

Council Request Update

May 19, 2016

Council Request 16-103 (Englewood Downtown Development Authority)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information on whether the Englewood Downtown Development Authority still exists.

Response: In Senior Planner Harold Stitt's response he states DDA was dissolved on Dec. 8, 2000 by City Council action through Ordinance 90, Series of 2000.

Council Request 16-104 (Does special fund for TIF still exist)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information regarding whether the special fund for the collection of TIF still exists and if so, are there monies in the account and if so, why.

Response: Attached is Senior Planner Harold Stitt's response.

Council Request 16-105 (1982 Downtown Redevelopment Plan Language)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information on why the 2016 draft Comprehensive Plan uses similar language that appeared in the 1982 plan if it failed as a marketing concept.

Response: Attached is Senior Planner Harold Stitt's response.

Council Request 16-106 (Covenants)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information regarding page 30 of the Englewood Downtown Development Plan. What are the covenants running with the land and do they impact the Medici development.

Response: Attached is Senior Planner Harold Stitt's response.

Council Request 16-107 (Sales Tax Increment)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information on how much sales tax increment from Cinderella City was collected and where it went.

Response: Attached is Senior Planner Harold Stitt's response.

Council Request 16-108 (Management Structure)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information on the permanent management structure described on page 35 of the Englewood Downtown Development Plan.

Response: Attached is Senior Planner Harold Stitt's response.

Council Request 16-109 (Cinderella City and TIF)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information on the sales tax increment from Cinderella City going to Urban Renewal.

Response: Attached is Senior Planner Harold Stitt's response.

Council Request 16-110 (Medici and TIF)

Requested by: Councilmember Barrentine

Assigned to: Community Development

Request: Request for information verifying that no funds, taxes or any increment created by the Medici project will go to Englewood Urban Renewal Authority.

Response: In Senior Planner Harold Stitt's response he indicates there is no statutory authority for the City to collect sales/property tax increments on behalf of the EURA.

Council Request 16-111 (DUIs and Fatalities from iBake)

Requested by: Councilmember Yates

Assigned to: Police

Request: Request for a list of the number of DUIs and fatalities caused by drivers coming from iBake.

Response: According to Police Chief John Collins there is no way to track this information.

