CHERRY HILLS VILLAGE
COLORADO

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Village Center
Telephone 303-789-2541
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City Council Agenda
Wednesday, December 9, 2015

6:30 p.m.

1. Call to Order

2. Roll Call of Members

3. Pledge of Allegiance

4. Audience Participation Period (limit 5 minutes per speaker)

5. Consent Agenda
   a. Approval of Minutes – November 17, 2015
   b. Resolution 45, Series 2015; Appointing Members to the Parks, Trails and Recreation Commission
   c. Extension of Agreement with the Humane Society of the South Platte Valley

6. Items Removed From Consent Agenda

7. Unfinished Business
   a. Proposed 2016 Budget
      (i) Council Bill 7, Series 2015; A Bill for an Ordinance Adopting a Budget and Levying Property Taxes for the City of Cherry Hills Village, Colorado for the Fiscal Year 2016 (*second and final reading*)
      (ii) Council Bill 8, Series 2015; A Bill for an Ordinance of the City of Cherry Hills Village, Colorado Authorizing Appropriations for Fiscal Year 2016 (*second and final reading*)
   b. Public Hearing - Council Bill 9, Series 2015; Amending Chapter 7, Article 1, Concerning Regulations Applicable to the Operation of Unmanned Aircraft Systems (*second and final reading*)

8. New Business
   a. Public Works Facility Preliminary Design Review from Maintenance Design Group
   b. Council Bill 10, Series 2015; Repealing and Reenacting Municipal Code Section 16-16-40 Concerning Fences (*first reading*)

9. Reports
   a. Mayor
   b. Members of City Council
   c. Reports from Members of City Boards and Commissions
   d. City Manager and Staff
      (i) Department Monthly Reports
      (ii) Unaudited Financial Statements
   e. City Attorney

10. Executive Session
    a. Pursuant to CRS 24-6-402(4)(b) for the purpose of seeking legal advice concerning the Cooper v. Cherry Hills Village litigation
    b. Pursuant to C.R.S. Sec. 24-6-402(4)(a) for the purpose of discussing matters related to the acquisition of real property and pursuant to C.R.S. Sec. 24-6-402(4)(e) to develop strategy for negotiations and to instruct negotiators relating to possible acquisition of real property

11. Adjournment

Notice: Agenda is subject to change.
If you will need special assistance in order to attend any of the City's public meetings, please notify the City of Cherry Hills Village at 303-789-2541, 48 hours in advance.

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, November 17, 2015 at 6:30 p.m.
At the Village Center

Mayor Laura Christman called the meeting to order at 6:30 p.m.

ROLL CALL

Mayor Laura Christman, Councilors Mark Griffin, Earl Hoellen, Mike Gallagher, Klasina VanderWerf, and Katy Brown were present on silent roll call. Also present were Interim City Manager and Public Works Director Jay Goldie, City Attorney Linda Michow, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Police Commander Pat Weathers, Human Resource Analyst Kathryn Ducharme, Public Works Project and, and City Clerk Laura Smith.

Councilor Alex Brown arrived at 7:27 p.m.

Absent: none

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

None

CONSENT AGENDA

Councilor Griffin moved, seconded by Councilor Gallagher to approve the following items on the Consent Agenda:

a. Approval of Minutes – November 17, 2015

Councilor K. Brown asked if it was appropriate for Councilors not present at a meeting to abstain from approval of those minutes.

City Attorney Michow replied that abstention was appropriate but not necessary.

The motion passed 4 yes, 0 no, 1 abstention.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

None

NEW BUSINESS

2016 Proposed Budget

Director Proctor presented the 2016 proposed budget and public hearing. She noted that department heads had met with their Council liaisons and staff was presenting a balanced budget for Council's consideration. She explained that the 2016 General Fund budget was balanced with revenues equal to expenditures in the amount of $6,993,629 and an ending fund balance of approximately $3.6 million. In the Capital Fund expenditures exceeded revenues by ($753,181). The Capital Fund was expected to have an ending balance in 2016 of approximately $6.6 million dollars. The Parks and Recreation Fund budget was balanced with revenue equal to expenditures in the amount of $1,789,146 and an ending fund balance of approximately $2.3 million.

Director Proctor noted that a few changes had been made to the proposed budget since the October 6th study session. The largest change was the addition of Bond proceeds in amount of $3.5 million and interest only expenses for the financing of the new Public Works Facility.

Councilor VanderWerf noted that the list of budget priorities was challenging and exciting. She asked if staff had considered that interest rates might increase when budgeting the interest revenue on page 3 of the budget.

Director Proctor replied that she had used a conservative estimate for interest revenue.

Councilor VanderWerf asked if on page 10 of the budget the Public Safety expenses for overtime related to dignitary visits was high enough.

Commander Weathers replied that it was.

Councilor VanderWerf asked what the acoustic panels listed on page 14 of the budget under the Capital Fund would be used for.

Councilor Griffin replied that acoustic panels were needed for the Briefing Room~~Community Room~~ in the Joint Public Safety, which had not been built with acoustics in mind and was currently very loud during meetings.

Councilor VanderWerf asked on page 15 of the budget if the amount budgeted for the trail near Denver First Church assumed the City would not receive any grants for that project.

Interim City Manager/Director Goldie confirmed that was correct and that staff hoped to offset that expenditure with grants.

Councilor VanderWerf asked on page 18 of the budget if the expenditures budgeted for the Little Dry Creek bank stabilization were for a specific project.

Interim City Manager/Director Goldie replied the funds were a specific project at Woodie Hollow Park.

Councilor Gallagher asked about other projects on Little Dry Creek.

Interim City Manager/Director Goldie replied that there was one project at Cherrymoor bridge and another at Tufts bridge. One project would be funded out of the Arapahoe County Open Space Fund and the other out of the Capital Fund.

Councilor VanderWerf asked if the $5,000 budgeted for sewer maintenance and repairs was enough.

Interim City Manager/Director Goldie replied that it was an estimate and that expenditures for that line item were under budget in 2015.

Councilor Griffin asked on page 13 of the budget why expenditures for the Public Art Commission (PAC) were $20,000 instead of staying at the 2015 level of $15,000.

Director Proctor replied that there had been a request at the October 5th study session to increase the expenditures for the PAC to $20,000 for 2016.

Councilor VanderWerf explained that the additional expenses were needed for the Butterfield horse sculpture, *Charlo*. The PAC expected to landscape both in the winter and spring and add lighting. They also wanted to hold a sizable dedication since they had over 200 donors.

Councilor Griffin noted that there was public sentiment against spending public funds on art.

Councilor VanderWerf suggested that there was some very vocal public sentiment against public art but that it was not the majority.

Councilor Griffin agreed that the sculpture should be lit, but warned that Council could get push-back from residents.

Councilor K. Brown noted that Council had approved expenditures to support PAC functions and installation costs in the past.

Mayor Christman asked about the expenditure of $45,000 for an asphalt roller.

Interim City Manager/Director Goldie replied that the City's current asphalt roller was 25 years old and while staff would use it for as long as possible a larger asphalt roller was needed to accomplish the in-house repairs that the department performed.

Councilor Griffin asked what the depreciation time was for public works equipment.

Director Proctor replied that it was five to ten years.

Councilor K. Brown reported that the Centennial Airport Noise Roundtable (CANRT) was working on a Memorandum of Understanding regarding their operations and was contemplating a fee-based membership. She explained that currently the CANTR was funded by the airport which was a potentially unstable funding source. The fee-based membership would likely be $1,000 per community. She indicated that it was not necessary to earmark those funds in the 2016 budget but wanted Council and staff to be aware of that possibility.

Director Proctor noted that there was $3,000 in the budget for unknown Council membership and training expenditures that could be used for the CANTR.

Mayor Christman opened the Public Hearing at 6:46 p.m. Hearing no comments the Public Hearing was closed at 6:47 p.m.

Councilor Griffin moved, seconded by Councilor Gallagher to approve Council Bill 7, Series 2015; A Bill for an Ordinance Adopting a Budget and Levying Property Taxes for the City of Cherry Hills Village, Colorado for Fiscal Year 2016 on first reading.

The following votes were recorded:

Gallagher	yes
Griffin	yes
VanderWerf	yes
K. Brown	yes
Hoellen	yes

Vote on the Council Bill 7-2015: 5 ayes. 0 nays. The motion carried.

Councilor Griffin moved, seconded by Councilor Gallagher to approve Council Bill 8, Series 2015; A Bill for an Ordinance of The City Council of the City of Cherry Hills Village, Colorado Authorizing Appropriations for Fiscal Year 2016 on first reading.

The following votes were recorded:

Griffin	yes
VanderWerf	yes
K. Brown	yes
Hoellen	yes

Gallagher yes

Vote on the Council Bill 8-2015: 5 ayes. 0 nays. The motion carried.

Council Bill 9-2015; A Bill for an Ordinance Amending Chapter 7 of the Municipal Code to Add a New Article VII, Concerning Regulations Applicable to the Operation of Unmanned Aircraft Systems (*first reading*)

City Attorney Michow presented Council Bill 9, Series 2015 on first reading. She explained that the proposed ordinance would establish regulations for unmanned aircraft systems (UAS), also known as drones and inclusive of model aircraft. She indicated that she had received initial input from staff and the Mayor on the draft. The proposed ordinance was in response to the growing population of UAS and usage by the general public, while acknowledging that the Federal Aviation Administration (FAA) is the ultimate authority in regulating its navigable airspace. The purpose was not to preempt any current or future Federal regulations. Congress had authorized the FAA to adopt regulations on drones through the FAA Modernization and Reform Act of 2012, but the FAA had not yet drafted final regulations. The FAA had proposed regulations including a maximum speed of 100 miles per hour; a maximum altitude of 500 feet; a maximum weight of 55 pounds including payload and any extra additions; unaided visual line of sight is required; no interference with manned aircraft; minimum age of 17 for operators; no careless or reckless operation; operation only during daylight hours; and no operation over anyone other than people directly involved in the operation.

Councilor Hoellen asked if the proposed FAA rulemaking~~regulations~~ had been noticed in the Federal Register and received~~involved public notice and~~ public comments.

City Attorney Michow replied that they had.

Mayor Christman noted that the City's proposed ordinance would only apply to hobby drones. She indicated that the FAA had received tens of thousands of comments. She stated that the community had a right to reasonable safety regulations.

City Attorney Michow explained that the purpose of the proposed ordinance was to establish baseline regulations to protect residents and public area users. She noted that the proposed ordinance did not prohibit drones but did establish regulations and a registration process. She indicated that the registration process could be likened to the dog licensing process. She noted that enforcement would be complaint-based. She explained that commercial drones, FAA exempted drones, and drones used by law enforcement or public agencies would be exempt from the City's regulations. The prohibited acts in the proposed ordinance mirrored in large part the proposed federal regulations with the additions of requiring written authorization from the City Manager to fly drones on public property, prohibiting harassment of animals, and prohibiting operation while under the influence. Violations would be a municipal offense and would be issued a municipal ticket heard in municipal court. The Police Department would likely establish a procedure of public education and warnings prior to issuing a ticket.

Mayor Christman noted that drones only needed to be registered with the City if they were going to be operated within the City.

Councilor Gallagher asked if non-residents visiting the City on vacation, for example, would have to register their drones.

City Attorney Michow replied that enforcement would be on a complaint-driven basis.

Councilor Hoellen stated that ordinances should be passed with the intent to enforce, and questioned whether the City would really fully enforce this drone ordinance. He noted that the federal regulations were expected soon and questioned whether this ordinance was premature.

Councilor K. Brown indicated that the FAA Modernization and Reform Act of 2012 distinguishes between commercial and model aircraft use and prohibits the FAA from placing regulations around model aircraft use within the specified guidelines. UAS are considered aircraft and are required to comply with the FAA's general regulations for aircraft. While the FAA cannot establish rules specific to model use they can establish rules that apply to all aircraft, including UAS, such as the requirement to operate in a safe manner. The FAA was currently working on rules that would primarily affect commercial aircraft and thus would not address the concerns Council had with hobby drones. They were also considering a registration process that would apply to all aircraft.

Councilor Griffin agreed with Councilor Hoellen that the law should be enforced.

Councilor Hoellen stated that public education was important to enforce the registration requirement and questioned whether and how the City planned to advise residents of this.

Mayor Christman indicated that this process would be handled similarly to how the City currently licensed dogs and home security alarms where lack of registration is not normally known unless there is an issue with that dog or alarm. She noted that the federal government was not enforcing its regulations.

Councilor K. Brown noted that the City could not regulate airspace.

Mayor Christman replied that a homeowner had a right to build a house.

Councilor K. Brown indicated that property owners were entitled to the amount of airspace they could use.

Councilor Hoellen noted that, as he understood, the Supreme Court case U.S. v Causby established that 500 feet and above was FAA regulated, 83 feet and below was for

property owner use, and between 83 and 500 feet was unsettled or open to interpretation.

Councilor K. Brown agreed that a homeowner could probably take a case to court of a drone flying over their property, but questioned the appropriateness of the City taking on the litigation liability on behalf of homeowners. She noted that the National Park Service rules prohibited "launching, landing or operating on". Using the word "over" might result in issues with the FAA's jurisdiction. She noted that this language combined with the line-of-sight regulation would cover most issues. She noted that one of the model aircraft definitions was operation in compliance with community based standards that were outlined at knowbeforeyoufly.org. She expressed concern with the ninth and tenth whereas clauses in the proposed ordinance because although the FAA was taking a while to pass regulations they were entitled to do so and that did not give the City authority to pass regulations, and there were regulations in place for model aircraft use already. She indicated that the Law Enforcement Guidance for Suspected Unauthorized UAS Operations from the FAA, referenced on page 2 of the proposed ordinance, states that the FAA retains the responsibility for enforcing FAA regulations including those applicable to UAS, and intends to help local law enforcement cooperate with the FAA to provide FAA enforcement of FAA regulations.

Mayor Christman indicated that the FAA was unlikely to enforce their regulations. She stated that the proposed ordinance would create safety regulations and give citizens some enforcement rights if violations do occur.

Councilor Gallagher asked if any other municipalities had passed regulations.

City Attorney Michow indicated that the Town of Parker had passed general regulations. She noted that the FAA was unlikely to regulate or enforce regulations of hobby drones and the proposed ordinance limited the City's scope to hobby operators. She indicated that the phrase "or over" could be removed from the proposed ordinance.

Councilor Hoellen noted that, again, under U.S. v Causby, the airspace up to the height that a homeowner can reasonably say is necessary to their enjoyment of their property was not regulated by the FAA, and that this height was 83 feet. ~~t~~The regulatory authority for the airspace between~~above~~ that height and 500 feet was unsettled.

City Attorney Michow replied that 83 feet and below was for property owner use.

Councilor Hoellen indicated that if the City wanted to pass this ordinance then it should be enforced and residents should be educated about the registration process.

Councilor Gallagher agreed that communication with residents was important. He noted that regulations were needed because of issues involving life safety, privacy and vicarious liability.

Councilor K. Brown indicated that she was not sure the liability existed now because in order to be considered a model aircraft user you have to be operating within community safety guidelines which prohibited underage operation.

Councilor Gallagher indicated that practically speaking, underage operation will occur as children receive hobby drones as holiday gifts. He suggested that the City communicate to residents now that Council is considering this ordinance.

Councilor Griffin indicated that the 18th whereas clause should be amended to state "above ground level". He expressed concern with the Police Department's ability to enforce the proposed regulations such as line-of-sight, age limit and speed.

Mayor Christman replied that enforcement would be complaint driven.

Councilor Hoellen indicated he had issues with approving an ordinance for the purpose of complaints.

Councilor VanderWerf indicated that residents needed protections against improper drone operation. She suggested that the City could ban drone operation except in specific areas.

Councilor Gallagher stated that the important thing to keep in mind was consistency with the Master Plan.

Councilor K. Brown noted that she was cautious about regulating what someone could do on their own private property. She indicated that as it was currently worded, the intent of the ordinance was to deal with the safety, privacy and nuisance issues that might result from drone operation, but the wording involved restricting aircraft operation and she suggested that the City could receive significant legal push back that they did not have the authority to restrict aircraft operation. She noted that using aircraft for surveillance was already prohibited by the FAA. She added that Council was considering a Traffic Study that involved surveillance of licenses plates. She indicated that the City's noise ordinance would apply to drones and suggested that could be amended if needed instead of a new ordinance. She indicated that she was more comfortable amending the current Code to deal with the potential effects of drone operation rather than restricting aircraft operation which she considered legally tenuous.

Councilor Griffin noted that the generation 2 drones could navigate via GPS.

