIONER HAYNES MOVED TO ADOPT THE GOALS AND OBJECTIVES AS AMENDED. COMMISSIONER WILLIAMS SECONDED THE MOTION.

Ayes: Bradshaw, Haynes, Schleiger, Williams
Nays: None
Abstained: None
Absent: Hara

The Chair declared the motion carried.

C. Election of Officers

**MOTION**

COMMISSIONER SCHLEIGER NOMINATED CHAIR BRADSHAW TO BE RETAINED AS CHAIR OF THE ENGLEWOOD HOUSING AUTHORITY BOARD
OF COMMISSIONERS AND NOMINATED COMMISSIONER HAYNES AS VICE CHAIR. COMMISSIONER WILLIAMS SECONDED THE NOMINATIONS.

Ayes: Bradshaw, Haynes, Schleiger, Williams
Nays: None
Abstained: None
Absent: Hara

The Chair declared the motion carried.

D. Designation of Official Posting Places for all EHA meeting notices.

MOTION

COMMISSIONER SCHLEIGER MOVED TO APPROVE DESIGNATION OF POSTING PLACES FOR ENGLEWOOD HOUSING AUTHORITY MEETING NOTICES AS THE ENGLEWOOD CITY CENTER AND THE EHA OFFICE BUILDING. COMMISSIONER HAYNES SECONDED THE MOTION.

Ayes: Bradshaw, Haynes, Schleiger, Williams
Nays: None
Abstained: None
Absent: Hara

The Chair declared the motion carried.

E. Designation of Meeting Times

MOTION

EHA BOC Annual Meeting
01-04-12

Ayes: Bradshaw, Haynes, Schleiger, Williams
Nays: None
Abstained: None
Absent: Hara

The Chair declared the motion carried.

V. ADJOURNMENT

MOTION

COMMISSIONER HAYNES MOVED TO ADJOURN THE ANNUAL MEETING OF THE ENGLEWOOD HOUSING AUTHORITY BOARD OF COMMISSIONERS HELD JANUARY 4, 2012. COMMISSIONER SCHLEIGER SECONDED THE MOTION. CHAIR BRADSHAW DECLARED THE MEETING ADJOURNED. THE COMMISSIONERS ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.

Jennifer Haynes, Vice Chair
Englewood Housing Authority
Board of Commissioners

Dawn Shepherd, Executive Director
Englewood Housing Authority
Board of Commissioners
I. CALL TO ORDER

The Regular Meeting of the Englewood Housing Authority Board of Commissioners was called to order at 4:00 p.m. on Wednesday, February 29, 2012 at 3460 South Sherman Street, Suite 203, Englewood, Colorado, 80113, by Vice Chair Jennifer Haynes.

II. ROLL CALL

Members Present: Jennifer Haynes, Vice Chair  
Rodger Hara, Commissioner (arrived late)  
Jarrod Schleiger, Commissioner  
Margaret Williams, Commissioner  
Judy Browne, Alternate Commissioner  
James Woodward, Mayor Pro Tem & Council Liaison

Members Absent: Beverly Bradshaw, Chair (Excused)

Also Present: Dawn Shepherd, Executive Director  
Renee Tullius, Administrative Manager  
Geula Sherman, Financial Services Manager  
Jerry Graber, Englewood HA Staff

III. SCHEDULED VISITORS

Jo Davidson, Executive Director of Community Housing Development Association (CHDA) was in attendance. She explained that CHDA was formed in 1995 through the collaboration of three human service organizations: Arapahoe House, Arapahoe / Douglas Mental Health Network, and Developmental Pathways. Their mission is to provide affordable housing to special needs populations. CHDA has identified two properties in Englewood for investment to facilitate affordable rents, upkeep and maintenance. These properties, Canterbury East and Canterbury South, at 3550 S Delaware St, and 3600 S Delaware St, are ideal for the preservation of affordable housing using low income housing tax credits. CHDA has those properties under contract for purchase. CHDA desires to collaborate with EHA as an investor and partner. Other investors have indicated interest in tax credit participation. The possibility of including a MOU in the CHFA application for low income housing tax credits was discussed.

Dawn Shepherd described the draft MOU as fairly general and outlining issues important to both boards. The intent is for EHA to be owner of the buildings at the end of the tax credit period. EHA’s attorney had previously provided some redline suggestions to the draft of the
MOU. EHA’s attorney only had a few concerns, but they were weighty. Dawn Shepherd noted this partnership opportunity would be consistent with EHA’s Annual Plan and EHA’s goal to increase affordable housing.

Jo Davidson stated that unwinding the partnership at the end of the 15 year tax credit period is complex and CHDA’s board has questions as they have not entered into this type of partnership before. The preliminary scoring on the CHFA application looks promising. The governor’s energy office has indicated that there should be some funding available for energy conservation aspects of the project during the 1st quarter of the year. CHDA and EHA have very good reputations with CHFA. They both serve special needs populations which is a positive for this tax credit application. CHFA prefers to target areas with less than 4% vacancy rates and these properties are in a neighborhood with a 3.2% vacancy rate. The buildings do contain some asbestos. Including asbestos remediation, the preliminary post renovation cost is approximately $110,000 per unit. Initially CHDA would install the Monroe Group as the property manager. They would consider EHA as property managers of the property with the approval of the investors.