2016 COUNCIL REQUESTS

| Number | Request Date | Request Type | Requested by | Request | Assigned To | Due Date | Follow-up Date | Date Completed |
|--------|--------------|--------------|--------------|---|-------------|-----------|----------------|----------------|
| 16-031 | 1/19/2016 | I | Barrentine | Legal Opinion - EURA Council Representative | CAO | 1/22/2016 | | |
| 16-032 | 1/12/2016 | I | Russell | City Ditch - Oxford Repairs | PW | 1/14/2016 | | 1/21/2016 |
| 16-033 | 1/25/2016 | I | Barrentine | EEF/EMRF Funds and By-Laws | EEF/EMRF | 1/29/2016 | 3/1/2016 | 3/1/2016 |
| 16-034 | 1/25/2016 | I | Barrentine | Board & Commission Eligibility Study Session | CMO | 1/29/2016 | | 1/27/2016 |
| 16-035 | 1/25/2016 | I | Olson | StrengthsFinder/Birkman Assessment Costs | CMO | 1/29/2016 | | 3/17/2016 |
| 16-036 | 2/1/2016 | I | Jefferson | Background: ERC Preschool Discontinuation | PRL | 2/4/2016 | | 2/3/2016 |
| 16-037 | 2/1/2016 | I | Martinez | Study Session: Recreational Marijuana | CMO | 2/4/2016 | | 2/3/2016 |
| 16-038 | 2/1/2016 | I | Gillit | Study Session: Council policies/conduct | CMO | 2/4/2016 | | 2/3/2016 |
| 16-039 | 2/1/2016 | I | Barrentine | Charter Review - Council Voting/Abstentions | CAO | 2/4/2016 | | |
| 16-040 | 2/1/2016 | I | Olson | Study Session: Green Vehicle Policy Review | CMO/PW | 2/4/2016 | | 2/3/2016 |
| 16-041 | 2/1/2016 | I | Yates | Background: Public Intoxication Ordinance | PD | 2/4/2016 | | 2/2/2016 |
| 16-042 | 2/1/2016 | I | Russell | Sewer Issue - 3400 block South Broadway | CD | 2/4/2016 | | 2/3/2016 |
| 16-043 | 2/1/2016 | I | Jefferson | Business Notification of Regulation Changes | CMO/ALL | 2/4/2016 | | 2/3/2016 |
| 16-044 | 2/1/2016 | I | Martinez | Service Line Warranty Cancellation Letter | CMO | 2/4/2016 | | 2/24/2016 |
| 16-045 | 2/1/2016 | I | Martinez | Clayton Elementary Street Conditions (snow) | PW | 2/4/2016 | | 2/23/2016 |
| 16-046 | 2/1/2016 | I | Martinez | CityCenter Evening Meeting Security | PD/EEF | 2/4/2016 | | 3/21/2016 |
| 16-047 | 2/1/2016 | I | Council | Citizen of the Century Selection Information | CMO | 2/4/2016 | | 2/3/2016 |
| 16-048 | 2/3/2016 | I | Jefferson | Englewood Depot Snow Removal Inquiry | PR | 2/5/2016 | | 3/4/2016 |
| 16-049 | 2/9/2016 | I | Yates | Construction Defects Ordinance | CAO | 2/12/2016 | | |
| 16-050 | 2/13/2016 | I | Barrentine | Economic Development Incentives Inquiry | CD | 2/16/2016 | | 2/16/2016 |
| 16-051 | 2/16/2016 | S | Barrentine | Mayor/Manager/Attorney Mtg. Audio | CMO | 2/19/2016 | | 2/19/2016 |
| 16-052 | 2/16/2016 | S | Barrentine | Meeting Audio Solution | CMO/IT | 2/19/2016 | | 2/23/2016 |
| 16-053 | 2/16/2016 | S | Olson | Simon Center Sexual Harrassment Claims | PD | 2/19/2016 | | 2/19/2016 |
| 16-054 | 2/16/2016 | S | Barrentine | Paseo Fence Inquiry | CD | 2/19/2016 | | 2/19/2016 |
| 16-055 | 2/22/2016 | I | Council | FunFest Follow-up | PRL | 2/25/2016 | | 2/24/2016 |
| 16-056 | 3/1/2016 | I | Barrentine | Paseo Fence Inquiry - Follow-up | CD | 3/3/2016 | | 3/2/2016 |
| 16-057 | 3/3/2016 | S | Jefferson | Floyd & Bannock Code/Crime Concerns | PD | 3/4/2016 | | 3/7/2016 |
| 16-058 | 3/14/2016 | I | Jefferson | Cherokee Kivas Construction Project Update | CD | 3/17/2016 | | 3/17/2016 |
| 16-059 | 3/14/2016 | I | Olson | OpenEnglewood Statistics | FAS | 3/17/2016 | | 3/15/2016 |
| 16-060 | 3/14/2016 | I | Olson | Comp. Plan Clarification - Belleview/Broadway | CD | 3/17/2016 | | 3/17/2016 |
| 16-061 | 3/14/2016 | I | Jefferson | Microphones - Community Room | CMO | 3/17/2016 | | 3/15/2016 |
| 16-062 | 3/14/2016 | I | Jefferson | Denver Fire - Late-night Lights and Sirens | CMO/PW | 3/17/2016 | | 4/7/2016 |
| 16-063 | 3/16/2016 | I | Gillit | S. Lipan Code Violations - Trash | PD | 3/21/2016 | | 3/23/2016 |
| 16-064 | 3/18/2016 | I | Gillit | 3398 W. Grand Ave. -Remodelling Permit | CD | 3/22/2016 | | 3/18/2016 |

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FAS - Finance and Administrative Services; PRL - Parks, Recreation Library; MC - Municipal Court; PW - Public Works; PD - Police Department; UT-
Utilities; WW - Wastewater Treatment Plant