Councilor Hoellen agreed that privacy was an important issue.

Mayor Christman indicated that the current Code did not protect from a drone flying over private property. She added that a drone flying near a horse was a potentially dangerous situation and the City had a right to protect its citizens.

Councilor Griffin noted that the proposed ordinance would only allow drone operation on the drone owner's property.

Mayor Pro Tem A. Brown added that drones could be operated on other property with permission.

Councilor K. Brown indicated that she was not comfortable registering drones at the municipal level.

Mayor Christman stated that many people's first reaction to a drone on their property was to shoot it down. She indicated that if drone operation posed a legitimate safety issue and concern then it was incumbent on the City to keep citizens safe. She noted that if a drone runs out of battery power it would fall from the sky.

Councilor Griffin added that if one motor malfunctioned the drone would lose control.

Councilor Hoellen agreed that there were safety, privacy and nuisance issues, but indicated that he was concerned with what City could do and what it was prepared to enforce. He added that education of residents was also important.

Mayor Christman noted that the proposed ordinance was subject to federal and state regulations.

Councilor Griffin indicated that Council should not burden the Police Department with regulations they could not enforce.

Mayor Pro Tem A. Brown indicated that enforcement would be an issue when there are repeat offenders as with many other of the City's ordinances.

Councilor Hoellen indicated that if the ordinance were adopted, the City should educate its citizens with a widespread notice about the registration process and new regulations.

City Attorney Michow stated that the plan was to hold a public hearing during second reading of the proposed ordinance at the December 9th meeting.

Councilor Gallagher noted that the City was not ahead of the curve on this issue as the holidays were coming soon and many drones would be given as gifts. He suggested notifying residents of the proposed ordinance and public hearing in the December issue of the Village Crier.

Mayor Christman expressed concern that residents would operate drones in parks instead of on their own property.

Councilor K. Brown asked why drones should be registered if they were only allowed on the owner's property.

Mayor Christman replied that if a drone shows up on a different property the registration will allow communication between the drone owner and the property owner.

Councilor VanderWerf noted that drones could be a danger to birds as well. She suggested that the public could turn against drones if they became very common. She agreed that an article should be included in the Crier.

Councilor K. Brown indicated that the City did not have the authority to regulate aircraft operations.

City Attorney Michow replied that it was an open question. She noted that she and the Mayor had participated in several legal discussions regarding the level of local authority on this issue. She explained that according to Colorado experts there was some room for regulation of drones by municipalities, although the exact extent was unknown. She noted that the proposed ordinance included a severability clause to cover that unknown aspect.

Councilor K. Brown asked if any local regulations had been legally challenged.

City Attorney Michow replied that there were not many municipal ordinances yet.

Mayor Christman noted that other mayors were interested in seeing the City's ordinance.

Councilor K. Brown indicated that she did not disagree that there were issues of safety and privacy associated with drone operation, but that it was a bigger problem on a bigger scale. She questioned how long the City's registration would be valid if the FAA planned to implement its registration process by April 2016. She suggested that the City ask CML to sponsor statewide legislation instead of regulating at a municipal level since UAS can cross jurisdictional boundaries so easily. She stated that a statewide level was the minimum granularity that she felt drone legislation could be effective.

Councilor Hoellen indicated that although the regulation of aircraft was authorized to the FAA, the consequences of drone operation such as safety, privacy, noise and property damage were the City's concern and questioned whether the City already had laws that addressed those consequences that could be applied to drones.

Mayor Pro Tem A. Brown indicated that if a drone flew five feet over a rider it would startle the horse and create a serious safety issue, but that was not covered by the current Code.

Councilor K. Brown suggested that the City amend its harassment laws to encompass that situation. She noted that the negative impacts of safety, privacy and nuisance were not limited to drones.

Councilor VanderWerf suggested that the City prohibit all drones until the FAA passes its regulations.

City Attorney Michow noted that staff could amend the proposed ordinance to focus on general requirements rather than operating characteristics, maintain that operation was not permitted on public property, and modify the criminal/nuisance sections of Chapter 10.

Councilor Griffin suggested amending the ordinance to allow drone operation on the operator's property only.

Councilor Gallagher noted that the proposed ordinance might encourage drone operators to go elsewhere.

Councilor K. Brown noted that if everyone banned drones there wouldn't be anywhere to operate them. She indicated that the City's right to regulate airspace was a legitimate legal question. She added that protection of wildlife was not included in the proposed ordinance. She asked if it was illegal to harass animals and indicated that if it was already illegal then the City did not need another ordinance addressing that issue.

Councilor Hoellen indicated that the Council's job was to help the community operate in the manner it wants to operate.

Mayor Christman noted that the horse vs drone issue could be compared to the horse vs dog issue.

Councilor K. Brown noted that the City encouraged residents to harass coyotes.

Mayor Christman noted that people likely cared more about their dogs than their drones. She indicated that the FAA did not have the manpower or funds to enforce their hobby drone regulations.

Councilor Hoellen added that if the FAA failed to promulgate guidelines for hobby use then the FAA's pre-emption would no longer apply, and municipalities would be in a better position to ~~if they don't~~ regulate drones operated by hobbiests.

Councilor Griffin indicated that drones pose a public safety issue and Council had to take some action.

City Attorney Michow stated that she was happy to work with Councilor K. Brown on the whereas clauses of the proposed ordinance and make other revisions that the Council suggested for consideration at second reading.

Councilor K. Brown indicated that the City could regulate noise, nuisance and privacy in general instead of passing a specific drone ordinance.

Councilor Griffin disagreed.

Councilor VanderWerf disagreed.

Councilor Gallagher indicated that Council had a responsibility to the community to follow the Master Plan.

Councilor K. Brown noted that at 100 feet you would not hear or see a drone and it would not interfere with anyone's quiet enjoyment.

Councilor Gallagher stated there was an opportunity for abuse and user error.

Councilor K. Brown noted that surveillance was already illegal and Council had been concerned with the possibility of the proposed guard house at Cherry Hills Farm appearing to be surveillance.

Mayor Pro Tem A. Brown indicated that he had no confidence in the FAA to enforce their regulations related to hobby drones.

Councilor K. Brown agreed that the FAA may be ineffective, but they retained the responsibility to enforce UAS violations.

Mayor Christman indicated that the City's proposed ordinance was not meant to enforce FAA regulations but rather establish City regulations.

City Attorney Michow added that the proposed ordinance was not inconsistent with the FAA regulations.

Councilor Griffin suggested that Mayor Christman write an article for the Crier about this issue while Council worked on this issue.

Councilor Hoellen indicated that the issues the City wanted to regulate and had the right to regulate were the potential impact~~results~~ of drone operation on noise, privacy, and property damage rather than ~~the~~ operation of drones in and of itself, and that should be explained in the Crier article.

Councilor K. Brown suggested that the community safety guidelines at knowbeforeyoufly.org be included in the article.

City Attorney Michow indicated that the proposed ordinance could reference the community safety guidelines.

Councilor Griffin suggested the proposed ordinance be simplified to only allow drone operation on private property.

Councilor Gallagher indicated that section 7-7-40 General Requirements for Hobby Operators should be kept.

City Attorney Michow indicated that section 7-7-50 Prohibited Acts could be removed and other sections of the City Code could be amended to cover those issues.

Councilor K. Brown indicated that the 18th whereas clause should be amended as the Council did not desire to control UAS but rather to protect safety and privacy.

Mayor Pro Tem A. Brown suggested that a minimum altitude be added to drones passing between properties.

Councilor Griffin asked if rockets were regulated.

Councilor K. Brown replied they are considered model aircraft but the proposed ordinance did not apply to rockets.

Council discussed the article for the Crier advising the public of the public hearing on December 9th.

Councilor Gallagher moved, seconded by Councilor Griffin to approve Council Bill 9, Series 2015; Amending Chapter 7 of the Municipal Code to Add a New Article VII, Concerning Regulations Applicable to the Operation of Unmanned Aircraft Systems on first reading, and to schedule a public hearing and second reading on December 9, 2015, with modifications discussed to simplify the language.

The following votes were recorded:

A. Brown	yes
VanderWerf	yes
K. Brown	no
Hoellen	yes
Gallagher	yes
Griffin	yes

Vote on the Council Bill 9-2015: 5 ayes. 1 nay. The motion carried.

REPORTS

Mayor's Report

Mayor Christman reported that she continued to work on various open space acquisition projects.

Members of City Council

Councilor Gallagher had no report.

Councilor Griffin reported that the BOAA met in November and approved their request. He noted that there would not be a December BOAA meeting.

Mayor Pro Tem A. Brown had no report.

Councilor VanderWerf reported that fundraising for the Butterfield horse sculpture *Charlo* was going well and the PAC was close to raising enough to purchase the piece. She indicated that the PAC planned to have a large celebration and dedication once the piece was purchased. She noted that they had received some wonderful comments about the piece. She also reported that she had attended last week's Parks, Trails and Recreation Commission (PTRC) meeting at which the proposed fence ordinance was discussed. She noted that the Planning and Zoning Commission (P&Z) and the PTRC were coming from different orientations and so had different recommendations which would likely come to Council as two separate versions for consideration.

Councilor K. Brown reported that she had attended the CDOT Transportation Matters Summit at which they had presented their RoadX strategic plan for the next 20 years. She noted that driverless cars were likely to be an issue in the near future. She also reported that she had represented the CANRT at the National Organization to Insure a Sound-controlled Environment (NOISE) Conference in Nashville. She noted that there was a lot of frustration at the conference about the FAA's heavy-handed approach. She explained that the FAA was implementing next generation GPS flight systems which allowed pinpointed flight paths. Flights over one person's house increased from 200 per year to 60,000 per year. She noted that there was little communities could do to mitigate that change and it had been disheartening. She advised that the City make sure that it was not in the next generation flight paths for Centennial Airport. She noted that the next generation flight paths were worse for some people and better for others.

Mayor Christman asked Councilor K. Brown to write an article for the Crier.

Councilor K. Brown also reported that the CML Policy Committee would be meeting in early December and asked Council to advise her if they were concerned about any proposed legislation.

Councilor Hoellen had no report.

Members of City Boards and Commissions

None

City Manager & Staff

Interim City Manager/Director Goldie indicated that department monthly reports and unaudited financial statements were included in Council packets. He distributed a letter

from the Technical Advisory Committee (TAC) to Denver Water regarding their rate increases.

Councilor Griffin asked staff to include a summary of the letter in the Crier.

Interim City Manager/Director Goldie distributed a worksheet outlining options from the traffic study consultants. He indicated that he would review the options with Mayor Pro Tem A. Brown and Director Zuccaro and return to Council with suggestions.

Mayor Pro Tem A. Brown noted that the consultants had lowered their rates 10% in response to Council's concerns.

Interim City Manager/Director Goldie distributed the Public Works Facility draft report from Maintenance Design Group (MDG). He indicated that the estimated cost for the new facility was much higher than anticipated at $7.5 million, but that staff would work to lower that number. He noted that he had just received the report earlier today so needed more time to review it, but that he had called several other contractors and had confirmed the square foot prices that MDG had used were accurate at $250 per heated square foot at $100 per unheated square foot. He would discuss the other costs with MDG. He noted that the initial space analysis showed that the 1.25 acres available at the City of Englewood site was not enough space.

Councilor Hoellen indicated he would like to be involved in the discussions with MDG if schedules permitted.

Interim City Manager/Director Goldie replied that he hoped to meet with MDG before Thanksgiving. He noted that the Joint Public Safety Facility had been built at $212 per square foot and that contractors were expecting a 5 to 6% increase per year on the cost of materials.

City Attorney

None

ADJOURNMENT

Mayor Pro Tem A. Brown moved, seconded by Councilor VanderWerf to enter into Executive Session pursuant to CRS 24-6-402(4)(b) for the purpose of seeking legal advice concerning the Cooper v. Cherry Hills Village litigation, and pursuant to C.R.S. Sec. 24-6-402(4)(a) for the purpose of discussing matters related to the acquisition of real property and pursuant to C.R.S. Sec. 24-6-402(4)(e) to develop strategy for negotiations and to instruct negotiators relating to possible acquisition of real property, and upon completion of the Executive Session the Council will be adjourned.

The following votes were recorded:

VanderWerf	yes
K. Brown	yes
Hoellen	yes
Gallagher	yes
Griffin	yes
A. Brown	yes

Vote on the Executive Session: 6 ayes. 0 nays. The motion carried.

The executive session began at 8:39 p.m.

The meeting adjourned at 9:52 p.m.

_____
Laura Christman, Mayor

_____
Laura Smith, City Clerk

CHERRY HILLS VILLAGE
COLORADO

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Village Center
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ITEM: 5b

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: LAURA SMITH, CITY CLERK

SUBJECT: RESOLUTION 45, SERIES 2015; APPOINTING MEMBERS TO THE PARKS, TRAILS AND RECREATION COMMISSION

DATE: DECEMBER 9, 2015

ISSUE

Parks, Trails and Recreation Commissioner (PTRC) Bill Lucas resigned from PTRC to join the Planning and Zoning Commission, leaving a vacancy on PTRC.

DISCUSSION

Section 2-8-30 of the City Municipal Code requires that the Parks, Trails and Recreation Commission shall consist of seven members: one from each Council district; and one member appointed on an at-large basis; provided, however that if the Council is not reasonably able to appoint one member from each Council district the Council may appoint one or more members of the commission on an at-large basis.

PTRC Members	District
Rob Ganger	District 1
vacant	District 2
Joshua DiCarlo	District 3
Nina Itin	District 4
Colleen Dougherty	District 5
Robert Eber	District 6
John Kokish	District 6

Council appointed Mayor Christman and Councilor K. Brown to conduct interviews and recommend appointment to fill the vacancy on PTRC. Mayor Christman and Councilor K Brown are recommending appointment of Elisabeth (Liesje) Johnson, District 2, to PTRC.

RECOMMENDED MOTION
"I move to approve Resolution 45, Series 2015; appointing members to the Parks, Trails and Recreation Commission."

ATTACHMENTS
Exhibit A: Resolution 45, Series 2015

EXHIBIT A

RESOLUTION NO. 45
SERIES 2015

INTRODUCED BY:
SECONDED BY:

A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPOINTING MEMBERS TO THE PARKS, TRAILS AND RECREATION COMMISSION

WHEREAS, Ordinance 02-12 established the Parks, Trails and Recreation Commission; and

WHEREAS, Section 3.1 of the City of Cherry Hills Village City Charter authorizes the City Council to "delegate to board and commissions...such functions, powers and authority of the City as it deems proper and advisable"; and

WHEREAS, Section 2-8-30 of the City Municipal Code requires that the Parks, Trails and Recreation Commission shall consist of seven (7) members: one (1) from each Council district; and one member appointed on an at-large basis; provided, however that if the Council is not reasonably able to appoint one member from each Council district the Council may appoint one or more members of the commission on an at-large basis. On the date of appointment, each district member shall be a registered elector of the City for at least three (3) years immediately preceding the date of appointment. Each district member shall be a resident of the district on the date of appointment and throughout his or her term of office; and

WHEREAS, Commission member Bill Lucas, of District 2, resigned from the Commission prior to the end of his term; and

WHEREAS, applications to serve on the Commission were reviewed by Mayor Christman and Councilor K. Brown; and

WHEREAS, Mayor Christman and Councilor K. Brown have recommended that the Council appoint Elisabeth Johnson to complete the vacant term the Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE THAT:

The City Council hereby makes the following reappointments and appointment to the City of Cherry Hills Village Parks, Trails and Recreation Commission:

Name	District	Term Expires
Elisabeth Johnson	District 2	3rd Tuesday in May 2017

This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of City Council this __th day
of _____, 2015, by a vote of _ yes and _ no.

(SEAL)

Laura Christman, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

WIDNER MICHOW & COX LLP

ATTORNEYS AT LAW

TO:	Mayor Christman and Members of City Council
FROM:	Linda Michow, City Attorney
CC:	Jay Goldie, Interim City Manager Michelle Tovrea, Chief of Police
DATE:	December 9, 2015
SUBJECT:	Item No. 5c: Extension of Agreement with Humane Society of the South Platte Valley, Inc.

Issue:

On the consent agenda is the attached Letter Agreement to extend the term of the 2015 Agreement ("Agreement") for animal sheltering services between the City of Cherry Hills Village and The Humane Society of the South Platte Valley, Inc. ("Society"). In accordance with Section 3.1.2 of the Agreement, the parties are authorized to renew the Agreement for up to three one year terms.