Dawn Shepherd stated that EHA’s agreement with Henry Burgwyn concerning The Terraces on Pennsylvania also alluded to the opportunity for EHA to manage the property. Dawn Shepherd posed the question of the most important issue: for EHA to be a partner/investor or management ability. Dawn noted the understanding that Dan Morgan would be arranging financing.

Jo Davidson stated that CHDA would like EHA to be in a shared risk position and a guarantor. CHDA does not anticipate shortfalls or a lengthy lease up period. CHDA expects an investor to pay 91 ¼ cents for the tax credits based on today’s economy, but budgeted conservatively at 90 cents. Today’s market is much better than what it was in 2008.

Mayor Pro Tem Woodward asked for clarification of the risk—would both EHA and CHDA be co-guarantors. What is at risk? The original investment only? Or more than that?

Jo Davidson indicated that both agencies would be co-guarantors. In previous endeavors, CHDA did invest additional funds - $40,000 for Presidential Arms, and $10,000 for Lara Lea Apartments. Those additional amounts became loans.

Commissioner Hara indicated that is a standard type of guarantee. He also noted that he is on the board for Arapahoe House which has board membership in CHDA. If there is a conflict of interest he will abstain from those types of decisions.

Commissioner Schleiger indicated that 1st Bank might be involved, so he might possibly need to excuse himself from a vote also.

Vice Chair Haynes asked what types of special need populations CHDA serves.
Jo Davidson said that Arapahoe House offers mental health, substance addiction and recovery services; Arapahoe/Douglas Mental Health offers mental health services; and Developmental Pathways offers a broad array of services for the developmentally disabled. The Canterbury properties would not have on-site services; however case managers could visit residents in their units. Also light rail and bus transportation is nearby allowing residents to travel for services.

The buildings could remain affordable for an additional 25 years after the tax credit period. The consensus was that the extended use period would be 40 years, and that could be accomplished by a land use restriction in the deed.

Sex offenders would not be housed.

Three units per building are budgeted for accessibility, two for wheel chair access and one universal design in each building. As the entire first floor is accessible elevators are not necessary

It was noted that Miller Field Master Plan indicates a playground and park upgrades which would be a bonus for the properties.

It is intended that this partnership would preserve affordable housing.

$750,000 will be the anticipated debt at the end of the 15 year tax credit period.

A discussion among the board members followed including topics such as: The negotiated repayment of the debt, the source of the investment, characterization of the debt as equity investment or a loan, unwinding the partnership/ownership of the assets at the end of the tax credit period, PILOT, timing of legal services relative to the award of tax credits and the type of agreement to be negotiated, an MOU or a partnership agreement. The Board reached a consensus to hold a study session on March 21st or March 28th to further discuss the issues and to provide a letter of intent for inclusion with the tax credit application. Staff left the meeting to revise the letter of intent

Are tax credits limited by basis or by gap? There are four tests to determine the amount of tax credits.

COMMISSIONER HARA MOVED TO APPROVE THE EXECUTIVE DIRECTOR TO SIGN A REVISED LETTER OF INTENT TO BE INCLUDED WITH THE CHFA APPLICATION FOR TAX CREDITS. COMMISSIONER WILLIAMS SECONDED THE MOTION.

Ayes: Hara, Haynes, Williams
Nays: None
Abstained: Schleiger
Absent: Bradshaw
The Vice Chair declared the motion carried.

IV. UNSCHEDULED VISITORS

There were no unscheduled visitors.

V. MINUTES

A. Regular Meeting held January 4, 2012.

COMMISSIONER SCHLEIGER MOVED TO ACCEPT AND APPROVE THE MINUTES OF THE REGULAR MEETING OF THE ENGLEWOOD HOUSING AUTHORITY BOARD OF COMMISSIONERS HELD JANUARY 4, 2012. COMMISSIONER WILLIAMS SECONDED THE MOTION.

Ayes: Haynes, Schleiger, Williams
Nays: None
Abstained: Hara (he was not at that meeting)
Absent: Bradshaw

The Vice Chair declared the motion carried.


Ayes: Haynes, Schleiger, Williams
Nays: None
Abstained: Hara (he was not at that meeting)
Absent: Bradshaw

The Vice Chair declared the motion carried.

VI. DIRECTOR’S REPORT

A. Narrative

The new alternate commissioner, Judy Browne, was introduced. Her background includes twenty years as an engineer and project manager at Norgren, a year working with Habitat for Humanity and as of February 1st a licensed real estate agent.
Jerry Graber was introduced as the new Administrative Manager having previously been employed with Denver Housing Authority for 29 years, holding several positions there including: Internal Auditor, Manager of Accounting, and Senior Section 8 Systems Manager.

