Agenda for the
Regular Meeting of the
Englewood City Council
Monday, April 15, 2013
7:30 pm

Englewood Civic Center – Council Chambers
1000 Englewood Parkway
Englewood, CO  80110

1. Call to Order. ➤ 7:30 p.m.

2. Invocation. ➤ McCaslin

3. Pledge of Allegiance. ➤ McCaslin

4. Roll Call. ➤

Present: Jefferson, Olson, Penn, Gillit, McCaslin, Wilson, Woodward
Absent: None

5. Consideration of Minutes of Previous Session. ➤

a. Minutes from the Regular City Council Meeting of April 1, 2013.

Motion: To approve the minutes of April 1, 2013.
Moved by: Gillit Seconded by: Wilson
Vote: Motion approved (summary: Yes = 7  No = 0)

6. Recognition of Scheduled Public Comment. (This is an opportunity for the public to address City Council. Council may ask questions for clarification, but there will not be any dialogue. Please limit your presentation to five minutes.) ➤

a. Jonathan Bush, Managing Partner -- Littleton Capital Partners, was not present to discuss the resolutions before Council.

b. Lee Novak, Vice President for Development -- Western Region, Fore Property Company, was not present to discuss resolutions before Council.
c. Patty Brisbois, an Englewood resident, addressed City Council regarding zoning concerns. The issue discussed is the 2800 block of South Broadway, an auto dealership (5280 Auto Imports) is doing work at the edge of the alley. She believes this violates the noise ordinance but also that the noise ordinance is very vague. This noise disturbs the quality of life. She is working with the Police Impact Team on this problem.

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[Clerks Note: Mr. Novak and Mr. Bush entered late into the meeting and spoke after Ms. Brisbois.]

b. Lee Novak, Vice President for Development -- Western Region, Fore Property Company, discussed resolutions before Council. They are looking forward to working with the City of Englewood. They have made arrangements with Littleton Capital Partners to take over the project.

a. Jonathan Bush, Managing Partner -- Littleton Capital Partners, discussed the resolutions before Council. He believes that they have developed a good site. He feels the arrangements with Fore Property Company are good and they are excited with them stepping into their shoes. They should be good for Englewood. He doesn't believe the incentive package will change much. He is sorry to be stepping away and thanked staff and Council for their support. He hopes to have another project with the City in the future.

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

None

8. Communications, Proclamations, and Appointments.

None

9. Consent Agenda Items.

Motion: To approve Consent Agenda Item 9 (a) (i), (ii), and 9 (b) (i), (ii), and (iii).

Moved by: Woodward
Seconded by: Olson

Vote: Motion approved (summary: Yes = 7  No = 0)
a. Approval of Ordinances on First Reading.

i. Council Bill No. 11 --- Recommendation from the Community Development Department to adopt a bill for an ordinance authorizing an Intergovernmental Agreement with the City and County of Denver for Englewood's participation in the Metro Mortgage Assistance Plus Program. **Staff Source: Harold Stitt, Senior Planner and Janet Grimmett, Housing Finance Specialist.**

ii. Council Bill No. 12 --- Recommendation from the Parks and Recreation Department to adopt a bill for an ordinance authorizing an Intergovernmental Agreement with the Englewood School District for development and usage of gymnasiums at the new Colorado's Finest Alternative High School. **Staff Source: Jerrell Black, Director of Parks and Recreation.**

b. Approval of Ordinances on Second Reading.

i. Council Bill No. 5 --- Approving Supplement #169 to the Connectors Agreement 
ORD # 9 Southgate Sanitation District authorizing the inclusion of land within the district.

ii. Council Bill No. 6 -- Authorizing the Valley Sanitation District Wastewater 
ORD # 10 Connectors Agreement.

iii. Council Bill No. 7 --- Amending Title 7, Chapter 6D, Section 12, of the Englewood 

c. Resolutions and Motions.

None

10. Public Hearing Items. (None scheduled)

None

11. Ordinances, Resolutions and Motions

a. Approval of Ordinances on First Reading.

i. Council Bill No. 10 --- Recommendation from the Community Development Department to approve a bill for an ordinance authorizing the redemption and sale of 4896 South Delaware Street. **Staff Source: Harold Stitt, Senior Planner and Janet Grimmett, Housing Finance Specialist.**
Motion: To approve Agenda Item 11 (a) (i), Council Bill No. 10.
Moved by: Woodward Seconded by: Wilson
Vote: Motion approved (summary: Yes = 7 No = 0)

b. Approval of Ordinances on Second Reading

None

c. Resolutions and Motions

i. Recommendation from the City Managers Office to adopt a resolution authorizing the City of Englewood to enter into an agreement with the developers for the Martin Plastics Property, LCP Oxford, LLC and its management entities. Staff Source: Darren Hollingsworth, Economic Development Manager.

Motion: To approve Agenda Item 11 (c) (i), Resolution No. 38.
Moved by: Woodward Seconded by: McCaslin
Vote: Motion approved (summary: Yes = 7 No = 0)

ii. Recommendation from the City Managers Office to adopt a resolution authorizing the transfer of the redevelopment assistance agreement from LCP Oxford, LLC and its management entities to CANV NC, LLC (Fore Properties). Staff Source: Darren Hollingsworth, Economic Development Manager.

Motion: To approve Agenda Item 11 (c) (ii), Resolution No. 39.
Moved by: Woodward Seconded by: Gillit
Vote: Motion approved (summary: Yes = 7 No = 0)

iii. Recommendation from the City Managers Office to adopt a resolution amending the agreement with Hampden Broadway, LLC for the City to provide assistance to support redevelopment of the former Flood Middle School site. Staff Source: Darren Hollingsworth, Economic Development Manager.

Motion: To approve Agenda Item 11 (c) (iii), Resolution No. 40.
Moved by: Gillit Seconded by: McCaslin
Vote: Motion approved (summary: Yes = 6 No = 1 (Jefferson))
12. General Discussion.

   a. Mayors Choice.

   b. Council Members Choice.

      i. Council Bill No. 9, a bill for an ordinance submitting to a vote of the registered electors of the City of Englewood at the next scheduled municipal election of November 5, 2013, an advisory question to ban the retail sale of recreational marijuana, ban recreational marijuana cultivation facilities, ban recreational marijuana manufacturing facilities, and ban recreational marijuana testing facilities.

      **Motion:** To approve Agenda Item 12 (b) (i), Council Bill No. 9.
      **Moved by:** Woodward  **Seconded by:** Penn
      **Vote:** **Motion approved** (summary: Yes = 4  No = 3 (McCaslin, Wilson, Gillit)

      ii. Council Bill No. 8, a bill for an ordinance enacting Title 7, Chapter 6D, Section 12, of the Englewood Municipal Code 2000, defining recreational marijuana cultivation facilities, recreational product manufacturing facilities, recreational marijuana testing facilities, recreational retail marijuana stores; and prohibiting these businesses. [Tabled April 1, 2013. This requires a majority vote to remove from the table]

      **Motion:** To approve Agenda Item 12 (b) (ii), Council Bill No. 8.
      **Moved by:** Gillit  **Seconded by:** McCaslin
      **Vote:** **Motion approved** (summary: Yes = 5  No = 2 (Jefferson, Woodward))

      iii. Resolution extending the temporary suspension or moratorium on the establishment of any new business that sells, manufactures, or cultivates marijuana until January 31, 2014.

      **Motion:** To approve pull Agenda Item 12 (b) (iii).
      **Moved by:** Jefferson  **Seconded by:** Wilson
      **Vote:** **Motion approved** (summary: Yes = 7  No = 0)


15. Adjournment.  8:38 p.m.