The Society has provided animal sheltering services for the City since at least 2011 and City staff, specifically the Police Department, recommends approval of a renewal of the Agreement. The Letter Agreement extends the term for 2016, but does not increase the cost of the animal sheltering services. Total compensation to be paid in 2016 is $5390.

There are no other changes from the 2015 Agreement for animal sheltering services.

Recommendation:

City staff recommends approval of the attached Letter Agreement on the consent agenda.

Attachment:

Exhibit A - Letter Agreement between the City of Cherry Hills Village and The Humane Society of the South Platte Valley, Inc.

Exhibit B – 2015 Agreement for Animal Sheltering Services

EXHIBIT A

The Humane Society of the South Platte Valley, Inc.
2129 West Chenango Avenue
Littleton, CO 80120

Re: Agreement for Animal Sheltering Services

In accordance with Section 3.1.2 of the Professional Services Agreement ("Agreement") entered into between the City of Cherry Hills Village (City) and The Humane Society of the South Platte Valley, Inc. (Society) with an effective date of January 1, 2015, this letter agreement confirms an extension of the term of the Agreement between the City and the Society.

1. The term of the Agreement shall be extended from January 1, 2016 to December 31, 2016.
2. The compensation for 2016 shall be the same as paid in 2015, the full amount of which ($5,390.00) shall be paid to the Society within thirty days of the City's receipt of an invoice from the Society.
3. Except as amended herein, the original terms and conditions of the Agreement shall remain in full force and effect.

To confirm your receipt and acceptance of these terms, please sign below and return one original to: Laura Smith, City Clerk, 2450 E. Quincy Avenue, Cherry Hills Village, Colorado 80113.

THE HUMANE SOCIETY OF THE SOUTH PLATTE VALLEY, INC.

BY: _____

Name: Leslie Maisonneuve

Title: Shelter Director

Date: _____

CITY OF CHERRY HILLS VILLAGE

BY:

_____

Laura Christman, Mayor

ATTEST:

_____

Laura Smith, City Clerk

CITY OF CHERRY HILLS VILLAGE
AGREEMENT FOR ANIMAL SHELTERING SERVICES

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is entered into and effective this 1st day of January 2015 ("Effective Date") by and between **THE HUMANE SOCIETY OF THE SOUTH PLATTE VALLEY, INC.,** a Colorado nonprofit corporation, whose business address is 2129 West Chenango Avenue, Littleton, Colorado 80120 (the "Society") and the **CITY OF CHERRY HILLS VILLAGE, COLORADO** ("City"), a Home Rule municipality of the State of Colorado whose business address is 2450 East Quincy Avenue, Cherry Hills Village, Colorado 80113. The City and the Society may be collectively referred to as the "Parties."

RECITALS AND REPRESENTATIONS

WHEREAS, the City considers the sheltering of animals to be essential to the health, safety, and welfare of the City and its inhabitants; and

WHEREAS, the City desires for the Society to provide animal sheltering services as described in this Agreement; and

WHEREAS, the Society represents that the Society has the skill, ability, and expertise to perform the services described in this Agreement; and

WHEREAS, the Parties desire to enter into this Agreement.

NOW, THEREFORE, in consideration of the benefits and obligations of this Agreement, the Parties mutually agree as follows:

1.0 SERVICES AND PERFORMANCE

1.1 **Sheltering Services.** The Society agrees to provide shelter, food, and veterinary treatment in accordance with all applicable requirements of the State of Colorado health and animal treatment statutes. The Society further agrees to act as the receiving agency for impoundment and sheltering purposes with respect to all animals brought to the Society's facility located at 2129 W. Chenango Ave, Littleton, CO 80120 ("Facility") by authorized personnel of the City.

1.2 **Shelter Facility.** The Society shall maintain its Facility in accordance with all applicable requirements of the State of Colorado health and pet animal care and facilities statutes.

1.2.01 The Society shall visually and physically inspect the Facility on a periodic basis to insure that it continues to meet the standards established by the Pet Animal Care Facilities Act ("PACFA"). The City is authorized to inspect the Facility to insure compliance with this Agreement at reasonable times throughout the Term.

1.3 **Impoundment/Contact with Owner.** The Society agrees to hold all impounded animals, and to dispose of animals, unless properly reclaimed by a verified owner, in compliance with the Society's policies. The Society shall make reasonable efforts to contact the owner of any impounded animal which is brought to it by the City under this Agreement and which bears a City rabies tag, or Municipal or County license tag, or any other reasonable means of identification. Reasonable

efforts will consist of attempting to contact the owner at the telephone number indicated on the license, certificate, or tag.

1.4 **Dead Animal Disposal.** The Society agrees to store and dispose of dead domestic and wild animals which shall include dogs, cats, small domestic animals and small wild animals such as coyotes, rabbits, and raccoons. City personnel shall contact the Society prior to the transport of any large dead animal classified as livestock or a large wild animal such as a deer, elk, bear, or the like to determine if the Society can accommodate and make arrangements for the storage and disposal of such animal, provided, however, that the Society is under no obligation to accept or dispose of any such large dead animal.

1.5 **Required Hours of Operation.** Except during any week where a legal holiday occurs, the Society shall maintain a schedule of at least 40 hours per week whereby animals impounded under this Agreement may be reclaimed by their owner. In any week in which a legal holiday occurs, eight hours may be deducted from the required 40 hours for each such holiday. In addition, the Society shall make its Facility available to authorized personnel of the City for the purpose of receiving impounded animals under this Agreement on a basis of 24 hours per day, seven days per week by providing access to the shelter by authorized City personnel. During regular business hours, the Society will provide staff and/or a contracted veterinarian for emergency care, if required, to accept delivery of injured animals to the Society under this Agreement.

1.6 **Sick and Injured Stray Health Care.** The Society agrees to provide all emergency and critical care services for animals impounded by the City. The Society shall provide such services at locations reasonably proximate to the boundaries of the City.

1.6.01 Emergency and critical care services shall include: evaluation (excluding radiographs), stabilization, and pain management. Procedures beyond evaluation, stabilization and pain management must be preauthorized by a Society Operations Manager.

1.6.02 The Society shall comply with all PACFA regulations for timely veterinary care.

1.6.03 The Society agrees to work in good faith to coming to mutually agreeable financial arrangements with owners reclaiming pets that have incurred Society approved medical bills. The Society shall be solely responsible for collection of any Society-approved medical bills. In the instance of court ordered treatment (i.e. cruelty investigations and/or other court or City ordered treatment), the City agrees to pay the veterinarian directly for all evaluation and treatment costs and seek restitution directly from the animal owner.

1.6.04 The Society shall be the contract holder for any agreements with outside veterinary services and these agreements may remain confidential. The Society shall be responsible for payment to said clinics. The Society reserves the right to approve or decline any treatments at the discretion of the veterinarian advising the Society and Society's management. The Society reserves the right to peacefully and humanely euthanize any

animal, prior to the end of the stray hold period, if a veterinarian determines that it would be inhumane to hold that animal for the entire stray hold period.

1.6.05 The Society will not be responsible for the costs associated with treating animals presented by Good Samaritans to veterinarians contracted by the Society. A "Good Samaritan," for purposes of this Agreement shall mean a person who gratuitously gives help to an animal in distress.

1.6.06 The City shall be responsible for paying all costs associated with City-initiated requests to veterinarians contracted by the Society for investigative procedures related to the criminal prosecution of animal cruelty or any other animal related offense, i.e. cruelty examinations, necropsies, etc.

1.7 **Reclaim Rights and Obligations.** Each animal impounded by the City and placed within the Facility pursuant to this Agreement may be reclaimed by its owner during the impound (stray-hold) period upon verification of ownership. In the case of dogs, the owner must first show proof of current, valid rabies vaccination as required under applicable municipal ordinances or statutes of the State of Colorado, or in the alternative, must consent to having the dog inoculated for rabies prior to its release in accordance with the requirements of the City and the Tri-County Health Department.

1.7.01 The Society may charge any owner who reclaims an animal all costs and fees incurred by the Society in the impoundment, sheltering and treatment of that animal.

1.7.02 The fees to be charged for services provided to the public shall be established by the Society and shall be uniform and reasonable. The Society may set and collect such impound, board, and veterinary care fees for impounded animals as it deems appropriate and may refuse to return the animal to its owner if such payment is not made. This fee may be retained by the Society. The Society shall not bill its own costs, fees or the associated charges set forth in this Section to the City.

1.7.03 The City agrees that within a reasonable period not to exceed three (3) business days after it brings a dangerous dog to the Society pursuant to C.R.S. § 18-9-204.5 or equivalent municipal ordinance, the City shall provide the Society with the following information, in writing: (i) the name and address of the animal's owner, (ii) the date that the owner was charged with a violation of C.R.S. § 18-9-204.5 or equivalent municipal ordinance; and (iii) a copy of the Arrest Report or Summons and Citation, subject to applicable records release guidelines as established by the State of Colorado and City of Cherry Hills Village. The City also agrees to provide the Society with any available information as to the status of the pending criminal prosecution against the defendant animal owner (including any request or application for bail) upon request by the Society. The City will cooperate with the Society in its efforts to seek compensation or restitution from the defendant animal owner, the Arapahoe County Victim Compensation Board, or any other source, for charges that are incurred as a result of receiving, keeping or disposing of an animal pursuant to C.R.S. § 18-9-204.5 or equivalent municipal ordinance.

1.7.04 The City agrees that animals impounded under a police or court hold for criminal prosecution for municipal code violations or any violations of C.R.S. pertaining to animals, that are awaiting disposition by the courts will be held for up to 15 days by the Society without additional charge. After 15 days, board fees will be charged to the City at the rate of $10 per day for the care of impounded animals awaiting court disposition. The City agrees to seek compensation or restitution from the defendant animal owner as described above in Section 1.6.03 for board fees charged to the City.

1.7.05 The City agrees to notify the Society, as soon as reasonably possible, of situations in which the City plans to impound more than 10 animals that have been removed from a single location or as a result of a single incident.

1.8 **Exceptions to the Society's Obligation to Provide Services.** The Society is not obligated to accept animals other than dogs or cats unless authorized by a Society manager or other authorized representative.

1.8.01 Seriously sick or seriously injured animals brought to the Facility may be treated or humanely euthanized at the sole option of the Society, following efforts to contact the owner.

1.8.02 In the event disposal of an animal is required due to serious illness or injury, the Society shall make all reasonable efforts to identify and notify the owner of the animal's location and condition before humanely euthanizing it, by researching all lost animal reports available to the Society; however, the Society shall not undertake identification efforts which, in its opinion, would unduly prolong suffering of the animal in question.

1.8.03 All animals impounded by the City shall be the responsibility of the City until accepted at the Society's Facility or emergency veterinarian location as designated by the Society. Thereafter, all animals shall be responsibility of the Society under the terms of this Agreement

1.9 **Reports Required.** The Society will maintain complete and accurate records of impounded animals. These records shall specify the date of impoundment, the reason for impoundment if provided by the City, the general condition of the animal upon arrival or first contact with the Society's employees, efforts to identify and give notice to the owner, the length of animal stay at shelter, treatment and/or disposition of the animal, all associated costs and fees, identity of the reclaiming owner, amounts billed to and collected from the reclaiming owner, and all other billing and collection information required under this Agreement.

1.9.01 The Society shall make its impound records and facilities available for inspection by any authorized representative of the City upon written request submitted to the Facilities Coordinator of the Society or the Facility Coordinator's authorized representative at least 24 hours in advance of the requested inspection.

1.9.02 The Society shall record and maintain service usage and expense data for each funded program or program component required under this

Agreement and submit quarterly reports in a form mutually agreed upon by the Society and the City.

1.10 **Changes to Services.** The City may request a change or changes in the services. Any changes that are mutually agreed upon between the City and the Society shall be made in writing and upon execution by both Parties shall become an amendment to this Agreement.

1.11 **Independent Contractor.** The Society shall perform the services as an independent contractor and shall not be deemed by virtue of this Agreement to have entered into any partnership, joint venture, employer/employee or other relationship with the City other than as a contracting party and independent contractor. The City shall not be obligated to secure, and shall not provide, any insurance coverage or employment benefits of any kind or type to or for the Society or the Society's employees, sub-consultants, contractors, agents, or representatives, including coverage or benefits related but not limited to: local, state, or federal income or other tax contributions; insurance contributions (e.g., FICA); workers' compensation; disability, injury, or health; professional liability insurance, errors and omissions insurance; or retirement account contributions.

1.12 **Standard of Performance.** In performing the services, the Society shall use that degree of care, skill, and professionalism ordinarily exercised under similar circumstances by members of the same profession practicing in the State of Colorado. The Society represents to the City that the Society is, and its employees performing such services are, properly licensed and/or registered within the State of Colorado for the performance of the services (if licensure and/or registration is required by applicable law) and that the Society and employees possess the skills, knowledge, and abilities to competently, timely, and professionally perform the services in accordance with this Agreement.

1.12.01 The Society shall promptly inform the City concerning ambiguities and uncertainties related to the Society's performance that are not addressed by the Agreement.

1.12.02 The Society shall provide all of the services required in the Agreement in a timely and professional manner.

1.12.03 The Society shall promptly comply with any written City request for the City or any of its duly authorized representatives to reasonably access and review any books, documents, papers, and records of the Society that are pertinent to the Society's performance under this Agreement for the purpose of the City performing any review of the services.

1.12.04 The Society shall comply with all applicable federal, state and local laws, ordinances, regulations, and resolutions.

1.12.05 The Society shall be responsible at the Society's expense for obtaining, and maintaining in a valid and effective status, all licenses and permits necessary to perform the services unless specifically stated otherwise in this Agreement.

1.13 **Humane Services.** The Society shall provide humane and quality care to all animals under the terms of this Agreement.

2.0 COMPENSATION

2.1 **Compensation for Services.** Within thirty (30) days of execution of this Agreement by the City, the City shall compensate the Society the annual sum of five thousand three hundred and ninety dollars ($5,390.00) for the services described in Section 1.0, from the effective date through December 31, 2015. The City shall pay this sum in a lump sum payment.

2.2 **Non-reimbursable Costs, Charges, Fees, or Other Expenses.** Any fee, cost, charge, or expense not specified in this Agreement that is incurred by the Society shall be deemed a non-reimbursable cost and shall be borne by the Society and shall not be billed or invoiced to the City and shall not be paid by the City.

2.3 **Increases in Compensation.** Any increases or modification of compensation shall be subject to the approval of the City and shall be made only by a written amendment of the Agreement executed by both Parties.

3.0 TERM AND TERMINATION

3.1 **Term.** This Agreement shall be effective from the Effective Date first mentioned above and shall terminate at 11:59 p.m. on December 31, 2015 ("Initial Term").

3.1.2 **Renewal.** The Parties may renew this Agreement for up to three additional one year terms upon such terms and conditions mutually agreed upon in writing through a letter agreement signed by both Parties.

3.2 **Unilateral Termination.** This Agreement may be terminated by either Party for any or no reason upon written notice delivered to the other at least ninety (90) days prior to termination. In the event of the exercise of the right of unilateral termination as provided by this paragraph:

A. The Society shall continue to provide the services under this Agreement until the ninety (90) day notice period has passed, unless otherwise provided in any notice of termination delivered by the City;

B. All finished or unfinished documents, data, studies and reports prepared by the Society pursuant to this Agreement shall be delivered by the Society to the City and shall become the property of the City; and

3.3 **Termination for Non-Performance.** Should a Party to this Agreement fail to materially perform in accordance with the terms and conditions of this Agreement, this Agreement may be terminated by the performing Party if the performing Party first provides written notice to the non-performing Party which notice shall specify the non-performance, provide both a demand to cure the non-performance and reasonable time to cure the non-performance, and state a date upon which the Agreement shall be terminated if there is a failure to timely cure the non-performance. For purpose of this Subsection, "reasonable time" shall be not less than five (5) business days. Provided that notice of nonperformance is provided in accordance with this Subsection, nothing in this Subsection shall prevent, preclude, or limit any claim or action for default or breach of contract resulting from non-performance by a Party.

3.4 **Delivery of Notice of Termination.** Any notice of termination permitted by this Section shall be addressed to the person signing this Agreement on behalf of the Society or to the City Manager at the address shown below or such other address as either Party may notify the other of and shall be deemed given upon delivery if personally delivered, or forty-eight (48) hours after deposited in the United States mail, postage prepaid, registered or certified mail, return receipt requested.

3.5 **Termination Payment**. Upon termination of this Agreement for any reason other than nonrenewal, the Society shall refund to the City a prorated share of the annual compensation amount for that portion of the then-remaining term.