Dawn Shepherd mentioned that it has been a very busy month. The REAC physical inspection was last Friday, February 24th. The inspector was not the same person as last year. The inspector’s main focus was doors. The inspection report should be available in the next week or two; any issue will be addressed. There were no life safety issues and there should be no impact on our performance status. Staff anticipates maintaining High Performer status.

The resident Council at Orchard Place has installed new officers and the council is starting to coalesce and work together. They sponsored party for the residents.

Commissioner Schleiger asked if EHA should be concerned with the amount of the capital grant, or were we expecting that level of funding reduction?

Dawn Shepherd replied that EHA is in a good position financially having previously utilized ARRA funding and also entering into an Energy Performance contract. Staff expected the reduced funding. Geula Sherman noted that we also have some remaining unspent capital grant money from previous years.

Dawn Shepherd's retirement and the succession of Renee Tullius into that position were discussed in executive session of the January meeting, not the regular meeting, and are therefore not contained in the regular meeting minutes. Resolution 1 follows the decision reached by the board at the executive director by removing Dawn Shepherd as signer on the bank accounts and authorizing Renee Tullius as the Executive Director as signer.

Vice Chair Haynes inquired into Dawn Shepherd's conversation with Pat Coyle. Dawn Shepherd replied that the Colorado Department of Human Services was planning to use the Toyota Method to streamline their operations. They discussed the State of Colorado taking over the inspections to reduce the cost of administering vouchers in Douglas County.

B. Financial Reports

Geula Sherman gave an explanation about the Consolidated Income Statement. The title "Net Income (P/L)" was used twice. The second usage, on the bottom line should have been labeled "Net Income (P/L) with Use of Reserves".

Vice Chair Haynes asked why utility costs are so high compared to budget. Geula Sherman explained that the monthly budget is 1/12 of the annual; however the utility costs are usually higher this time of year because of the winter months.
C. Program Reports

There were no questions or concerns about the Occupancy report.

VII. DISCUSSION ITEMS, MOTIONS AND RESOLUTIONS

A. Resolution 1, Series of 2012 Authorizing Signer on Accounts.

Dawn Shepherd explained this formal resolution is required by the bank to change authorized signers on the bank account.

COMMISSIONER HARA MOVED TO APPROVE RESOLUTION 1, SERIES 2012 AUTHORIZING SIGNER ON ACCOUNTS. COMMISSIONER SCHLEIGER SECONDED THE MOTION.

Ayes: Haynes, Schleiger, Williams, Hara
Nays: None
Abstained: None
Absent: Bradshaw

The Vice Chair declared the motion carried.

B. Resolution 2, Approving Submission of SEMAP Certification

Dawn Shepherd mentioned that the attached documentation is the actual HUD SEMAP Certification.

COMMISSIONER SCHLEIGER MOVED TO APPROVE RESOLUTION 2 APPROVING SUBMISSION OF SEMAP CERTIFICATION. VICE CHAIR HAYNES SECONDED THE MOTION.

Ayes: Haynes, Schleiger, Williams, Hara
Nays: None
Abstained: None
Absent: Bradshaw

The Vice Chair declared the motion carried.

C. Resolution 3, Approving Operating Budget

Geula Sherman noted that the Energy Performance Contract is accounted for in this budget. HUD is requiring EHA to use some of the reserves.
COMMISSIONER HARA MOVED TO APPROVE RESOLUTION 3 APPROVING THE OPERATING BUDGET. COMMISSIONER SCHLEIGER SECONDED THE MOTION.

Ayes: Haynes, Schleiger, Williams, Hara
Nays: None
Abstained: None
Absent: Bradshaw

The Vice Chair declared the motion carried.

D. Resolution 4, Authorizing Executive Director to Sign Contracts and Official Documents

Commissioner Schleiger inquired into the limits for this authorization. Dawn Shepherd responded that the procurement policy addresses the limitations. There was discussion about how the transition to the new executive director would occur. Resolution 1 and Resolution 3 are designed to cover foreseeable issues...

COMMISSIONER HARA MOVED TO APPROVE RESOLUTION 4 AUTHORIZING EXECUTIVE TO SIGN CONTRACTS AND OFFICIAL DOCUMENTS. COMMISSIONER SCHLEIGER SECONDED THE MOTION.

Ayes: Haynes, Schleiger, Williams, Hara
Nays: None
Abstained: None
Absent: Bradshaw

The Vice Chair declared the motion carried.

VIII. INFORMATION AGENDA

Commissioner Haynes noted the numerous thank you notes from the residents regarding the holiday brunches. Commissioner Schleiger discussed the Family Self Sufficiency Program. The EHA program is very successful due to excellent case management.