| Number | Request Date | Request Type | Requested by | Request | Assigned To | Due Date | Follow-up Date | Date Completed |
|--------|--------------|--------------|--------------|---|--------------|-----------|----------------|----------------|
| 16-065 | 3/21/2016 | I | Council | Inquiries re: Marijuana Social Clubs | CAO | 3/24/2016 | | 4/11/2016 |
| 16-066 | 3/21/2016 | I | Olson | Revenue Comparison Chart | FAS | 3/24/2016 | | 3/30/2016 |
| 16-067 | 3/21/2016 | I | Olson | Financial Report - Color Consistency | FAS | 3/24/2016 | | 3/30/2016 |
| 16-068 | 3/21/2016 | I | Barrentine | Code Enforcement Stats - Last 12 years | PD | 3/24/2016 | | 3/31/2016 |
| 16-069 | 3/21/2016 | I | Barrentine | Alta Cherry Hills - Map Corrections | CD | 3/24/2016 | | 3/30/2016 |
| 16-070 | 3/21/2016 | I | Yates | City Ditch/Private Property Fencing | UT/PW | 3/24/2016 | | 4/18/2016 |
| 16-071 | 3/21/2016 | I | Council | Economic Development Incentive Policy Update | CD | 3/24/2016 | | 3/24/2016 |
| 16-072 | 3/28/2016 | I | Jefferson | ACE Business Survey Results to Council | CD | 3/31/2016 | | 3/29/2016 |
| 16-073 | 3/28/2016 | I | Olson | Street Conditions - Xcel Energy Follow-up | PW | 3/31/2016 | | 4/1/2016 |
| 16-074 | 3/28/2016 | I | Jefferson | Englewood Marketing Plan | CMO/CD | 3/31/2016 | | 3/30/2016 |
| 16-075 | 3/28/2016 | I | Barrentine | Littleton Police Facility Renovation | CMO | 3/31/2016 | | 4/29/2016 |
| 16-076 | 3/29/2016 | I | Olson | Economic Incentives Analysis | CD/FAS | 3/31/2016 | | 4/27/2016 |
| 16-077 | 4/5/2016 | I | Olson | Equal Employment Opportunity- Job Posts, EEO La | FAS | 4/8/2016 | | |
| 16-078 | 4/5/2016 | I | Olson | Cherokee Kivas - Meeting Update | BD/CMO/CA/CD | 4/8/2016 | | 4/11/2016 |
| 16-079 | 4/5/2016 | I | Council | New Comp Plan - Arts & Crafts Home Preservation | CD | 4/8/2016 | | 4/6/2016 |
| 16-080 | 4/5/2016 | I | Gillit | Checklist for building projects/remodels | BD | 4/8/2016 | | 4/7/2016 |
| 16-081 | 4/5/2016 | I | Yates | Over-the-counter permitting for 10 most Common | BD | 4/8/2016 | | 4/7/2016 |
| 16-082 | 4/5/2016 | I | Barrentine | Report of all EMRF expenses since 1999 | FAS | 4/8/2016 | | 4/20/2016 |
| 16-083 | 4/6/2016 | S | Jefferson | E-Notifications for Community Development News/Communications | | 4/8/2016 | | 4/6/2016 |
| 16-084 | 4/7/2016 | I | Gillit | 4856 S. Lipan St. trailer parked illegally in front of a | PD | 4/11/2016 | | 4/7/2016 |
| 16-085 | 4/11/2016 | I | Gillit | Status and type of tenant that will use space at Oxf | CD | 4/14/2016 | | 4/11/2016 |
| 16-086 | 4/11/2016 | I | Jefferson | Englewood specific unemployment stats | CMO | 4/15/2016 | | 5/9/2016 |
| 16-087 | 4/11/2016 | I | Olson | Impact of industrial development in a 1st tier subur | CD | 4/15/2016 | | 4/14/2016 |
| 16-088 | 4/11/2016 | I | Olson | A primer sheet on the PUD process | CD | 4/15/2016 | | 4/14/2016 |
| 16-089 | 4/11/2016 | I | Jefferson | Residential development positive/negative to a co | CD | 4/15/2016 | | 4/14/2016 |
| 16-090 | 4/11/2016 | I | Council | Will TIF be generated from General Ironworks site? | CD/FAS | 4/15/2016 | | 5/4/2016 |
| 16-091 | 4/11/2016 | I | Russell | Role of Council liaison to a Board/Commission | CMO | 4/15/2016 | | 4/27/2016 |
| 16-092 | 4/12/2016 | I | Yates | What code requires the use of General Contractor | CD | 4/15/2016 | | 4/13/2016 |
| 16-093 | 4/12/2016 | I | Yates | Cost to have SAFEbuilt run Building Department | CD/FAS | 4/15/2016 | | |
| 16-094 | 4/18/2016 | I | Barrentine | Process of moving alternate to regular on B&Cs | CMO | 4/21/2016 | | 4/19/2016 |
| 16-095 | 4/18/2016 | I | Yates | Provide the code that requires the use of General C | CD | 4/21/2016 | | 4/21/2016 |
| 16-096 | 4/21/2016 | S | Jefferson | Get the lights working on gateway entry sign 2700 S | PR&L | 4/26/2016 | | 5/6/2016 |
| 16-097 | 4/25/2016 | I | Russell | List of all zone changes in past 5 years | CD | 4/28/2016 | | 4/28/2016 |
| 16-098 | 4/25/2016 | I | Barrentine | Unsafe tree 4898 S. Lincoln St. | CAO/PD | 4/28/2016 | | |
| 16-099 | 4/28/2016 | I | Barrentine | Minutes from Council meeting re: Eminent domain | CD | 5/3/2016 | | 4/29/2016 |
| 16-100 | 4/28/2016 | I | Barrentine | The process which established Englewood Housing | CAO/CMO | 5/3/2016 | | |