4.0 INSURANCE

4.1 **Insurance Generally.** The Society shall obtain and shall continuously maintain during the term of this Agreement insurance of the kind and in the minimum amounts specified ("Required Insurance"):

A. Worker's Compensation Insurance in the minimum amount required by applicable law for all employees and other persons as may be required by law. Such policy of insurance shall be endorsed to include the City as a Certificate Holder.

B. Comprehensive General Liability insurance with minimum combined single limit for each occurrence of One Million Dollars ($1,000,000.00) and of One Million Dollars ($1,000,000.00) aggregate. The policy shall be applicable to all premises and all operations of the Society. The policy shall include coverage for bodily injury, broad form property damage (including completed operations), personal injury (including coverage for contractual and employee acts), blanket contractual up to the underlying limits, independent contractors, products, and completed operations. The policy shall contain a severability of interests provision. Coverage shall be provided on an "occurrence" basis as opposed to a "claims made" basis. Such insurance shall be endorsed to name the City as a Certificate Holder and name the City, and its elected officials, officers, employees and agents as additional insured parties.

C. C. Professional Liability (errors and omissions) Insurance with a minimum limit of coverage of One Million Dollars ($1,000,000.00) per claim and annual aggregate. Such policy of insurance shall be obtained and maintained for one (1) year following completion of all services under this Agreement. Such policy of insurance shall be endorsed to include the City as a Certificate Holder. The Required Insurance shall be procured and maintained with insurers with an A- or better rating as determined by Best's Key Rating Guide. All Required Insurance shall be continuously maintained to cover all liability, claims, demands, and other obligations assumed by the Society.

4.2 **Additional Requirements for Insurance.** In addition to specific requirements imposed on insurance by this Section and its subsections, insurance shall conform to all of the following:

A. All policies of insurance shall be primary insurance, and any insurance carried by the City, its officers, or its employees shall be excess and not contributory insurance to that provided by the Society; provided, however, that the City shall not be obligated to obtain or maintain any insurance whatsoever for any claim, damage, or purpose arising from or related to this Agreement and the services provided by the Society. The Society shall not be an insured party for any City-obtained insurance policy or coverage.

B. The Society shall be solely responsible for any deductible losses.

C. Every policy of insurance shall provide that the City will receive notice no less than thirty (30) days prior to any cancellation, termination, or a material change in such policy.

4.3 **Failure to Obtain or Maintain Insurance.** The Society's failure to obtain and continuously maintain policies of insurance in accordance with this Section and its subsections shall not limit, prevent, preclude, excuse, or modify any liability, claims, demands, or other obligations of the Society arising from performance or non-performance of this Agreement. Failure on the part of the Society to obtain and to continuously maintain policies providing the required coverage, conditions, restrictions, notices, and minimum limits shall constitute a material breach of this Agreement upon which the City may immediately terminate this Agreement, or, at its discretion, the City may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the City shall be repaid by the Society to the City immediately upon demand by the City, or at the City's sole discretion, the City may offset the cost of the premiums against any monies due to the Society from the City pursuant to this Agreement.

4.4 **Insurance Certificates.** Prior to commencement of any services under this Agreement, the Society shall submit to the City certificates of insurance for all Required Insurance. Insurance limits, term of insurance, insured parties, and other information sufficient to demonstrate conformance with this Section and its subsections shall be indicated on each certificate of insurance. The City may request and the Society shall provide within three (3) business days of such request a current certified copy of any policy of Required Insurance and any endorsement of such policy. The City may, at its election, withhold payment for services until the requested insurance policies are received and found to be in accordance with the Agreement.

5.0 REMEDIES

In addition to any other remedies provided for in this Agreement, and without limiting its remedies available at law, the City may exercise the remedial actions outlined in Section 3.3 Termination for Nonperformance, if the Society substantially fails to perform the duties and obligations of this Agreement. Substantial failure to perform the duties and obligations of this Agreement shall mean a significant, insufficient, incorrect, or improper performance, activities or inactions by the Society.

6.0 MISCELLANEOUS PROVISIONS

6.1 **No Waiver of Rights.** A waiver by any Party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a

waiver of any subsequent breach by either Party. The City's approval or acceptance of, or payment for, services shall not be construed to operate as a waiver of any rights or benefits to be provided under this Agreement. No covenant or term of this Agreement shall be deemed to be waived by the City except in writing signed by the City Council or by a person expressly authorized to sign such waiver by resolution of the City Council, and any written waiver of a right shall not be construed to be a waiver of any other right or to be a continuing waiver unless specifically stated.

6.2 **No Waiver of Governmental Immunity.** Nothing in this Agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the City, its officials, employees, contractors, or agents, or any other person acting on behalf of the City and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10, Part 1 of the Colorado Revised Statutes.

6.3 **Equal Employment Opportunity.** The Society will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The Society will ensure applicants are employed, and employees are treated during employment without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

6.4 **Binding Effect.** The Parties agree that this Agreement, by its terms, shall be binding upon the successors, heirs, legal representatives, and assigns; provided that this Section shall not authorize assignment.

6.5 **No Third Party Beneficiaries.** Nothing contained in this Agreement is intended to or shall create a contractual relationship with, cause of action in favor of, or claim for relief for, any third party, including any agent, sub-consultant or subcontractor of the Society. Absolutely no third party beneficiaries are intended by this Agreement. Any third-party receiving a benefit from this Agreement is an incidental and unintended beneficiary only.

6 .6 **Article X, Section 20/T ABOR.** The Parties understand and acknowledge that the City is subject to Article X, § 20 of the Colorado Constitution ("TABOR"). The Parties do not intend to violate the terms and requirements of TABOR by the execution of this Agreement. It is understood and agreed that this Agreement does not create a multi-fiscal year direct or indirect debt or obligation within the meaning of TABOR and, therefore, notwithstanding anything in this Agreement to the contrary, all payment obligations of the City are expressly dependent and conditioned upon the continuing availability of funds beyond the term of the City's current fiscal period ending upon the next succeeding December 31. Financial obligations of the City payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available in accordance with the rules, regulations, and resolutions of the City, and other applicable law. Upon the failure to appropriate such funds, this Agreement shall be terminated.

6.7 **Governing Law, Venue, and Enforcement.** This Agreement shall be governed by and interpreted according to the law of the State of Colorado. Venue for any action arising under this Agreement shall be in the appropriate court for Arapahoe County, Colorado. The Parties agree that the rule that ambiguities in a contract are to be construed against the drafting party shall not apply to the interpretation of this Agreement.

6.8 **Survival of Terms and Conditions.** The Parties understand and agree that all terms and conditions of the Agreement that require continued performance, compliance, or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable in the event of a failure to perform or comply.

6.9 **Assignment and Release.** All or part of the rights, duties, obligations, responsibilities, or benefits set forth in this Agreement shall not be assigned by the Society without the express written consent of the City Council for the City. Any written assignment shall expressly refer to this Agreement, specify the particular rights, duties, obligations, responsibilities, or benefits so assigned, and shall not be effective unless approved by resolution or motion of the City Council for the City. No assignment shall release the Society from performance of any duty, obligation, or responsibility unless such release is clearly expressed in such written document of assignment.

6.10 **Headings.** The captions in this Agreement are for the convenience and reference of the Parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.

6.11 **Integration and Amendment.** This Agreement represents the entire and integrated agreement between the City and the Society and supersedes all prior negotiations, representations, or agreements, either written or oral. Any amendments to this Agreement must be in writing and be signed by both the City and the Society.

6.12 **Severability**. Invalidation of any of the provisions of this Agreement or any paragraph, sentence, clause, phrase, or word herein or the application thereof in any given circumstance shall not affect the validity of any other provision of this Agreement.

6.13 **Employment of or Contracts with Illegal Aliens**. The Society shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. The Society shall not contract with a subcontractor that fails to certify that the subcontractor does not knowingly employ or contract with any illegal aliens. By entering into this Agreement, the Society certifies as of the date of this Agreement that it does not knowingly employ or contract with an illegal alien who will perform work under this Agreement and that the Society will participate in the e-verify program or department program in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement. The Society is prohibited from using either the e-verify program or the department program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed. If the Society obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, the Society shall

be required to notify the subcontractor and the City within three (3) days that the Society has actual knowledge that a subcontractor is employing or contracting with an illegal alien. The Society shall terminate the subcontract if the subcontractor does not stop employing or contracting with the illegal alien within three (3) days of receiving the notice regarding the Society's actual knowledge. The Society shall not terminate the subcontract if, during such three days, the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien. The Society is required to comply with any reasonable request made by the Department of Labor and Employment in the course of an investigation undertaken to determine compliance with this provision and applicable state law. If the Society violates this provision, the City may terminate this Agreement, and the Society may be liable for actual damages incurred by the City, notwithstanding any limitation on such damages provided by such Agreement.

6.14 **Right to Contract**. The Society shall have the right to provide animal sheltering and other services to other governmental entities as long as such activities do not interfere with the Society's obligations in this Agreement.

6.15 **Notices**. Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail or registered mail, postage and fees prepaid, addressed to the Party to whom such notice is to be given at the address set forth below or at such other address as has been previously furnished in writing, to the other Party. Such notice shall be deemed to have been given when deposited in the United States Mail properly addressed to the intended recipient.

If to the City:
City Manager
City of Cherry Hills Village
2450 East Quincy Avenue
Cherry Hills Village, CO 80113

If to the Society:
Shelter Director
Humane Society of the South Platte Valley
2129 W. Chenango Avenue
Littleton, Colorado 80120

With Copy to:
City Attorney
City of Cherry Hills Village
2450 East Quincy Avenue
Cherry Hills Village, CO 80113

7.0 AUTHORITY

The individuals executing this Agreement represent that they are expressly authorized to enter into this Agreement on behalf of City and the Society and bind their respective entities.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the City and the Society have executed this Agreement as of the above date.

CITY:

CITY OF CHERRY HILLS VILLAGE, a Colorado home rule municipal corporation

BY: _____
Laura Christman, Mayor

DATE: 1/12, 2015

APPROVED AS TO FORM:

_____
City Attorney

CONTRACTOR:

Humane Society of the South Platte Valley, Inc.,

a Colorado nonprofit corporation

BY: _____
Shelter Director

DATE: 1/2, 2015

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 7a

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION
JAY GOLDIE, INTERIM CITY MANAGER/PUBLIC WORKS DIRECTOR

SUBJECT: 2016 PROPOSED BUDGET FINAL READING

DATE: DECEMBER 9, 2015

Attached for Council consideration are the following documents:

(i) 2016 Proposed Budget for the City of Cherry Hills Village

(ii) Council Bill 7, Series 2015; A Bill for an Ordinance Adopting a Budget and Levying Property Taxes for the City of Cherry Hills Village, Colorado for Fiscal Year 2016 (Final Reading)

(iii) Council Bill 8, Series 2015; A Bill for an Ordinance of the City Council of the City of Cherry Hills Village, Colorado Authorizing Appropriations for Fiscal Year 2016 (Final Reading)

ISSUE:
Should the Council approve the 2016 proposed budget along with Council Bill 7, Series 2015 and Council Bill 8, Series 2015?

DISCUSSION:
A study session was held to discuss the 2016 proposed budget on October 6th, 2015 and a public hearing was held on November 17th, 2015. Following are the changes made to the 2016 budget since first reading:

- The final property tax assessment was received from Arapahoe County and decreased by $2,167,966. This resulted in a $16,532 decrease to Property Tax Revenue in the General Fund, $11,283 decrease to Property Tax Revenue in the Parks Fund and a $2,168 decrease in Property Tax Revenue in the Capital Fund.
- $10,000 expense was added to the General Fund Public Safety training account 01-421-6063 for twice a year in-service training for all officers by the City Attorney's office.
- $26,532 was added to the General Fund Use Tax Motor Vehicles Revenue account 01-310-3312 to offset the $10,000 expense for police training and the decrease in Property Tax Revenue.

- $6,387 expense was added to the Parks Fund Interest Expense account 30-432-7072 based on the receipt of the actual interest rate increasing to 0.853% (from 0.51%).
- $10,000 of Specific Ownership Tax was moved from the Capital Fund to the Parks Fund to offset the decrease in Property Tax Revenue.
- The Parks Fund account 30-432-7073, Principal Expense, was decreased by $1,414 based on receipt of actual payment expense.
- $6,256 was decreased from the Parks Fund expense account 30-432-6069, Recreation Reimbursements, to offset the change in the Principal and Interest payments and the reduction in Property Tax Revenue.

Overall, the 2016 General Fund budget is balanced with revenues equal to expenditures in the amount of $7,004,867 and an ending fund balance of approximately $3.7 million.

In the Capital Fund expenditures exceed revenues by ($765,348). Bond proceeds in amount of $3.5 million were added for the financing of the new Public Works Facility. $1 million for construction costs is budgeted for 2016 along with a COP interest only payment of $96,263. The Capital Fund is expected to have an ending balance in 2016 of approximately $6.8 million dollars.

The Parks and Recreation Fund budget is balanced with revenue equal to expenditures in the amount of $1,787,749 and an ending fund balance of approximately $2.3 million.

Staff will again submit the budget to the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Awards Program. Submissions for the award must be received within 90 days of the date when the budget is adopted. Staff will provide Council the document that will be submitted for the award in January or February of 2016.

RECOMMENDED MOTIONS:

Item 7(a)(ii) – "*I move to approve Council Bill 7 Series 2015 A Bill for an Ordinance Adopting a Budget and Levying Property Taxes for the City of Cherry Hills Village, Colorado for Fiscal Year 2016 on final reading.*"

Item 7(a)(iii) – "*I move to approve Council Bill 8 Series 2015 A Bill for an Ordinance of The City Council of the City of Cherry Hills Village, Colorado Authorizing Appropriations for Fiscal Year 2016 on final reading.*"

ATTACHMENTS:

Exhibit A: 2016 Proposed Budget for the City of Cherry Hills Village

Exhibit B: Council Bill 7, Series 2015; A Bill for an Ordinance Adopting a Budget and Levying Property Taxes for the City of Cherry Hills Village, Colorado for Fiscal Year 2016 (Final Reading)

Exhibit C: Council Bill 8, Series 2015; A Bill for an Ordinance of the City Council of the City of Cherry Hills Village, Colorado Authorizing Appropriations for Fiscal Year 2016 (Final Reading)

2016 PROPOSED BUDGET

CITY OF CHERRY HILLS VILLAGE

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113

Study Session – October 6, 2015
First Reading – November 17, 2015
Second Reading – December 9, 2015

EXHIBIT A

CHERRY HILLS VILLAGE, COLORADO
2450 E. Quincy Avenue

December 9, 2015

Mayor Christman and Members of The Cherry Hills Village City Council:

In accordance with Section 9.2 and Article IX of the City of Cherry Hills Village Home Rule Charter, Section 2-3-40(4) of the City Code and Colorado Revised Statutes 29, Article 1, Local Government Budget Law of Colorado, staff is pleased to present the 2016 Proposed Annual Budget. This submittal of the budget represents the policy direction set forth this past year and the allocation of funds for the provision of municipal services to Cherry Hills Village residents.

This budget document provides the legal authority to appropriate and expend funds for each budget year and explains funding for projects, programs and services. The document also serves as an operations guide by designating service levels to be provided and serves as a financial plan guided by Council's goals. We must not only monitor the daily revenues and expenditures, but also look to future commitments and projects to plan accordingly and ensure levels of service are maintained and sustainable.

The budget process requires a constant monitoring of revenues and expenditures to ensure fund balances are preserved at levels required by the City's fund balance policy. The budget process is ongoing throughout the year. This process allows staff to identify when revenues are not in line with expenditures, thereby providing the opportunity to examine any shortfall that the City may experience and to adjust spending accordingly.

Budget Priorities
The 2016 budget takes into consideration the following priorities presented to staff:

- Continue to pro-actively address safety, health and welfare issues within the Village.
- Evaluate and, where possible, enhance service delivery and responsiveness.
- Manage the public's monies in a fiscally responsible manner.
    - Stay within budget.
    - Adhere to and monitor the newly created Strategic Financial Plan.
    - Evaluate possible alternative revenue sources.
- Master Plan implementation.
- Implementation of the John Meade Park Master Plan.
- Grant coordination and applications.
- Pursue Public Works facility re-location with Englewood.
- 2016 Municipal Election Process.
- Dignitary Visits – 2016 Presidential Election Process.
- Code review and revisions.
- Village Center design.
- Quincy Farm planning process.
- Highline Canal Trail Interconnect Project.