IX. GENERAL DISCUSSION

A. Commissioner’s Choice

Commissioner Hara mentioned that his group will be performing on St. Patrick’s Day at the Terraces and the Libby Bortz assisted living facility in Littleton.
B. Director’s Choice

Dawn Shepherd thanked the Board for all of their support... She has been honored to work with everybody involved with EHA. As she is retiring, she is confident that there is a great team in place to carry on with the business of EHA.

C. Council Communication

Mayor Pro Tem Woodward noted that city council is considering allowing board alternates to vote in situations when there is not a quorum.

IX. ADJOURNMENT

Vice Chair Haynes declared the meeting adjourned at 6:30 pm.

Jennifer Haynes, Vice Chair
Englewood Housing Authority
Board of Commissioners

Renee Tullius, Executive Director
Englewood Housing Authority
Board of Commissioners
I. CALL TO ORDER

The Special Meeting – Study Session of the Englewood Housing Authority Board of Commissioners was called to order at 4:00 p.m. on Wednesday, March 28, 2012 at 3460 South Sherman Street, Suite 203, Englewood, Colorado, 80113, by Chair Beverly Bradshaw.

II. ROLL CALL

Members Present: Beverly Bradshaw, Chair
Jennifer Haynes, Vice Chair
Rodger Hara, Commissioner
Jarrod Schleiger, Commissioner
Judy Browne, Alternate Commissioner
James Woodward, Mayor Pro Tem & Council Liaison

Members Absent: Margaret Williams, Commissioner (Excused)

Also Present: Renee Tullius, Executive Director
Jerry Graber, Administrative Manager
Geula Sherman, Financial Services Manager

III. CANTERBURY APARTMENTS

Commissioner Hara facilitated the study session. He provided an overview of tax credits which were created by the tax reform act of 1986. The IRS allocates tax credits to every state at the rate of $1.75 per capita, per year. Each state has discretion to determine how those tax credits are allocated within the state. In Colorado, all tax credit allocations are determined by Colorado Housing Finance Authority ("CHFA"). Currently there is approximately $12 million in tax credits per year available in Colorado. CHFA allocates these over two cycles each year. CHFA allocates those tax credits to developers who agree to make 20% of units available to families with ≤ 40% of Area Median Income or 40% of units available to households with ≤ 60% of Area Median Income.

Project costs are divided between Land, Amortizable or Depreciable Improvements, and Directly Expensed Costs. Since land cannot be depreciated or amortized, it is excluded from the tax credit calculations. Tax credits are based at a 4% credit rate for existing structures, and 9% for new structures, or rehabilitation costs. The number of affordable units needs to be maximized in order to maximize the use of tax credits.

For the current cycle of tax credit allocations there are 20 applications requesting $17 million in tax credits.
There is a provision in a 1984 Colorado Statute known as HB 1284 that creates an exemption from property taxes if a Housing Authority has a partnership interest in the property.

EHA would contribute $200,000 to the partnership with CHDA in addition to providing the property tax exemption.

The CHFA application indicates that sources of financing are anticipated to be:

- $750,000 First Mortgage
- $200,000 Englewood HA
- $650,000 CHDA / Arapahoe Count HOME Funds
- $430,000 CHDA / DOH HOME Funds
- $80,000 CHDA Weatherization Grants
- $215,000 CHDA / AHP FHLB

The contingency amounts appear to be slightly unusual

- Owner Contingency $322,500 (large?)
- Contract Contingency $54,091 (small?)

Since this project is intended to be 100% affordable units, the total rehabilitation costs on the spreadsheet would be at the 9% tax credit rate, and on the existing structures, $2,182,000 would be at the 4% tax credit rate.

The proposed buyer of the tax credits is a syndicator, Winthrop National Corporation ("WNC"), who would then resell the tax credits. Tax credits are good for 10 years. The units are required to maintained as affordable housing for 15 years.

All tax credit applications need to score a minimum of 130 points to get a seat at CHFA’s table. This application has 151 points.

This application indicates that all the units (43 of them) will be kept affordable for 40 years, the 15 years compliance period plus 25 additional years maintained as affordable housing.

This $200,000 investment would enable the investment of $2,348,000 in rehab, asbestos abatement, etc. to improve these buildings.

The guarantors would be responsible for approximately $4 million construction loan guarantees through the construction and lease up period.

Deferred Developer Fee – CHFA permits $800,000. CHDA proposes taking the developer fee at the back end of the deal. Tax law requires that cash flows from the project during the first 15 years be sufficient to repay deferred developer. The projected cash flows do not show enough positive cash flow to repay the debt and the developer fee.
There are several grants included in the financing plans. Traditionally there are 3 grants for every dollar of grant funding. If a grant is not received there will be a need for additional investment.

Does EHA have more than the $200,000 available for investment into this if required? EHA has adequate non-HUD reserves.

There was a discussion about whether EHA should limit the maximum investment from EHA at $200,000.

There are 3 methods of calculating the tax credits for a project:
1. Qualified Basis Calculation
2. GAP Calculation
3. Basis Limit Calculation
The lowest of the three methods is what is used.