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| Number | Request Date | Request Type | Requested by | Request | Assigned To | Due Date | Follow-up Date | Date Completed |
|--------|--------------|--------------|--------------|--|-------------|-----------|----------------|----------------|
| 16-101 | 5/9/2016 | I | Yates | What kind of home improvements are ok without a | CD | 5/12/2016 | | 5/11/2016 |
| 16-102 | 5/9/2016 | I | Barrentine | Look into a library fine | Library | 5/12/2016 | | 5/10/2016 |
| 16-103 | 5/11/2016 | I | Barrentine | Does Downtown Development Authority still exist? | CD | 5/16/2016 | | 5/12/2016 |
| 16-104 | 5/11/2016 | I | Barrentine | Does the special fund for collection of TIF still exist? | CD | 5/16/2016 | | 5/12/2016 |
| 16-105 | 5/11/2016 | I | Barrentine | Why use a failed marketing concept from 1982 in pr | CD | 5/16/2016 | | 5/12/2016 |
| 16-106 | 5/11/2016 | I | Barrentine | Do covenants mentioned on page 30 of Downtown | CD | 5/16/2016 | | 5/12/2016 |
| 16-107 | 5/11/2016 | I | Barrentine | Does Medici have zoning in place? Is zoning consist | CD | 5/16/2016 | | 5/12/2016 |
| 16-108 | 5/11/2016 | I | Barrentine | Was the permanent management structure on pag | CD | 5/16/2016 | | 5/12/2016 |
| 16-109 | 5/11/2016 | I | Barrentine | Details on sales tax increment collected from Cinde | CD | 5/16/2016 | | 5/12/2016 |
| 16-110 | 5/11/2016 | I | Barrentine | If TIF has expired, verify no funds, taxes or any incre | CD | 5/16/2016 | | 5/12/2016 |
| 16-111 | 5/13/2016 | I | Yates | List the number of DUIs and fatalities by drivers co | PD | 5/18/2016 | | 5/16/2016 |

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Utilities; WW - Wastewater Treatment Plant



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-103: Englewood Downtown Development Authority

The document mentions a partnership with the Englewood Downtown Development Authority (DDA). Does the DDA still exist? (A DDA is very much like an URA and just curious if it is still around and who is on the board etc.) If they still exist - what is their purpose? Do they have debt? If so, how are they paying it down?

The Englewood Downtown Development Authority was dissolved on December 18, 2000 by City Council action through Ordinance 90, Series of 2000.



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-104: TIF

Looks like the most recent revision to the plan was in 1984 - the TIF is not supposed to last longer than 25 years. If the TIF was restarted in 84 then it expired in 2009. If it was not restarted in 84 then the clock started in 1982 and the TIF expired in 2007. Does the "special fund" for the collection of TIF still exist? If so, are there any monies in the account? If so, why? *The "special fund" for the collection of the TIF does not exist because the authorized 25 year sales and property tax collection period has expired.*

Here's where I am a little fuzzy. If the TIF is expired does the plan still exist? If so, why? *Yes, the Plan still exists and does not have an expiration date. Also, TIF is a financing mechanism and its statutory timeframe in no way sets a time limit on Urban Renewal Plans.*