- Glenmoor Traffic Signal Project (partner with HOA and Greenwood Village).
- Drainage Project at Clarkson and Belleview (partner with Greenwood Village).
- Clarkson Bike Lane Project (partner with Englewood).
- Complete Traffic Study Project.
- Improve public outreach efforts.
    - Crier (monthly publications), Villager, Web site, Channel 22, HOA meetings, school interactions, etc.
    - Special Events : Holiday Tree Lighting, Exotic Car Show, Movie Night, Spring Clean-Up, Prescription Drug Take Back, National Night Out, Electronics Turn-In, Art Commission events and assist outside entities with their special events – Land Preserve Barn Tour, local schools, etc.
- Address storm water issues in a comprehensive manner.
- Maintain and evaluate IT systems.
- Employee training and development.
    - Establish training in critical areas for all employees on an annual basis.
    - Leadership training for supervisory and management staff.
- Annual Employee Compensation Study.
    - Evaluate employee benefit programs.
- Monitor and evaluate the Wildlife Management Program.
- Determine Community Strategies for:
    - Open Space Acquisitions
    - High Line Canal
    - Sanitation District Consolidation
- Maintain close Staff liaison with the various Village Boards and Commissions.
- Closely coordinate/monitor activities of those outside entities that have a direct impact on Village operations and quality of life issues within the City, i.e., CDOT, Denver Water, Xcel Energy, Century Link, etc.

Economic Conditions

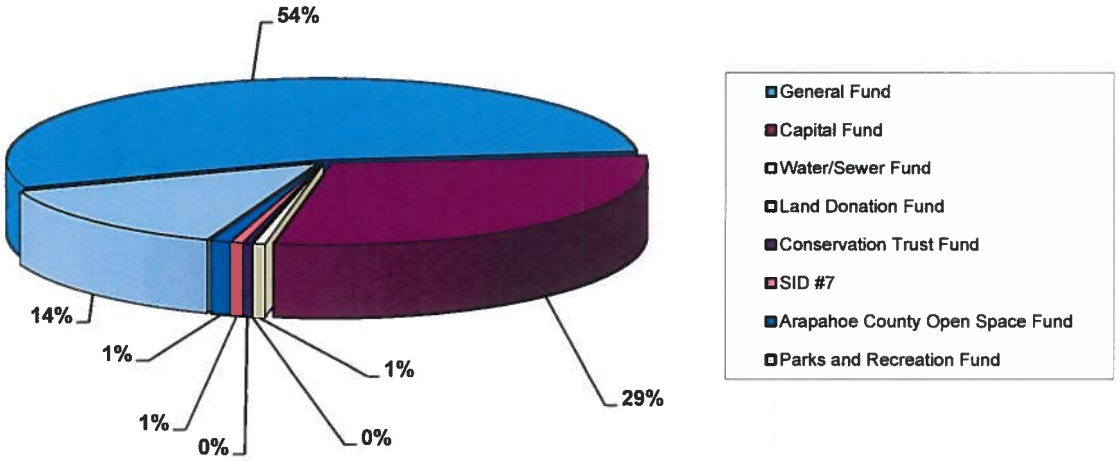
In 2012, the City began to experience the effects of the downturn in the housing market and saw a 16% decline in property tax revenue. The City experienced an additional 4% decline in property tax revenue for 2014, which remained for 2015. Arapahoe County has reported that Cherry Hills Village will see a 15% increase in property tax revenue for 2016. Staff has used several indicators to conservatively plan and estimate all other revenues for 2016. Many other sources of revenue such as motor vehicle use tax, sales tax and building permits have continued to be steady or increase slightly.

2016 Proposed Budget – Revenues

All Funds Revenues

The City is heavily dependent on property tax revenue as the majority of our revenue source for the General Fund and the Parks and Recreation Fund. Budgeted revenues for all funds in 2016, as compared to the 2015 Adopted Budget, are expected to increase by approximately 25 percent (25%) to approximately $13 million. The overall increase is mainly due to $3.5 million of bond proceeds in the Capital Fund to finance a new Public Works facility.

The following graph depicts the total revenue by fund.



General Fund Revenues

The General Fund is the major operating fund of the City and is used to account for all resources that are not required to be accounted for in another fund. General Fund revenues represent fifty-four percent (54%) of the City's total revenue sources.

Budgeted revenues for the General Fund are expected to increase from the 2015 Budget by $269,292 or 4 percent (4%). Property tax continues to be the General Fund's largest source of revenue, representing approximately 35 percent (35%) of General Fund revenues. The 2016 Budget for property tax reflects an increase from the 2015 Adopted Budget of approximately fifteen percent (15%) or $327,927.

Use tax revenue represents 15 percent (15%) of General Fund revenues. The 2016 Budget for use tax reflects a decrease from the 2015 Adopted Budget of three percent (3%) or $36,018. The decrease in use tax revenue is due to the uncertainty of vehicle sales.

Building permit revenue represents eight percent (8%) of General Fund revenues. The 2016 Budget for building permit revenue remains the same as the 2015 Budget. A green building standards rebate incentive program was implemented in 2014. Therefore, the 2016 Budget takes into account $20,000 in possible rebates.

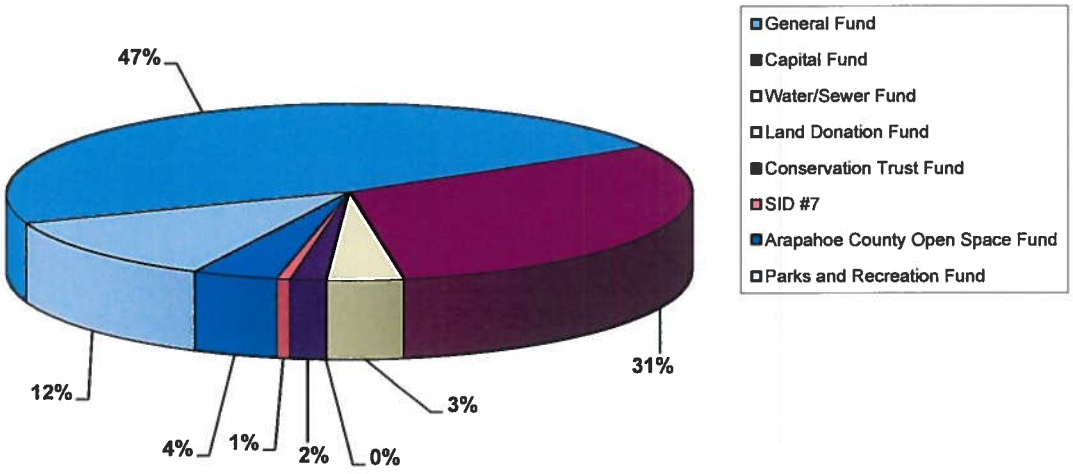
$264,000 of the Specific Ownership Tax has been transferred back to the General Fund from the Capital Fund for 2016 in order to balance the General Fund budget and the remaining $10,000 of Specific Ownership tax is included in the Parks and Recreation Fund.

2016 Proposed Budget – Expenditures

All Funds Expenditures

Staff has strived to minimize 2016 expenditure increases, except for instances where mandated costs (contractual obligations, legal liabilities, utilities, etc.) are beyond staff's ability to control. Any increases beyond the 2015 budgeted amounts were presented to City Council at the budget study session. Budgeted expenditures for all funds in 2016, as compared to the 2015 Adopted Budget, are expected to increase approximately twenty-two percent (22%) to $14.9 million. The increase is due to salary increases, one additional employee and additional capital expenditures.

Following is a graph of total expenditures by fund.



The City's full time employee count consists of 52 full time employees and approximately 9 part time/seasonal employees.

General Fund Expenditures
The City's total proposed General Fund Budget expenditures for 2016 are $7,004,867 and reflect a four percent (4%) increase from the 2015 Budget. This increase is mainly due to salary increases.

Capital Fund Expenditures
The Capital Fund was established in 2011. Overall capital expenditures for 2016 have increased from 2015 by forty-five percent (45%). This increase is due to additional vehicles, equipment and construction of a new Public Works Facility. The Public Works Street improvement program is slowly evolving from a repair and replace type program, to a maintenance program. This is a very cyclical program; therefore corresponding costs will go up until the cycle reverses. It will be a repair and replace program again in 2016.

Conservation Trust Fund Expenditures
The City's total proposed Conservation Trust Fund Budget for 2016 is $248,500. This represents a six hundred and ten percent (610%) increase from 2015. The increase in expenditures will be used for trail restoration and trail development.

Catherine H. Anderson Land Donation Fund Expenditures
The City's Land Donation Fund is funded through charges, fees imposed on development related services and donations. In 2014 Excise Tax from the BMW Golf Tournament increased the Fund Balance. The City's total proposed Land Donation Fund Budget expenditures for 2016 is $5,620, a change of zero percent (0%) from the 2015 Budget.

Arapahoe County Open Space Fund Expenditures
The City's total proposed Open Space Fund Budget for 2016 is $600,000, a three hundred sixty-one percent (361%) increase from the 2015 Budget. The increase is mainly for John Meade Park design and construction. Similar to the 2015 Adopted Budget, the 2016 budget includes funding for trail and park improvements.

Water and Sewer Fund Expenditures
The City's total proposed Water and Sewer Fund Budget for 2016 is $532,000, an increase of fifty percent (50%) from the 2015 Budget. This increase is for needed repairs to the sewer lines.

Parks and Recreation Fund Expenditures
The City's total proposed Parks and Recreation Fund Budget for 2016 is $1,787,749, an increase of approximately five percent (5%) over the 2015 Budget. This increase is due to salary increases and an additional employee.

2016 Proposed Budget – Fund Balance

General Fund – Fund Balance
The 2015 budget accounted for a beginning General Fund balance of one hundred ten percent (110%) of total operating expenditures. The 2014 annual financial audit found that the General Fund balance increased from 2013 by $1,396,782, resulting in a strong fund balance of approximately $6.8 million.

In 2015 approximately $1.8 million of the General Fund balance will be transferred to the Capital Fund and $1.5 million will be transferred to the Parks and Recreation Fund. The General Fund balance is projected to be approximately $3,698,352 at the end of 2016.

Capital Fund – Fund Balance
The Capital Fund began 2015 with a fund balance of $6,799,886. The Capital Fund is projected to end 2016 with a remaining fund balance of $6,791,326, after a transfer in of approximately $1.8 million for the General Fund.

Parks and Recreation – Fund Balance
The Parks and Recreation Fund began 2015 with a fund balance of $957,487 and is projected to end 2016 with a fund balance of $2,299,604 after the transfer in of $1.5 from the General Fund.

Conclusion
It is with great appreciation for the continued leadership and support of the Mayor and members of City Council that staff presents the 2016 Proposed Budget document. The creation of such a document is a year long process that requires the vision of Cherry Hills Village's elected leaders and the hard work and participation of the City staff.

It is staff's desire to produce a budget that is transparent and demonstrates accountability in the use of revenues for the provision of City services. It is our hope that we have fulfilled the citizens' expectations and that this document presents the financial and policy plans in a clear, concise and understandable manner.

Sincerely,

Karen L. Proctor

Karen L. Proctor
Director of Finance and Administration

REVENUE, EXPENDITURE & PROPERTY TAX SUMMARY BY FUND

	2015 BUDGET	2016 BUDGET	% CHANGE
GENERAL FUND			
Property Assessment (000's)	$ 292,295,294	$ 337,216,810	
Property Tax Mill Levy	7.300	7.300	
Property Tax Revenues	$ 2,133,756	$ 2,461,683	
Total Revenue	$ 6,735,575	$ 7,004,867	
Total Appropriation	$ 6,735,575	$ 7,004,867	4.00
CAPITAL FUND			
Total Revenue	$ 292,295	$ 3,839,717	
Total Appropriation	$ 3,170,600	$ 4,605,065	45.24
WATER & SEWER FUND			
Total Revenue	$ 59,828	$ 77,624	
Total Appropriation	$ 353,750	$ 532,000	50.39
CATHERINE H. ANDERSON LAND DONATION FUND			
Total Revenue	$ 6,000	$ 6,000	
Total Appropriation	$ 5,620	$ 5,620	0.00
CONSERVATION TRUST FUND			
Total Revenue	$ 50,200	$ 60,266	
Total Appropriation	$ 35,000	$ 248,500	610.00
SPECIAL IMPROVEMENT DISTRICT (SID #7)			
Total Revenue	$ 79,751	$ 79,751	
Total Appropriation	$ 91,948	$ 90,797	-1.25
ARAPAHOE COUNTY OPEN SPACE FUND			
Total Revenue	$ 128,200	$ 133,400	
Total Appropriation	$ 130,000	$ 600,000	361.54
PARK AND RECREATION FUND			
Total Revenue	$ 3,026,505	$ 1,787,749	
Total Appropriation	$ 1,703,350	$ 1,787,749	4.95
TOTAL APPROPRIATIONS	$ 12,225,843	$ 14,874,598	21.67
INCREASE (DECREASE) TO FUND BALANCES	$ (1,847,489)	$ (1,885,225)	
TOTAL APPROPRIATIONS PLUS INCREASE (DECREASE) TO FUND BALANCES	$ 10,378,354	$ 12,989,374	

GENERAL FUND
STATEMENT OF REVENUES AND EXPENDITURES

	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET
REVENUE					
Current Property Taxes @ 7.30 Mills	2,196,853	2,123,466	2,133,756	2,119,142	2,461,683
Use/Tax Motor Vehicles	1,101,958	1,146,976	1,102,905	1,077,356	1,066,887
Sales Tax	1,205,914	1,225,012	1,005,047	990,911	991,232
Service Expansion Fees	160,094	164,276	150,000	142,757	150,000
Building Permits	477,725	811,537	550,000	555,483	550,000
Franchise Fees	431,275	455,827	359,700	347,739	359,700
Highway Users Tax	242,555	246,369	239,252	229,171	241,697
Municipal Court Fines	277,314	278,297	270,000	227,481	270,000
County Road & Bridge Levy	120,336	113,504	116,480	113,995	134,381
Specific Ownership Tax	(17,680)	-	274,000	274,000	264,000
Other Revenues	584,678	733,539	534,436	601,846	515,287
TOTAL OPERATING REVENUE	6,781,022	7,298,803	6,735,576	6,679,881	7,004,867
EXPENDITURES					
Administration	1,572,634	1,799,030	1,823,988	1,887,891	1,861,128
Judicial	82,124	90,501	72,740	69,296	75,279
Data Processing	98,899	130,595	116,548	117,926	133,583
Community Development	424,062	431,478	603,776	530,805	604,870
Crier	16,364	19,854	18,100	20,394	30,500
Public Safety	2,507,255	2,529,088	3,040,862	2,750,775	3,152,225
Public Works	787,375	901,474	1,059,562	1,034,803	1,147,282
TOTAL OPERATING EXPENDITURES	5,488,713	5,902,020	6,735,576	6,411,891	7,004,867
Management Contingency/Transfer Out	-	-	-		
TOTAL EXPENDITURES	5,488,713	5,902,020	6,735,576	6,411,891	7,004,867
OPERATING GAIN/(LOSS)	1,292,309	1,396,783	-	267,990	0
EXTRAORDINARY EXPENSES					
Transfer to Parks and Rec Fund	-	-	1,542,491	1,542,491	-
Transfer to Capital Fund	965,056	1,065,944	1,893,047	1,827,945	-
TOTAL EXTRAORDINARY EXPENSES	965,056	1,065,944	3,435,538	3,370,436	-
BEGINNING FUND BALANCE	6,142,706	6,469,959	7,420,864	6,800,798	3,698,352
ADD/(SUBTRACT) OPERATING DIFFERENCE	1,292,309	1,396,783	-	267,990	0
LESS: EXTRAORDINARY EXPENSES	(965,056)	(1,065,944)	(3,435,538)	(3,370,436)	-
ENDING FUND BALANCE	6,469,959	6,800,798	3,985,326	3,698,352	3,698,352
EMERGENCY RESERVE	548,871	590,202	673,558	641,189	700,487
AVAILABLE FUND BALANCE	5,921,087	6,210,596	3,311,768	3,057,163	2,997,865