A question from the regular board meeting on February 29, 2012 was about paying PILOT (Payment in Lieu of Taxes) for services provided by the city, even though the project would be exempt from property taxes. PILOT would raise operating costs and lower positive cash flows. It does not appear that the projections have enough positive cash flows to pay back the developer fees in 15 years, and that is without PILOT.

Sometimes housing authorities that are asked to participate in a tax credit partnership are paid a percentage of the tax savings. Some of those housing authorities use that money to pay PILOT, some housing authorities keep that payment as an additional source of revenue.

The “missing information” tab on the excel spreadsheet indicates that there is 137% coverage on debt service.

Page 4 of the WNC Agreement discusses ongoing guarantees to WNC. If the property is found to be out of compliance with the tax credit rules during the 15 year compliance period, there could be recapture of some of the tax credits. WNC would look to the guarantor for reimbursement of any amounts that were recaptured plus any penalties or other associated costs.

It is possible for EHA to stipulate that EHA is only a special limited partner and the involvement is limited to $200,000.

It is prudent to evaluate this as a business transaction. At the same time, considering the mission of the agency, EHA must also remember EHA’s role in the community and the possibility for improving affordable housing in the community and improving the community as a whole.

Out of 21 applications for this round of tax credits, it might be a 1 out of 3 chance of being allocated tax credits. This application might be considered by CHFA as marginal. EHA should know about mid-May if tax credits are awarded for this project.
CHFA invites each applicant to do a presentation to the committee that makes the final selection. There is also a post application meeting to explain why applications are rejected.

EHA could consider communicating, in a non-binding way, the wish to limit participation to the $200,000 investment, as a special limited partner, and not as a guarantor. Other concerns are cash flow and the potential timing for EHA to receive a return of the $200,000 investment.

The board questioned if CHDA / WNA required an additional guarantor. The Board reached a consensus that further direction would be provided to staff at the April 4th regular board meeting.

IV. ADJOURNMENT

Vice Chair Haynes moved to adjourn the study session. Commissioner Hara Seconded the Motion.

Ayes: Bradshaw, Haynes, Schleiger, Hara
Nays: None
Abstained: None
Absent: Williams

Chair Bradshaw declared the Study Session Meeting adjourned at 6:15 pm.
I. CALL TO ORDER

The Regular Meeting of the Englewood Housing Authority Board of Commissioners was called to order at 4:00 p.m. on Wednesday, April 4, 2012 at 3460 South Sherman Street, Suite 203, Englewood, Colorado, 80113, by Chair Beverly Bradshaw.

II. ROLL CALL

Members Present: Beverly Bradshaw, Chair
Jennifer Haynes, Vice Chair (arrived late)
Rodger Hara, Commissioner (arrived late)
Jarrod Schleiger, Commissioner
Margaret Williams, Commissioner
Judy Browne, Alternate Commissioner (arrived late)
James Woodward, Mayor Pro Tem & Council Liaison

Members Absent: None

Also Present: Renee Tullius, Executive Director
Jerry Graber, Administrative Manager
Geula Sherman, Financial Services Manager

III. SCHEDULED VISITORS

There were no scheduled visitors.

IV. UNSCHEDULED VISITORS

There were no unscheduled visitors.

V. MINUTES

A. Regular Meeting held February 29, 2012.

VICE CHAIR HAYNES MOVED TO ACCEPT AND APPROVE THE MINUTES OF THE REGULAR MEETING OF THE ENGLEWOOD HOUSING AUTHORITY BOARD OF COMMISSIONERS HELD FEBRUARY 29, 2012. COMMISSIONER SCHLEIGER SECONDED THE MOTION.

Ayes: Haynes, Schleiger, Williams
Nays: None
Abstained: Bradshaw (not at that meeting)
Absent: Hara

The Chair declared the motion carried.

VI. DIRECTOR’S REPORT

A. Narrative

The office building roof developed a few leaks. The drains became clogged with debris, causing some water to leak in two places – the board meeting room and an office on the first floor of the building.

The Nelrod conference in February was a good conference with lots of useful information.

After the Canterbury Study Session, the concerns of EHA’s Board were communicated to Jo Davidson, Executive Director of CHDA. CHDA agreed to limit EHA’s liability and CHDA desires to include EHA (with an investment of $200,000 and property tax exemption). The board wanted to clarify that CHDA and the tax credit purchaser, WNC, were comfortable with CHDA as the sole guarantor. CHDA indicated that would be acceptable - CHDA has had previous successful projects involving tax credits, without an additional guarantor.

If EHA does not intend to participate in this venture, EHA needs to communicate that to CHDA.

The EHA Board desires that the $200,000 equity investment eventually leads to ownership of one or both buildings. Payment in Lieu of Taxes is a concern, due to possible increased services required from police and fire.

If EHA invests $200,000, it would facilitate additional investment and rehabilitation of those buildings so the residents will have safer, healthier, and more habitable units.