There is no way to fund projects unless they modify the plan to start TIF again. *As set forth in the Plan, there six potential revenue streams available to the EURA for financing projects of which only two involve TIF. The additional revenue streams are:*

- *Intergovernmental cooperation with the City of Englewood.*
- *Investment of funds in property or securities in which public bodies may legally invest.*
- *Advances, loans, grants and contributions from the federal government.*
- *Sale or lease of property*

I am thinking that the plan does not exist because I did not see it in Monica's mill levy certification document where the Iron Works project was listed. If the plan is complete (that is no longer on Monica's radar, why is this project part of an UR plan? *Again, absence of a TIF District does not in any way indicate the absence of a Plan. The Arapahoe County Assessor has no authority to determine when an urban renewal plan has or has not been fully implemented.*

If the EURA owns the land should they just sell the land to the developer and back off? *The EURA, in cooperation with the City, has entered into a development agreement with Medici Communities for the development of EURA and City properties. The EURA's role in this development is not only that of a property owner that has entered into an arms-length transaction with a developer but also a steward of public resources and is acting accordingly and within its statutory authority.*



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-105: 1982 Downtown Redevelopment Plan Language

It is interesting that the language used in the 1982 plan is still are still being used today - "downtown should be a location for work, shopping, living and playing." The current 2016 Comp Plan language " place to live, work and play" is not unique. Since this plan failed why is the marketing concept still being used?

Staff assumes that the term "failed" indicates that the Plan was not fully implemented. While aspects of the plan, in particular TIF financing, were not fully successful, all of the public projects set forth in the Plan were accomplished, most importantly removal of the downtown from the Little Dry Creek 100 Year Flood Plain. Desiring to make the downtown a "place to live, work and play," is not unique and it isn't a marketing concept. Rather, it is the hallmark of every successful, vibrant, and sustainable downtown, regardless of size. The 2016 Comprehensive Plan's use of live, work, shop, move, learn, play is a more approachable way to understand the traditional comprehensive plan element nomenclature of residential, employment, commercial, transportation, and education.



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-106: Covenants

Page 30 mentions that land disposition will impose covenants running with the land for a period of thirty years from the date of the deed. What are those and do they impact the Medici development?

The Plan sets forth the covenants as follows:

1. *Agree to develop and use the property in accordance with the provisions of the Redevelopment Plan.*
2. *Agree to begin and complete the improvements within a period of time determined by the Englewood Urban Renewal Authority; and*
3. *Agree to not discriminate upon the basis of race, color, creed, sex or national origin in the sale, lease, rental, use or occupancy of the property, or of any improvement erected thereon, or any part thereof.*

The proposed mixed use development is not impacted by these covenants.



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-107: Zoning

Does Medici have the zoning in place for this project? Is that zoning consistent with the original plan?

The EURA/City property is zoned MU-B-1 Mixed Use Central Business District and the proposed multi-unit residential and commercial development are "uses by right" in this zone district. The zoning in the downtown area has not substantially changed since the original Downtown Redevelopment Plan was adopted.



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-108: Management Structure

Was the permanent management structure ever put in place as described on page 35? There was supposed to be a separate report on the specific form of the management structure. Could you provide a copy of that report?

Based on staff research, no such management structure was created and no such reports were prepared.



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-109: Cinderella City and TIF

Both sales tax and property tax increment were to be used with the clock starting on the day the plans were approved. I thought it was interesting that the sales tax increment from Cinderella City was going to be considered each year by the council as to how much, if any, of the increment would go to UR. (Page 39) Please provide the details of any Sales Tax increment collected and where it went.

Because Cinderella City was the primary source of sales tax for the City, City Council and the EURA agreed to exclude Cinderella City from the Sales Tax Increment District. However, Cinderella City was included in the Property Tax increment District.



TO: Mayor Jefferson and Council Members

THRU: Eric Keck, City Manager
Brad Power, Community Development Director

FROM: Harold J. Stitt, Senior Planner

DATE: May 12, 2016

SUBJECT: Council Request 16-110: Medici and TIF

If the TIF has expired then verify that no funds, taxes or any increment created by this new project (Medici) will go to the EURA.

The Sales Tax Increment District and the Property Tax Increment District both expired in 2007 and absent a contemporary blight determination by the EURA and acceptance by the City, there is no statutory authority for the City to collect sales or property tax increments on behalf of the EURA.