CHERRY HILLS VILLAGE
2016 BUDGET
GENERAL FUND REVENUES

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	ASSESSED VALUE	301,972,720	290,292,390	292,295,294	292,295,294	337,216,810	
	Mill Levy	7.30	7.30	7.30	7.30	7.30	
01-310-3111	CURRENT PROPERTY TAXES	2,196,853	2,123,466	2,133,756	2,119,142	2,461,683	Provided by the county.
01-310-3121	SPECIFIC OWNERSHIP TAXES	(17,680)	-	274,000	274,000	264,000	County collected. Basically property tax charged on the type of vehicle. The year and taxable value determine these fees. Taxable value is determined by taking 85% of the suggested retail price (MSRP).
01-310-3161	UTILITY FRANCHISE FEE	431,275	455,827	359,700	347,739	359,700	Xcel, Qwest
01-310-3162	CABLE TELEVISION FEES	136,324	141,783	130,000	137,148	133,000	Comcast
01-310-3191	CURRENT TAX INTEREST	7,123	5,869	6,000	3,351	6,000	Interest on property tax
01-310-3192	DELINQUENT TAXES	(13,655)	-	(15,000)	-	-	Reassessed property tax bills
01-310-3193	DELINQUENT INT	(155)	-	(100)	-	-	Interest on property tax paid late
01-310-3311	SALES TAX	1,205,914	1,225,012	1,005,047	990,911	991,232	3.5% on taxable transactions w/in Village; i.e.: country clubs, church gift shops, special events and Shoppes at Cherry Hills
01-310-3312	USE TAX/MOTOR VEHICLES	1,101,958	1,146,976	1,102,905	1,077,356	1,066,887	3% on sale/purchase or lease of licensed vehicle
01-310-3313	EXCISE TAX	-	150,000	-	-	-	2014 BMW Golf Tournament
	TOTAL TAXES AND FEES	5,047,957	5,248,933	4,996,307	4,949,646	5,282,502	
01-320-3211	LIQUOR LICENSES	7,150	8,350	7,176	7,101	7,201	Annual renewal (4th Qtr); country clubs, wine shop, sandwich shop and pizzeria
01-320-3213	SECURITY ALARM PERMITS	31,600	26,950	26,000	28,230	30,000	$25 per household w/ active security systems
01-320-3221	BUILDING PERMITS	477,725	811,537	550,000	555,483	550,000	1.0% valuation on building permit applications
01-320-3222	SERVICE EXPANSION FEES	160,094	164,276	150,000	142,757	150,000	$0.80 sq. ft. on additional livable sq. ft.; $0.30/sq. ft. on accessory structures/uses (with the exception of $0.05/sq. ft. on sport courts)
01-320-3223	ZONING & SUBDIVISION FEES	200	1,900	2,000	1,900	2,000	Primarily land use (i.e.: variance) applications
01-320-3224	ELEVATOR INSPECTION FEE	3,600	3,600	3,600	5,000	3,600	Annual inspections
01-320-3225	PLAN REVIEW FEE	90,891	129,455	85,000	121,159	90,000	Based on building activity
01-320-3226	REINSPECTION FEES	-	150	500	-	500	Based on building activity
01-320-3227	DOG LICENSES	2,620	2,990	3,200	2,220	2,200	Annual dog tags at $10 per dog
01-320-3228	STREET CUT PERMITS	60,416	55,154	50,000	61,968	55,000	Private cuts in ROWs
01-320-3229	STORMWATER CONST. PERMIT	3,720	3,300	2,000	1,800	2,000	Administration and Inspections for Stormwater Construction Permits
01-320-3230	ENGINEERING PLAN REVIEW	17,895	3,900	8,000	6,075	8,000	Engineering Review of Stowmwater Construction Permits, Drainage Reports and floodplain analysis of Building Permits .
	TOTAL LICENSES/PERMIT	855,911	1,211,561	887,476	933,692	900,501	
01-330-3321	MOTOR VEH.REGISTRATION	25,283	26,625	25,000	24,863	25,000	County collected
01-330-3342	CIGARETTE TAX	3,569	3,186	2,800	3,213	2,800	State derived
01-330-3352	HIGHWAY USERS TAX	242,555	246,369	239,252	229,171	241,697	Based on the # of vehicles and street miles in each community relative to the same statistics in other municipalities and the CO Dept of Transportation's revenue estimates available at this time.
01-330-3371	CNTY RD/BRIDGE LEVY	120,336	113,504	116,480	113,995	134,381	Shareback from Arapahoe County (.780 mills x Assessed Value x 50%)
	TOTAL INTERGOVERNMENTAL	391,743	389,685	383,532	371,242	403,878	
01-350-3420	EXTRA DUTY SERVICE CHARGES	50,645	53,740	55,000	56,459	55,000	Revenues to off-set officer expense in Public Safety
01-350-3421	FALSE ALARM FEES	600	3,100	1,000	1,000	1,000	1st & 2nd false alarm=no charge;3rd $100, 4th $200 and put on non-response.
01-350-3511	MUNICIPAL COURT FINES	277,314	278,297	270,000	227,481	270,000	Fines $25/pt.
01-350-3512	DUI FINES	20,841	11,886	18,000	10,848	12,000	From County for DUI offenders ticketed in CHV
01-350-3513	FUEL SURCHARGE	24,625	23,965	24,000	18,700	20,000	
01-350-3514	PHOTO RED LIGHT FINES	52,875	325	40,000	25	-	
	TOTAL CHARGES FOR SERVICE	426,900	371,313	408,000	314,513	358,000	
01-360-3611	INTEREST INCOME	10,722	11,476	10,000	12,962	12,000	CSafe interest, Wells Fargo, Colotrust interest and CD's.
01-360-3612	PENALTY-BUILDING PERMIT	3,414	5,935	3,000	5,325	3,000	Building permit penalty
01-360-3650	CRIER CONTRIBUTIONS	8,928	7,886	10,000	6,826	7,000	
01-360-3660	CRIER ADVERTISEMENT	7,700	9,376	10,000	6,040	10,000	$25 per ad for residents; $45 per ad for non-residents
01-360-3680	OTHER REVENUES	23,818	35,079	20,000	70,804	20,000	Police reports, auction proceeds, security guard, business licenses and notary fees
01-360-3690	LEASE PROCEEDS	3,930	7,560	7,260	8,832	7,986	Crown Castle (665.50 x 12)
	TOTAL MISC REVENUES	58,511	77,311	60,260	110,789	59,986	
	TOTAL REVENUES	6,781,022	7,298,803	6,735,575	6,679,881	7,004,867	

GENERAL FUND
ADMINISTRATION

The Administration Division is comprised of the City Manager, the Director of Finance and Administration, the Human Resource Analyst, Accounting Clerk and the City Clerk. The City Manager is responsible to the City Council for the general financial and personnel administration of the City government. The Finance Director is responsible for the care and maintenance of all City fiscal matters. The City Clerk provides secretarial services to the City Council. The City Clerk also serves as Chairman of the Election Commission and assists the Council with formal public notices and public relations. Other functions undertaken by this Department are personnel management, City insurance programs, coordination of citizen requests for service and records management.

PERSONNEL SUMMARY

City Employees:	2013	2014	2015	2015	2016
City Manager	1	1	1	1	1
Finance Director	1	1	1	1	1
City Clerk	1	1	1	1	1
Special Projects Coordinator	1	1	0	0	0
Accounting Clerk	0	1	1	1	1
Human Resources	1	1	1	1	1
TOTAL	5	6	5	5	5

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	PERSONNEL SERVICES:						
01-411-1011	PERSONNEL SERVICES	414,803	493,652	483,198	539,880	496,616	3% increases
01-411-1012	FEE PERSONNEL	16,600	16,200	17,600	15,000	16,800	Prosecuting Attorney, 2 sessions per month (plus 2 additional court sessions if needed)
01-411-1013	SOCIAL SECURITY TAXES	29,446	65,904	38,656	39,768	39,729	
01-411-1014	RETIREMENT 401-NONSWORN	25,481	36,230	30,000	30,250	35,000	
01-411-1015	RETIREMENT 457	59,563	69,521	65,000	65,689	65,000	
01-411-1016	HEALTH-LIFE-DENTAL INSURANCE	415,554	523,070	531,038	555,917	487,522	
01-411-1017	UNEMPLOY-WORKERS COMP INS	87,583	43,424	85,000	52,790	113,000	Pinnacol & The Colorado Dept of Labor and Employment
01-411-1019	OVERTIME	-	2,171	-	1,684	-	
	TOTAL PERSONNEL SERVICES	1,049,029	1,250,173	1,250,492	1,300,978	1,253,666	
	SUPPLIES AND MATERIALS:						
01-411-2021	OFC-SUPPLIES-POSTAGE	11,593	13,407	15,500	15,982	16,280	Office supplies, postage, minute paper, plastic file boxes
01-411-2022	PRINTING-REPRODUCTION	1,263	1,296	1,500	1,384	2,500	Letterhead, envelopes, County recording fees, GFOA booklet printing $1,000
01-411-2028	SPECIAL MATERIALS	1,697	1,917	2,500	1,754	2,500	Coffee supplies, notary, printer materials
	TOTAL SUPPLIES AND MATERIALS	14,553	16,620	19,500	19,120	21,280	
	UTILITIES:						
01-411-3031	GAS-HEAT-LIGHT	20,999	22,625	21,000	14,884	21,000	
01-411-3033	COMMUNICATIONS	29,375	31,244	33,000	30,731	28,000	In house VOIP
01-411-3035	SEWER	4,584	(6)	3,136	3,128	3,136	Sanitation district $1,595 and $1,541 paid to Englewood.
	TOTAL UTILITIES	54,958	53,863	57,136	48,742	52,136	

	CONTRACTUAL SERVICES:						
01-411-4040	COUNTY TREASURER FEES	24,698	23,994	21,338	23,922	24,617	1% of current property tax revenue
01-411-4041	COUNTY USE TAX FEES	55,098	57,349	55,145	56,868	53,344	5% of use tax/motor vehicle revenue
01-411-4042	AUDIT	7,500	8,205	8,500	8,500	8,500	John Cutler & Associates
01-411-4043	LEGAL	119,864	112,705	120,000	156,855	150,000	Linda Michow and other legal counsel
01-411-4049	OTHER CONTRACTUAL SERVICES	16,767	13,177	18,000	14,532	16,492	Pitney Bowes ($550), XEROX ($4,500), Affinity Care ($1,100), Municipal Code ($6,052), S Corp ($4,290)
	TOTAL CONTRACTUAL SERVICES	223,927	215,428	222,983	260,677	252,953	
	OTHER EXPENSES						
01-411-6061	INSURANCE-PROPERTY/CASUALTY	112,424	131,993	130,000	122,099	130,000	CIRSA -Property/Casualty
01-411-6062	ELECTION EXPENSE	-	5,847	6,000	1,499	6,000	
01-411-6063	TRAIN.-DUES-TRAVEL-SUBSC	71,966	64,672	101,277	67,140	95,817	See attached detail
01-411-6064	TESTING-PHYSICALS	161	55	500	57	300	New hire expenses and employee annual physicals
01-411-6066	LEGAL PUBLICATIONS	-	-	500	100	300	Legal postings in the Villager newspaper
01-411-6067	SPECIAL EVENTS	2,367	1,829	2,100	2,094	2,500	Misc events and volunteer party
01-411-6068	MISCELLANEOUS EXPENSES	42,723	56,993	32,000	63,135	44,675	Council food ($1,550), Car allowance ($7,800), Bank Fees ($20,000); Name plates ($50), Deliveries ($275), Arapahoe County-High Line Conservancy ($15,000)
01-411-7071	EQUIPMENT	527	1,558	1,500	2,250	1,500	
	TOTAL OTHER EXPENSES	230,168	262,947	273,877	258,374	281,092	
	TOTAL ADMINISTRATION EXPENSES	**1,572,634**	**1,799,030**	**1,823,988**	**1,887,891**	**1,861,128**	

Administration Division
2016 PROPOSED BUDGET
TRAINING, DUES AND SUBSCRIPTIONS 01-411-6063

NAME OR POSITION	NAME OF ORGANIZATION, PUBLICATION, OR DESTINATION	JUSTIFICATION	ESTIMATED 2016 COST
ADMIN REQUESTS	EE Tuition reimbursement	TUITION	67,900
FINANCE DIRECTOR	Colorado Govt Finance Officers Association	TRAINING	100
FINANCE DIRECTOR	Colorado Govt Finance Officers Association	DUES	30
FINANCE DIRECTOR	Caselle	CONFERENCE	900
CITY	Mountain States Employers Council	TRAINING	1,000
FINANCE DIRECTOR	Colorado Municipal League	TRAINING	-
FINANCE DIRECTOR	Colorado Govt Finance Officers Association	ANNUAL CONF	500
CITY CLERK	Association of Records Management	MEETINGS	-
CITY CLERK	Association of Records Management	DUES	210
HR ANAYLST	Colorado Human Resource Association	DUES	150
HR ANAYLST	Colorado Human Resource Association	MEETINGS/CONFERENCE	254
HR ANAYLST	University of Colorado Denver	CPM PROGRAM	300
HR ANAYLST	Society for Human Resource Management	DUES	190
CITY	Colorado Municipal League	DUES	7,244
CITY	Colorado Municipal League	WRKSHPS/HNDBKS/+	250
CITY	Co Secretary of State	NOTARY	40
CITY	Denver Regional Council of Governments	DUES	4,100
CITY	Mountain States Employers Council	DUES	4,200
CITY	National League of Cities	DUES	1,117
CITY CLERK	Colorado Municipal Clerks Association	DUES	160
CITY CLERK	International Institute of Municipal Clerks	DUES	155
CITY CLERK	International Institute of Municipal Clerks	CONFERENCE	-
CITY CLERK	Colorado Municipal Clerks Association	CONFERENCE	600
CITY CLERK	Colorado Municipal Clerks Institute	CLERKS ACADEMY	500
CITY CLERK	Colorado Municipal Clerks Association	WORKSHOPS	50
CITY MANAGER	Colorado City Management Association	DUES	75
CITY MANAGER	Colorado City Management Association	ANNUAL CONF	
CITY MANAGER	Colorado Municipal League	ANNUAL CONF	300
CITY MANAGER	Greater Metro Telecommunication Consortium	DUES	550
CITY MANAGER	International City/County Management Association	DUES	1,200
CITY MANAGER	International City/County Management Association	ANNUAL CONF	-
CITY MANAGER	Metro Managers/Mayors	MTGS/MEMBERSHIP	592
VARIOUS	Various	MILEAGE	150
COUNCIL	Unknown		3,000
			95,817

GENERAL FUND
JUDICIAL

The Cherry Hills Village Municipal Court attends and adjudicates cases involving violations of municipal ordinances, most of which are violations to the Traffic Code. The Court holds two Wednesday morning sessions per month. The City Council appoints a Municipal Judge to preside over the court and the Prosecuting Attorney prosecutes cases on behalf of the City. The Court Clerk coordinates the day-to-day court operation and court sessions. The Bailiff assists with court activities. This Division is under the supervision of the Director of Finance and Administration.

PERSONNEL SUMMARY

		2013	2014	2015	2015	2016
City Employees:						
	Court Clerk	1	1	1	1	1
	Bailiff (pt)	1	1	1	1	1
	TOTAL	2	2	2	2	2
Fee Personnel:						
	Municipal Judge	1	1	1	1	1
	TOTAL	1	1	1	1	1

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	PERSONNEL SERVICES:						
01-412-1011	PERSONNEL SERVICES	63,787	63,403	49,907	49,627	51,471	3% salary increases
01-412-1012	FEE PERSONNEL	10,700	13,000	10,800	12,500	13,000	Judge $500/session, 2 sessions per month (plus 2 additional court sessions if needed)
01-412-1013	SOCIAL SECURITY TAXES	4,883	4,863	3,993	3,805	4,118	
01-412-1019	OVERTIME	66	-	-	-	-	
	TOTAL PERSONNEL SERVICES	79,436	81,266	64,700	65,933	68,589	
	SUPPLIES AND MATERIALS						
01-412-2021	OFC SUPPLIES-POSTAGE	143	115	150	52	100	
01-412-2022	PRINTING-REPRODUCTION	166	823	500	150	400	Envelopes, court forms, ticket jackets, etc
	TOTAL SUPPLIES AND MATERIALS	309	938	650	202	500	
	CONTRACTUAL SERVICES:						
01-412-4050	JURY-WITNESS FEES	55	5	150	50	100	No trials currently scheduled. $5/day for 18 jurors who appeared for service & $10/day for 6 selected jurors
	TOTAL CONTRACTUAL SERVICES	55	5	150	50	100	
	OTHER EXPENSES:						
01-412-6063	TRAIN.-DUES-TRAVEL-SUBSC	453	399	560	500	560	CAMCA membership ($20), CAMCA Meetings ($200), CO Municipal Judge Membership ($40), Court rules book/supplements ($300)
01-412-6067	INTERPRETERS	941	730	1,000	611	850	Estimate based upon historical costs
01-412-6068	MISCELLANEOUS EXPENSES	930	7,163	5,680	2,000	4,680	Court Appointed Attorney ($65/hour 3 hours a case & 2 cases a month = $4,680)
01-412-7071	EQUIPMENT	-	-	-	-	-	
	TOTAL OTHER EXPENSES	2,324	8,292	7,240	3,111	6,090	
	TOTAL JUDICIAL EXPENSES	**82,124**	**90,501**	**72,740**	**69,296**	**75,279**	

GENERAL FUND

DATA PROCESSING

The Data Processing Division was established to account for computer related expenses of the entire City. These services are shared and not always department specific. This division has no employees.