The partnership and loan agreements need to be negotiated to resolve all issues and concerns. EHA could negotiate the first right of refusal on one or both of the buildings. If CHDA is awarded tax credits, it will be up to them to finalize all negotiations and bring each of the investors to the table. A meeting is scheduled for May 8th with CHFA to be attended by EHA’s Executive Director, CHDA’s Executive Director and Dan Morgan (CHDA’s Consultant). EHA’s Board desires to convey EHA’s concerns and the sense that EHA is not 100% committed until all the concerns are resolved.

There was discussion about how much previous tax credit properties would have paid for property taxes if they were not tax exempt. It seems that amount would be minimal,
because the city receives most of its revenues from sales taxes. Property taxes fund the public school system more than the city.

There was discussion about what might happen to the Canterbury buildings if this tax credit project does not proceed. Would a private investor buy them and raise the rents? Probably not – the units are really small and the market might not support increased rents. The high abatement costs are another factor for consideration by a private investor. If a private investor bought the properties, they might negotiate a lower sale price.

The Board asked the Executive Director for input. The Executive Director respects the desires and concerns of Englewood Citizens and does not desire to overrule or be disrespectful; EHA has a different set of issues & goals related to this project:

- How will it affect EHA’s relationship with Arapahoe County?
- How will it affect any future relationship with CHDA?
- It fits in with EHA’s Mission to provide affordable housing.
- It would provide tax credit experience, which might be helpful for future tax credit applications.
- Related to Fair Housing- it could demonstrate actual efforts to address Fair Housing Issues, vs. simply attending seminars and adding some language to EHA’s documents.
- Not sure how it fits into the Miller Field Master Plan to be more of a park vs. solely athletic fields.

COMMISSIONER HARA MADE A MOTION THAT EHA PROCEED WITH THE CANTERBURY APARTMENTS, SUBJECT TO SATISFACTORY NEGOTIATION OF LOAN TERMS AND PARTNERSHIP AGREEMENTS, AND DEPENDENT UPON AWARD OF TAX CREDITS. COMMISSIONER WILLIAMS SECONDED THE MOTION.

Ayes: Haynes, Williams, Hara
Nays: Bradshaw
Abstained: Schleiger (possible conflict of interest)
Absent: None

The Chair declared the motion carried.

There was discussion about other projects in Englewood. There is Kent Place, a high income, high rent project. There is the Flood Redevelopment, details are presently unknown. It was mentioned that the Denver Business Journal had an article about development of the Martin Plastics site at the South-West Corner of Oxford & Navajo.

The waiting lists are currently closed for Section 8 Housing Choice Vouchers ("HCV"). Although the waiting lists for Section 8 HCV are generally closed, the Public Housing waiting lists open periodically as we needed. When Section 8 HCV waiting lists open,
usually several thousand are added. EHA administers the Section 8 HCV Programs for Englewood, Douglas County and Sheridan.

The Board congratulated staff on the excellent PHAS Score.

B. Financial Reports

The Board questioned whether EHA pays dues to the Rotary Club, and whether the Executive Director is involved in the Rotary Club? It is a general understanding that you need to be invited to Rotary before you can participate.

Geula Sherman explained that expenses for February are lower than normal and negative in a few categories because of the accrual of expenses to the 2011 fiscal year. Those accruals moved expenses from February to December where they belong.

The Homeless Action Force was discussed. It is unknown whether distribution of vouchers is over for the season, because that is totally dependent on the weather – however the snow season is almost over. Much of the funding for that program is raised by local churches to pay for motel vouchers.

C. Program Reports

There were no questions or concerns about the Occupancy report.

VII. DISCUSSION ITEMS, MOTIONS AND RESOLUTIONS

A. Resolution 5, Series of 2012 Revision of the Section 8 Administrative Plan.

COMMISSIONER HAYNES MOVED TO APPROVE RESOLUTION 5, SERIES 2012 AUTHORIZING REVISION OF THE SECTION 8 ADMINISTRATIVE PLAN. COMMISSIONER HAR A SECONDED THE MOTION.

Ayes: Bradshaw, Haynes, Schleiger, Hara, Williams
Nays: None
Abstained: None
Absent: None

The Chair declared the motion carried.


EHA has received several Open Records Requests recently. Staff developed a procedure and a form so that these types of requests are handled consistently by all staff.
COMMISSIONER SCHLEIGER MOVED TO APPROVE RESOLUTION 6 APPROVING OPEN RECORDS-RECORDS REVIEW POLICY & PROCEDURE. COMMISSIONER HARA SECONDED THE MOTION.

There was discussion about the motion and the proposed policy and procedure. The Board had concerns about whether EHA can charge for employee time to attend the records while they are reviewed; the number of days allowed for response time and how that compares to the statute; if information requests are not addressable within 3 days – what if 7 days is not enough time; what constitutes notice (1st class mail, certified mail), when is notice considered given – when mailed, 3 days after mailing, etc.). The Board requested that staff have legal counsel address these concerns and will readdress the policy in a future meeting.