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	DATA PROCESSING:						
01-414-2028	SOFTWARE	2,898	1,258	10,616	10,545	18,704	Managed Services: anti-virus, anti-spam
01-414-4049	OTHER CONTRACTUAL SERVICES	79,694	95,040	95,432	93,583	97,132	$9,060 Caselle, $72 website, $88,000 North Star support
01-414-5052	EQUIPMENT MAINTENANCE	247	472	3,000	3,749	0	Replacement parts
01-414-6068	MISCELLANEOUS EXPENSES	8,311	20,528	0	0	0	
01-414-7071	EQUIPMENT/HARDWARE	7,750	13,298	7,500	10,049	17,747	3 Replacement PC's, 5 tablets for PW, CD & Code, 4 Double Monitors PW, Storage and Backup
	TOTAL DATA PROCESSING	**98,900**	**130,595**	**116,548**	**117,926**	**133,583**	

GENERAL FUND

COMMUNITY DEVELOPMENT

The Community Development Department is responsible for the enforcement of municipal ordinances relating to the subdivision of land, zoning, flood plain regulations, and building codes. The Department also provides staffing for the Planning and Zoning Commission and Board of Adjustment and Appeals. The Community Development Director and Community Development Clerk provide day-to-day administration and coordination for the Department and oversee contracts for City Engineering and Building Inspection services. This department also includes the Special Projects Coordinator

PERSONNEL SUMMARY

City Employees:	2013	2014	2015	2015	2016
Community Development Director	1	1	1	1	1
Community Development Clerk	1	1	1	1	1
Special Projects Coordinator	0	0	1	1	1
Stormwater Technician	0	0	1	0	0
TOTAL	2	2	4	3	3

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	PERSONNEL SERVICES:						
01-418-1011	PERSONNEL SERVICES	158,746	167,715	243,033	231,832	254,972	3% salary increases
01-418-1013	SOCIAL SECURITY TAXES	12,153	12,596	19,443	18,171	20,398	
01-418-1019	OVERTIME	76	-	-	-	-	
	TOTAL PERSONNEL SERVICES	170,975	180,310	262,476	250,003	275,370	
	SUPPLIES AND MAINTENANCE:						
01-418-2021	OFCE SUPPLIES-POSTAGE	2,912	859	4,500	3,961	4,500	Plotter paper and cartridges, plotter maintenance, and general office supplies
01-418-2022	PRINTING-REPRODUCTION	2,015	2,471	3,200	1,784	3,200	Inspection reports, inspection records, permit cards, business cards, notice of public hearing signs
01-418-2028	SPECIAL MATERIALS	188	225	200	229	250	Courier services for City Attorney Packets and reviews
	TOTAL SUPPLIES AND MAINTENANCE	5,115	3,555	7,900	5,975	7,950	
	CONTRACTUAL SERVICES:						
01-418-3033	TELEPHONE	702	754	1,700	953	850	
01-418-4041	GREEN BUILDING REBATES	-	-	20,000	-	20,000	
01-418-4042	CONTRACTED PLAN REVIEW	63,725	87,200	68,600	64,175	70,000	Colorado Code Consulting Plan Review
01-418-4045	ENGINEERING SERVICES	26,035	17,447	30,000	30,227	30,000	Construction Storm Water Permits and Drainage Reports.
01-418-4047	BUILDING INSPECTION	150,943	128,162	150,000	134,937	150,000	Colorado Code Consulting Permit Inspections, General Consulting and Reimbursables
01-418-4049	OTHER CONTRACTUAL SERVICES	-	7,284	50,000	36,014	40,000	Electronic Permitting ($25,000 software development contractor; $5,000 Blue Beam Software); Intern; Abatement Contractors
	TOTAL CONTRACTUAL SERVICES	241,405	240,847	320,300	266,306	310,850	
	OTHER EXPENSES:						
01-418-6063	TRAIN.-DUES-TRAVEL-SUBSC	3,412	3,481	7,300	4,811	4,900	APA/AICP Membership Dues ($600), APA National Conference ($2,500), State APA Conference or Rocky Mountain Land Use Institute Conference ($1,300), other training and publications ($500)
01-418-6068	MISCELLANEOUS EXPENSE	3,093	3,285	4,000	3,310	4,000	Car allowance $3,000; $1,000 miscellaneous
01-418-7071	EQUIPMENT	62	-	1,800	400	1,800	Office Equipment (File Cabinets, Chairs)
	TOTAL OTHER EXPENSES	6,567	6,766	13,100	8,521	10,700	
	TOTAL COMMUNITY DEVELOPMENT	**424,062**	**431,478**	**603,776**	**530,805**	**604,870**	

GENERAL FUND
VILLAGE CRIER

The Village Crier is a monthly publication. Its purpose is primarily to inform villagers of local government issues but also, to report upcoming Village events and spotlight graduates and obituaries. A member of staff currently serves as the editor, and along with the Crier Board, is responsible for the gathering of articles, the printing and the mailing. A graphic designer has been hired to handle the layout. As of 1998, City staff has agreed to be responsible for the accounting of Crier financial transactions in the Village Crier Division.

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
01-419-1012	Fee Personnel	4,200	3,600	4,500	1,630	3,000	$250 for graphic artist x 12 issues
	TOTAL PERSONNEL SERVICE	4,200	3,600	4,500	1,630	3,000	
01-419-2021	Office Supplies & Postage	5,790	5,851	5,600	6,175	10,500	Approx $850 per issue + misc thank you cards & envelope expense
01-419-2022	Printing and Reproduction	6,374	10,403	8,000	12,589	17,000	$1,400 per issue & $200 for annual report
	TOTAL SUPPLIES/MATERIALS	12,164	16,254	13,600	18,764	27,500	
	TOTAL VILLAGE CRIER	**16,364**	**19,854**	**18,100**	**20,394**	**30,500**	

GENERAL FUND
PUBLIC SAFETY

The Police Department seeks to enhance the quality of life within the Village through the development and delivery of a full range of professional law enforcement services. These services include activities and programs designed to: prevent crime, educate the public, prevent juvenile delinquency, provide timely response to calls for service, investigate criminal activity, apprehend offenders, provide safe and efficient flow of traffic, address animal control and code violations, and provide other services based on input from the community.

PERSONNEL SUMMARY

City Employees:	2013	2014	2015	2015	2016
Police Chief/Deputy Police Chief	1	1	1	1	1
Police Commander	1	1	1	1	1
Police Sergeant	4	4	4	4	4
Police Support Services Supervisor	0	0	1	1	1
Police Officers	16	16	16	17	17
Animal Control Officer	1	1	1	1	1
Code Enforcement Officer	1	1	1	0.5	0.5
Stormwater Technician	0	0	0	0.5	0.5
Police Technician	1	1	1	1	1
Police Clerk	1	1	1	1	1
	26	26	27	28	28

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	PERSONNEL SERVICES:						
01-421-1011	PERSONNEL SERVICES	1,825,616	1,912,228	2,163,052	2,076,627	2,263,049	Salary step increases
01-421-1013	SOCIAL SECURITY TAXES	41,264	49,174	64,892	52,051	67,891	5 civilian employees in social security
01-421-1014	POLICE PENSION CONTRIBUTIONS	134,463	136,986	145,000	137,543	145,000	City's 8% contribution for all sworn officers
01-421-1018	UNIFORM EXPENSE	15,870	13,320	23,750	16,774	26,150	Uniform replacement $550 X 28 employees = $15,400; Five ballistic vests X $850 = $4,250; clothing & equipment for 2 new police officers = $4,000; Motorcycle Uniforms $2,000: Misc $500
01-421-1019	OVERTIME	45,624	37,108	65,000	42,668	70,000	Overtime compensation (dignitary visits)
01-421-1020	EXTRA DUTY CHARGES	45,052	47,248	70,000	49,792	70,000	
	TOTAL PERSONNEL SERVICES	2,107,889	2,196,065	2,531,694	2,375,455	2,642,091	
	SUPPLIES AND MATERIALS:						
01-421-2021	OFC SUPPLIES-POSTAGE	8,270	7,431	8,500	8,990	8,670	Copier paper, toner, PD office supplies, shredder bags and blank DVDs
01-421-2022	PRINTING-REPRODUCTION	4,661	4,347	5,665	3,648	5,780	Dept. forms, letterhead and envelopes, business cards, municipal and state court summons and complaint forms
01-421-2023	CRIME PREVENTION	130	575	2,000	2,408	4,000	Books, brochures, fliers & PD mailings addressing crime prevention measures
01-421-2024	SCHOOL RESOURCE OFFICER	822	1,431	2,000	2,000	1,000	SRO supplies
01-421-2028	SPECIAL MATERIALS	7,874	7,395	14,000	18,753	14,280	Photographic processing; weapons inspections, duty and training ammunition, Taser cartridges for annual recertification, range supplies, targets, small gun parts for department owned firearms, repairs to department owned rifles; evidence collection materials: fingerprint kits, evidence tape, evidence bags, tape lifters and backs, ink rollers, ink, and powder; batteries; drug test kits; keys; supplies for the Intoxilyzer; supplies for the AEDs; small disposable items used by patrol; chemical agent, and other miscellaneous items.
01-421-2029	ANIMAL CONTROL	401	215	1,000	491	1,000	Annual dog registration forms and dog tags, animal impound fees, veterinarian charges, and small equipment and supply items used by the AC Officer. Urban wildlife management and fox reintroduction program materials and education.
	TOTAL SUPPLIES AND MATERIALS	22,159	21,395	33,165	36,291	34,730	

	UTILITIES:						
01-421-3031	ELECTRICAL/GAS	20,589	24,167	27,300	25,137	27,300	Joint Public Safety Facility
01-421-3032	WATER	2,716	1,422	3,250	3,427	3,250	Joint Public Safety Facility
01-421-3033	TELEPHONE	21,736	15,257	29,350	18,646	28,750	28 Verizon cell phones $14,650; 12 data cards $7,000; repair & maintenance $3,500; 4 phone lines at JPSF $2,500: Long distance $1,100.
01-421-3035	SEWER	111	569	650	2,683	2,500	Joint Public Safety Facility
	TOTAL UTILITIES	45,153	41,415	60,550	49,893	61,800	
	CONTRACTUAL SERVICES:						
01-421-4048	VEHICLE MAINTENANCE CONTRACT	23,128	31,966	47,000	30,072	51,675	Preventative maintenance and repairs for the PD's vehicles provided by the City of Englewood $48,175 (increase in hourly shop rate); service for motorcycles $3,500
01-421-4049	OTHER CONTRACTUAL SERVICES	145,901	120,443	160,128	144,860	162,104	Range ($5,750), Bearcom ($5,300), Communications Center Radio Services dispatching- ($91,664), Arapahoe Sheriff's Office - Radio programming & support ($3,500) Juvenile Assessment Center ($2,500), Arapahoe House ($2,500), RMIN - police intell network ($150), Language Line ($400), Arapahoe County Haz Mat Response Team ($1,500); Records Management System annual maintenance fees & upgrades ($22,800); Data911 annual maintenance and warranty ($6,500); COPLINK ($1,800); State Patrol track usage -($1,300); Data Works ($2,550); Humane Society of the South Platte Valley, Inc. - Animal Sheltering Services ($5,390), Xerox lease ($2,800), Porter Lee Maintenance software and license ($1,500), Physio-Control (AED) ($1,500); Lexipol ($2,700).
01-421-4050	PHOTO RED LIGHT EXPENSES	38,303	0	40,000	0	0	American Traffic Solutions photo red light contractual fee- Offset with red light citation revenue. No current plans to reinstall.
	TOTAL CONTRACTUAL SERVICES	207,332	152,409	247,128	174,933	213,779	
	MAINTENANCE:						
01-421-5051	BUILDING MAINTENANCE	5,496	6,042	29,625	12,644	24,625	JPSF Police Department portion; Insurance $3,200, Fire alarm monitoring $300, Sand trap/generator service $400, Boiler license $50, Alarm inspection $175; service for first aid kits = $5,500; window cleaning bi-annually $1,000; carpet cleaning bi-annually $1,500, annual polished floor maintenance $2,500; Building repairs $10,000 (Estimated reserve for unanticipated expenses.)
01-421-5052	EQUIPMENT MAINTENANCE	1,667	2,994	4,500	3,004	5,000	Maintenance and repairs for all small equipment not covered by maintenance contracts (i.e. radar units) and the maintenance and repair of office equipment (copier and fax). Bicycle maintenance $500.
01-421-5053	VEHICLE MAINTENANCE	9,041	3,647	6,600	5,012	6,600	Non-contract repairs to the PD's vehicles, and car washes $3,400; and professional detailing of cars $200 per vehicle X 8 vehicles = $1,600 x 2 times per year = $3,200
01-421-5054	GASOLINE-OIL	42,965	44,668	60,000	30,086	60,000	Gasoline for police vehicles: 175,000 miles a year; 16,000 gallons X $3.75/gallon = $60,000.
	TOTAL MAINTENANCE	59,170	57,352	100,725	50,746	96,225	
	OTHER EXPENSES:						
01-421-6063	TRNG-DUES-TRAVEL-SUBSC	15,250	10,345	22,000	21,103	32,000	Training/Travel seminar registration fees: $14,000; conference expenses: $3,500; dues and subscriptions: $2,000; leadership training/supervisors: $2,500; in-service training by City Attorney, 2 times/yr: $10,000
01-421-6064	TESTING AND PHYSICAL EXAMS	2,209	2,491	10,000	12,610	10,000	New employee physicals, credit checks, polygraph and psychological screening of police officer candidates: Sergeant promotional assessment process ($6,000)
01-421-6065	PRISONER EXPENSES	7,222	5,435	7,800	3,131	7,800	Blood testing for alcohol/drugs (blood kits, blood draws and screenings), biohazard cleaning and decontamination of cars and building
01-421-6066	SPECIAL INVESTIGATIONS	1,769	1,537	2,800	1,481	2,800	Criminal investigation and forensic expenses
01-421-6068	MISCELLANEOUS EXPENSES	23,406	11,507	15,000	15,968	15,000	Car allowance: Chief $3,000; Commander $3,000; Promotions, retirements, dignitary visits, annual chiefs meeting, plaques, awards, challenge coins $4,000; Employment advertisement $5,000.
01-421-7071	EQUIPMENT	15,696	29,138	10,000	9,164	36,000	Five replacement radio batteries $750; shoulder microphones 6 x $100= $600; Set-Com radio system 2 Units $1700: Motorcycle helmets $800: Digital Voice Recorder $150; Digital Range Finder $200. Laser $4000; Radios 3 x $4200 = $12,600; Card Reader for Interview room $2800; Tasers 7 x $1400 = $9800; Storage shelves $1500; Balistic Shields 2 x $450 = $900; Stormwater testing equipment $200.
	TOTAL OTHER EXPENSES	65,552	60,452	67,600	63,457	103,600	
	TOTAL PUBLIC SAFETY	**2,507,255**	**2,529,088**	**3,040,862**	**2,750,775**	**3,152,225**	

GENERAL FUND
PUBLIC WORKS

The Public Works Department serves the public in a variety of ways. It is responsible for maintenance of City buildings and grounds; street construction, cleaning and maintenance; storm water drainage construction and maintenance of drainage ways on City rights-of-way; acquisition and maintenance of City vehicles and equipment; snow removal; traffic sign installation; and rights-of-way landscape maintenance. The Streets Division is staffed by five permanent employees and it supplements its labor force during summer months with seasonal workers (generally college students who live in the Village). The Public Works Department also oversees the functions of the Parks & Trails Division in Fund 30.