VICE CHAIR HAYNES MOVED THAT THE MOTION BE TABLED UNTIL NEXT MONTH’S MEETING. COMMISSIONER SCHLEIGER SECONDED THE MOTION.

Ayes: Bradshaw, Haynes, Schleiger, Hara
Nays: None
Abstained: None
Absent: Williams (left prior to end of meeting)

The Chair declared the motion for approval of the resolution tabled.

VIII. INFORMATION AGENDA

The Board discussed the Family Self Sufficiency Program. They appreciated the narrative and successes of the program. The Board suggested that staff research what down payment assistance is available, (Arapahoe County down payment assistance programs, Brother’s Redevelopment, C.H.A.C., H2O (partnership with 1st Bank) and the Mortgage Settlement which will be administered by CHFA).

The results of the smoking survey were discussed. For several years the Resident Advisory Board has requested that EHA consider whether the units should be non-smoking. HUD has encouraged transitioning to non-smoking units. Non-smoking units require less work for vacancy turnover to prepare for new tenants. There are 100 apartments at Orchard Place and 105 units at Simon Center.

The early bird deadline for the NAHRO Conference is Friday, April 6th.

IX. GENERAL DISCUSSION

A. Commissioner’s Choice
Commissioner Hara mentioned that he is planning a fall “Housing Now” workshop about succession planning. He wants to present the succession planning by EHA and BRI for the effective replacement of their executive directors.

It was requested that any materials printed for the Board be double sided to save paper.

B. Director’s Choice

The Executive Director informed the Board that she will be out of the office April 18-20.

C. Council Communication

None.

IX. ADJOURNMENT

VICE CHAIR HAYNES MOVED THAT THE MEETING BE ADJOURNED. COMMISSIONER HARA SECONDED THE MOTION.

Ayes: Bradshaw, Haynes, Schleiger, Hara
Nays: None
Abstained: None
Absent: Williams

Chair Bradshaw declared the meeting adjourned at 6:00 pm.
City of Englewood
PARKS AND RECREATION COMMISSION
Minutes of April 12, 2012

I. Call to Order

The regular monthly meeting of the Englewood Parks and Recreation Commission was called to order at 5:30 p.m. by Chairperson Gomes at the Broken Tee Grill at the Broken Tee Golf Course located at 2101 W. Oxford Avenue.

Present:  Austin Gomes, Chairperson
          Mitch Waldman, Vice Chairperson
          Douglas Garrett, Commission Member
          Mark Husbands, Commission Member
          Duane Tucker, Englewood Schools Liaison
          Bob McCaslin, City Council Liaison (arrived at 6:02pm)
          Karen Miller, Commission Member
          Donna Schnitzer, Cultural Arts Commission Liaison
          Jerrell Black, ex-officio

Absent:   Randy Kloewer, Youth Member
Also Present: Dave Lee, Manager of Open Space
            Joe Sack, Recreation Manager
            Bob Spada, Golf Operations Manager
            Kristen Cypher, Britina Design Group (left at 6pm)
            Bob Couri, Britina Design Group (left at 6pm)

II. Approval of Minutes

Chairperson Gomes asked if there were any changes or corrections to the minutes of March 8, 2012.

Vice Chairperson Waldman had a change in regard to Mr. James Hill’s discussion. Waldman said that Mr. Hill had said that he was told the receipts were in the basement of the Rec Center, not the Malley Center. There were no other changes or corrections to the minutes. The minutes were approved as amended.

III. Scheduled Public Comment

There were no scheduled guests.

IV. Unscheduled Public Comment

There were no unscheduled guests.

V. Duncan Park Design

Discussion was turned over to Kristina Cypher with Britina Design Group who gave an update on the Duncan Park Redevelopment Project. Ms. Cypher reviewed the process taken to get to the final design and explained how the neighbors were included in the design process. Board members were shown the three potential phases for the project. Ms. Cypher stated that in 2012 dollars, the total estimated
cost for the project is $1,181,900 that includes a 15% contingency. Board members were told that the project will be worked on through a series of grant applications. Black explained that the maximum grant application for Great Outdoors Colorado (GOCO) is $350,000 and $250,000 for Arapahoe County Open Space. Black went on to explain that both require matching funds which the Department plans to use Share Back Funds from Arapahoe County Open Space and Conservation Trust Fund (CTF). Black stated that hopes are that the park can be built in one phase. Discussion followed in regard to the athletic field.

The Board was told that the start date for decommissioning the building will be April 30th and should take approximately ten days. Lee reported that the building in addition to the athletic field will be fenced off for the removal. City Council Liaison Bob McCaslin asked what the plans were after the building is gone. Lee replied that irrigation will be added and the area will be sodded.

Black thanked Kristen Cypher and Bob Couri and told them that they have done a fabulous job in pulling all of this together. Black stated that the key to the project was the inclusiveness of the neighbors and Britina made the process open to everyone. Lee and McCaslin concurred with Black. Ms. Cypher and Mr. Couri left the meeting.

VI. **Election of Officers**

Director Black opened the floor for nominations for Chair.

Commission Member Waldman nominated Austin Gomes. Commission Member Miller seconded the nomination. Black asked if there were any other nominations. There were none. The floor was closed. Gomes was declared Chairperson of the Parks and Recreation Commission.

Black opened the floor for nominations for Vice Chairperson.

Chairperson Gomes nominated Waldman. Commission Member Tucker seconded the motion. Black asked if there were any other nominations. There were none. Waldman was declared Vice Chairperson of the Parks and Recreation Commission.

Gomes and Waldman thanked the Commission.

VII. **School Project Update**

Black reported that Parks and Recreation has continued to work with the Englewood School District on any possible partnerships with the new high school and middle school project. In regard to the potential for additional gymnasium space at the new Middle School, Black explained to the Board that there was an in depth meeting with Parks and Recreation staff concerning current and potential needs. The Board was told that it is not a guarantee that enough new leagues could be brought in to justify the cost associated with adding the new gym space so it was determined that it is not in the City's best interest to move forward with gym at the Middle School. Black said that City Council was informed Monday evening and that he has also spoken to Brian Ewert, Schools Superintendent.
Black reported that the Department is continuing to work with the Schools regarding a partnership with the high school tennis courts, softball field and acquisition of a portion of the Colorado's Finest Alternative High School site. Black explained that the Parks Master Plan’s recommendation for Baker Park was to extend the Park to the south to get a full size athletic field. Black told the Board that he does not see anything occurring for 18-36 months due to the Schools emphasis currently being on the development of the high school and middle school.

Commission Member and Englewood Schools Liaison Duane Tucker spoke in regard to the Schools goal with the new high school and middle school is to make space available to everyone, both inside and outside of the schools. In regard to the Parks and Recreation decision to not enhance the gymnasium space, Tucker stated that the Schools will not be impacted by the City’s decision but if the City decides down the line that it needs extra gymnasium space, it will not be as economical to add on space. Black stated that the Department would love to have additional gym space but from a programming aspect, it can’t be justified.

VIII. E-Newsletter/Social Media

Sack announced that the City Manager’s Office has approved a Social Media Policy so the Department will be launching its E-Newsletter, a supplement to the Activity Guide. Examples of the E-Newsletter were distributed. Board Members were told that the E-Newsletter will go out bi-monthly and include information on new classes, upcoming events and projects in addition to exclusive offers and discounts. Commission Member Garrett asked about the coupons and if it will keep the two tier fee structure for resident and non-resident. Sack replied yes.

IX. Cultural Arts Commission Update

Cultural Arts Commission Liaison Donna Schnitzer gave an update on the April Cultural Arts Commission meeting. Schnitzer reported that the Commission is starting to have preliminary discussion with an artist in regard to art for the community garden.

X Director’s Choice

Black informed the Board that staff will be taking the Duncan Park Design Plan to the Planning and Zoning Commission on April 17th as an informational item.

In regard to the Arapahoe County Open Space Riverside Park Planning Grant that was received in 2011, Black stated that Arapahoe County has reinstituted the South Platte Working Group to develop the South Platte River from Union Avenue to Oxford Avenue. Black discussed plans the City has for the property and how it may tie in with Arapahoe County’s plans. Board members were told that it could be a number of years for Arapahoe County to complete the project.

Board members were informed of the South Suburban Park Foundation tree planting and recognition for Beverly Bradshaw on Saturday, April 21st at noon at the Orphan Property. Black spoke in regard to Bev’s years of service on the Parks and Recreation Commission. Board members were told that she has recently been appointed to the Arapahoe County Open Space Board.
XI. Commission Member's Choice

Schnitzer asked the Board to forward on to her any areas that are in need of food donations from the community garden.

Waldman commented that it was great to see that Tom Burns is being recognized as Citizen of the Year.

Golf Manager Bob Spada reported that due to the nice weather, golf has been very good the last couple of months.

Sack reported that the Summer Activity Guide will be out around May 1st. Sack discussed the new activities being planned for Funfest including a zip line and new entertainment from Swallow Hill. Schnitzer asked in regard to a rumor that a Farmer’s Market will be at this year’s Sounds of Summer concerts. Sack replied that he is looking into it.

Dave Lee, Manager of Open Space, told the Board that water has been turned on in the community garden and restrooms in the parks. In regard to Arbor Day activities for this year, Lee reported that parks staff will be planting two fruit trees at Clayton Elementary this Friday, April 20th and holding the tree give-a-way at Cushing Park on Saturday, April 21st, beginning at 8am.

Gomes thanked Board Members for their confidence in him to reappointment him as Chairperson to the Parks and Recreation Commission.

XII. Adjournment

The meeting was adjourned at 6:35 p.m.

/s/ D. Severa
Recording Secretary