PERSONNEL SUMMARY

City Employees:	2013	2014	2015	2015	2016
Public Works Director	1	1	1	1	1
Crew Chief	1	1	1	1	1
Equipment Operator	4	4	4	4	4
Seasonal Maintenance Worker (pt)	2	2	2	2	2
Project Manager	0	1	1	1	1
Custodian	0	0	1	1	1
Clerk	0.5	0.5	0.5	0.5	0.5
TOTAL	8.5	9.5	10.5	10.5	10.5

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	PERSONNEL SERVICES:						
01-431-1011	PERSONNEL SERVICES	466,375	532,457	617,743	595,910	685,955	3% salary increases plus on-call pay
01-431-1013	SOCIAL SECURITY TAXES	34,678	39,238	49,419	45,961	54,876	
01-431-1018	UNIFORM EXPENSE	3,570	1,603	4,400	4,627	5,400	Work pants ($1,600), shirts ($1,300), coats ($1,000) & boots ($1,500)
01-431-1019	OVERTIME	4,443	5,641	10,000	13,548	14,000	Snow Removal, Special Events,Emergency Work
	TOTAL PERSONNEL SERVICES	509,067	578,939	681,562	660,046	760,232	
	SUPPLIES AND MATERIALS:						
01-431-2021	OFC SUPPLIES-POSTAGE	567	1,100	1,750	1,038	1,900	Miscellaneous office supplies
01-431-2024	SNOW-ICE MATERIALS	29,237	30,994	24,300	32,461	25,000	Plow blades (6@$500); de-icer ($12,000); 6% salt/sand ($5,500), misc ($3,500)
01-431-2025	ROAD MAINT. MATERIALS	29,800	22,491	50,000	50,883	52,000	Class 6 road base ($15,000); asphalt repairs ($26,000); culverts ($3,000); dust/stabilizing materials ($8,000)
01-431-2026	CURB-GUTTER-SIDEWALKS	1,893	-	5,000	2,516	5,000	In-house concrete repair ($4,500); supplies ($500)
01-431-2027	TRAFFIC CONTROL DEVICES	4,199	10,243	8,500	8,473	9,000	New & replacement signage ($3,500); posts & hardware ($3,000); flexible delineator posts ($1,000); traffic cones and barricades ($3,000)
01-431-2028	SPECIAL MATERIALS	3,166	10,251	6,000	11,282	6,000	Miscellaneous materials and equipment needed to perform ROW & street maintenance operations; lumber; miscellaneous hardware; painting supplies; first aid supplies
	TOTAL SUPPLIES AND MATERIALS	68,863	75,080	95,550	106,654	98,900	
	UTILITIES:						
01-431-3032	WATER	648	2,012	2,100	1,624	2,100	Water used from fire hydrants for road work by the City
01-431-3033	COMMUNICATIONS	1,851	3,383	7,050	5,949	7,050	Cell phone service Verizon ($3,800) Radio Repair ($3,250)
01-431-3034	STREET LIGHTING	5,637	6,443	5,000	3,774	5,000	Street light power costs
	TOTAL UTILITIES	8,136	11,838	14,150	11,347	14,150	

	CONTRACTUAL SERVICES:						
01-431-4045	ENGINEERING SERVICES	1,080	17,068	10,000	11,417	12,500	Miscellaneous engineering services
01-431-4048	VEHICLE MAINTENANCE CONTRACT	18,628	28,876	51,500	29,408	50,000	Cost of contract for vehicle preventative maintenance services. Contract is with the City of Engelwood &% increase from Englewood
01-431-4049	OTHER CONTRACTUAL SERVICES	47,017	41,582	65,000	90,506	57,000	($25,000) street line painting; recycled asphalt charges ($2,000); building cleaning ($5,000); trash service ($3,000); mechanical service contract ($7,000); door to door recycling ($15,000)
	TOTAL CONTRACTUAL SERVICES	66,725	87,526	126,500	131,330	119,500	
	MAINTENANCE:						
01-431-5051	BUILDING MAINTENANCE	44,955	32,789	45,000	39,076	45,000	Equipment and materials to maintain Village Center and Public Works facilities (not covered by other building service contracts). Maintenance issues beginning to build up. (Station 38 included, but not Joint Public Safety Facility)
01-431-5052	EQUIPMENT MAINTENANCE	4,174	9,988	8,500	5,178	8,500	Cost to maintain equipment not covered under PM contracts
01-431-5053	VEHICLE MAINTENANCE	5,074	12,269	20,000	7,753	20,000	Cost to maintain vehicles not covered under PM contract. Paint and body work on PW PU trucks
01-431-5054	GASOLINE-OIL	51,477	50868.36	30,000	23,185	35,000	Cost for fueling vehicles
	TOTAL MAINTENANCE	105,680	105,914	103,500	75,193	108,500	
	OTHER EXPENSES:						
01-431-6063	TRNG-DUES-TRAVEL-SUBSC	3,710	15,725	8,000	12,297	9,000	APWA or ICMA National Confrence ($2,500); APWA Memperships($500), Misc training ($6,000),
01-431-6064	TESTING PHYSICALS	1,081	692	1,800	1,825	2,000	Physicals and DOT-random drug tests
01-431-6068	MISCELLANEOUS EXPENSES	7,234	11,354	8,500	12,426	8,500	Car allowance ($3,000); employment advertisements ($3,000), misc. ($2,500)
01-431-7000	PUBLIC ART	10,221	10,268	15,000	15,000	20,000	Used to leverage art donations and costs for loans of public art
01-431-7071	EQUIPMENT	6,659	4,137	5,000	8,685	6,500	Replacement of small tools and equipment (Skid trade-in)
	TOTAL OTHER EXPENSES	28,905	42,176	38,300	50,233	46,000	
	TOTAL PUBLIC WORKS	**787,375**	**901,474**	**1,059,562**	**1,034,803**	**1,147,282**	

CAPITAL FUND

CHERRY HILLS VILLAGE
2016 BUDGET WORKSHEET

The Capital Fund was established in 2011 to seperately track and fund the costs of capital assets for the City. A capital asset is defined as any public facility, piece of equipment or vehicle that costs in excess of $5,000 and has a useful life greater than one year. Items such as police cars, public works vehicles, parks and recreation equipment, major streets and storm drainage improvements, and building improvements are included in this fund.

ACCOUNT	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	BEGINNING FUNDS AVAILABLE	6,659,093	6,025,488	5,720,294	6,799,886	7,556,673	
	REVENUES:						
02-310-3111	CURRENT PROPERTY TAXES	279,598	270,233	292,295	271,036	337,217	1 mill transferred from the Parks and Recreation Fund
02-310-3121	SPECIFIC OWNERSHIP TAX	276,116	101,740	-	5,985	-	County collected. Basically property tax charged on the type of vehicle. The year and taxable value determine these fees. Taxable value is determined by taking 85% of the suggested retail price (MSRP).
02-360-3610	BOND PROCEEDS					3,500,000	COP for Public Works Facility
02-360-3611	INTEREST INCOME	1,579	1,961		3,090	2,500	
02-360-3680	OTHER REVENUES	-	-	-	-	-	
	TOTAL REVENUE	557,293	373,933	292,295	280,110	3,839,717	
	EXPENDITURES:						
02-441-1001	COP PAYMENT					96,263	Interest only
02-441-1101	VILLAGE CTR IMPROVEMENTS	452,510	19,374	50,000	31,370	1,260,000	Public Works Design/Construction and Village Center Design ($120,000 PW Design)($1,000,000 PW Construction 30%)($140,000 Village Center Design)
02-441-1102	EQUIPMENT-COMPUTER	-	-	-	-	22,952	New server for phones, Caselle, email, police video and CopLink
02-441-1103	EQUIPMENT-ADMIN	6,042	-	-	-	-	
02-441-2103	EQUIPMENT-POLICE	12,081	32,014	52,400	43,574	94,350	New World (Electronic Discovery Interface System) $21,000. Body Camera Sytem outfitting 22 officers $43,500. Data 911 Server $20,000. Acoustic panels $9,850.
02-441-2104	VEHICLES-POLICE	81,923	141,012	181,200	161,922	162,600	Two Ford Interceptor SUV's @ $31,800 = $63,600. Equipping each vehicle with emergency lights, siren, radio, Data911 video camera, mobile data computer, radar units = $53,000; Paint and graphics $4,800.One Ford Escape Code Vehicle $30,500. Graphics, radio and light bar $10,700.
02-441-2107	MOTORCYCLE PROGRAM	-	-		-	52,900	Two Honda Police Motorcycles $21,500 x 2= $23,000. Equipping each with emergency lights, siren and graphics $4,950 per unit = $9,900
02-441-3101	STREET IMPROV. PROGRAM	207,958	351,033	400,000	375,762	500,000	Staff to determine streets based on long term replacement plan and needs. Chip Seal and ashphalt $50,000 slurry seal Clarkson
02-441-3102	EQUIPMENT-PUBLIC WORKS	13,423	-	225,000	187,500	45,000	Asphalt Roller
02-441-3104	VEHICLES-PUBLIC WORKS	143,228	990	30,000	28,929	-	
02-441-3106	STORM SEWERS	-	-	50,000	12,800	50,000	Storm Sewer mapping and repair
02-441-3109	TRAFFIC CALMING MEASURES	-	-	75,000	20,780	75,000	City Wide Traffic Plan Update
02-441-3110	CRACK SEAL	4,800	11,370	27,000	16,177	25,000	Yearly street improvement project
02-441-3111	CURB AND GUTTER	52,035	67,693	40,000	19,489	135,000	Crosspan on Quincy at University (westside) $85,000 Curb and Gutter $50,000
02-441-3112	RIGHTS-OF-WAY IMPROVEMENTS	-	-	250,000	250,000	176,000	Drainage Improvments at Clarkson and Belleview joint project with Greenwood ($76,000) Glenmoor Light ($100,000) Belleview Islands.
02-441-3113	UNDERGROUNDING UTILITIES	-		-	-	-	
02-441-4000	LAND PURCHASE	138,977	13,900	1,500,000	7,481	1,500,000	TBD
02-441-1000	TRAIL IMPROVEMENTS	-	252	140,000	70,000	325,000	Bank Stabilization/Tuffs Bridge/Woodie Hollow $150,000; Hampden Underpass $175,000
02-441-1000-05	SIGNS		-		-		
02-441-1101	JOHN MEADE PARK MASTER PLAN				-	-	In Arapahoe County Open Space Fund
02-441-3103	EQUIPMENT PARKS	52,368	27,842	95,000	91,065	20,000	Mower Replacement
02-441-3105	VEHICLES PARKS	-	-	30,000	34,419	40,000	2 New Dump Beds $30,000, paint $10,000
02-441-3107	LANDSCAPING	-		-	-	-	
02-441-3108	BUILDINGS	25,553	-	25,000	-	25,000	
	TOTAL CAPITAL EXPENDITURES	1,190,898	665,479	3,170,600	1,351,268	4,605,065	
	ADD/(SUBTRACT) OPERATING DIFFERENCE	**(633,605)**	**(291,546)**	**(2,878,305)**	**(1,071,157)**	**(765,348)**	
	TRANSFER OUT		**(20,000)**	**0**	**0**	0	SID#7 Reserve Funds
	TRANSFER IN		1,065,944	1,893,047	1,827,945	0	General Fund Surplus above Fund Balance Requirement
	ENDING FUNDS AVAILABLE	6,025,488	6,799,886	4,735,036	7,556,673	6,791,326	

CONSERVATION TRUST FUND 07

CHERRY HILLS VILLAGE
2016 BUDGET WORKSHEET

The Colorado State Legislature requires the establishment of this fund if a local government desires to receive state allocations for the acquisition, development, and maintenance of park and open space properties. The Colorado Lottery is the primary revenue source of this fund.

	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2016 BUDGET	NOTES/EXPLANATIONS:
	REVENUES:					
07-330-3358	COLORADO LOTTERY	65,851	59,591	50,000	60,000	Per Capita Share x 6229 (Non-Districted Population); numbers from the CO Department of Local Affairs
07-360-3611	INTEREST ON INVESTMENT	218	193	200	266	
07-360-3680	OTHER REVENUES	0	0	0	0	
	TOTAL REVENUES	66,068	59,784	50,200	60,266	
	EXPENDITURES:					
07-450-4521	TRAIL IMPROVEMENTS	1,241	318	35,000	248,500	Misc bridal/asphalt trail restoration ($20,000) ,Overseeding of City Parks and Trails ($5,500), Split Rail Fence ($5,000), Trail development on First Church Property ($218,000)
07-450-4522	VILLAGE CENTER POND DREDGING	0	0	0	0	
07-450-4523	CHERRY HILLS ANNEX PARK	0	0	0	0	
07-450-4524	TRAIL LANDSCAPE PROGRAM	0	0	0	0	
07-450-4528	PARK PURCHASES	0	0	0	0	
07-450-6070	CONTINGENCIES	0	0	0	0	
	TOTAL EXPENDITURES	1,241	318	35,000	248,500	
	INCREASE TO RESERVES	64,827	59,466	15,200	(188,234)	
	BALANCE IN RESERVES	598,229	657,883	673,371	484,835	
	EMERGENCY RESERVES	1,982	1,794	1,506	1,808	

CATHERINE H. ANDERSON LAND DONATION FUND

CHERRY HILLS VILLAGE
2016 BUDGET WORKSHEET

In 2009 the City Council approved Resolution 4, Series 2009 that renamed Fund 8 the Catherine H. Anderson Land Donation Fund. The money in this fund is primarily intended to foster and encourage the preservation of natural open space through financial assistance to residents interested in preserving Village natural areas but may also be used by the Council for other park-related purposes from time-to-time. The primary purpose of this fund is for the acquisition of open space, parks and trails. This fund was originally established by the Subdivision Regulations of the City and will continue to derive revenue from fees paid by subdividers of property at the time a subdivision plat is approved. The fund also receives cash-in-lieu dedications associated with subdivision applications and any other monetary donations received by the City, including recreation reimbursements or charitable donations.

	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2016 BUDGET	NOTES/EXPLANATIONS:
	REVENUES:					
08-320-3219	CASH IN LIEU OF LAND DONATIONS	0	0	0	0	
08-320-3220	DEVELOPMENT FEES	0	0	0	0	
08-320-3221	REC REIMBURSEMENT DONATIONS	3,960	4,254	1,000	1,000	
08-360-3611	INTEREST ON INVESTMENT	1,057	935	1,000	1,000	
08-360-3680	OTHER REVENUES	3,577	3,065	4,000	4,000	Movie night, Holiday Tree lighting event, Exotic Car Show, Tree Program
08-360-3681	EXCISE TAX	0	237,125	0	0	2014 Excise tax from BMW golf tournament received above money budgeted in the General Fund
08-360-3710	TRANSFER IN	0	0	0	0	
	TOTAL REVENUES	8,594	245,379	6,000	6,000	
	EXPENDITURES:					
08-450-9093	THREE POND PARK WATER	0	619	620	620	
08-450-9094	ENTRY FEATURE IMPROVEMENTS	0	0	0	0	
08-450-9095	PARKS & TRAIL IMPROVEMENTS	0	0	0	0	
08-450-9098	BELLEVIEW LANDSCAPE IRRIGATION	0	0	0	0	
08-450-6068	MISCELLANEOUS	0	0	5,000	5,000	Quincy Farm Committee
08-450-6070	CONTINGENCIES	0	0	0	0	
08-470-7080	TRANSFERS OUT	0	0	0	0	
	TOTAL EXPENDITURES	-	619	5,620	5,620	
	INCREASE/(DECREASE) TO RESERVES	8,594	244,760	380	380	
	BALANCE IN RESERVES	403,752	641,409	648,970	649,350	
	EMERGENCY RESERVES	258	7,361	180	180	

SID #7 BOND FUND

CHERRY HILLS VILLAGE
2016 BUDGET WORKSHEET

This fund has been established for collecting assessments and paying debt service on the bonds that finance the construction of a new water improvement system for the Cherry Hills Village residents of subdivisions Charlou Park addition and Charlou Park second addition. With the completion and acceptance of this construction project, Denver Water will extend its full service agreement to these 48 properties. The assessment is for 20 years and the first year of collection by Arapahoe County, the collecting agent will begin in 2001. Final payment is due December 15, 2020. Bonds were refinanced in 2012 to reduce interest rate from 7.0% to 3.10%

	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2016 BUDGET	NOTES/EXPLANATIONS:
	REVENUES:					
13-360-3611	INTEREST INCOME	36	43	50	50	
13-360-3612	INTEREST ON ASSESSMENTS	40,253	15,773	13,330	11,284	
13-360-3630	ASSESSMENT REVENUE	71,105	71,278	66,371	68,417	
	TOTAL REVENUE	111,394	87,094	79,751	79,751	
	REDUCTION OF RESERVES	-	-	12,197	11,046	
	TOTAL FUNDS AVAILABLE	111,394	87,094	91,948	90,797	
	EXPENDITURES:					
13-470-4041	COUNTY TREASURER FEES	1,114	871	797	797	1% of interest+assessment revenue
13-470-7072	INTEREST EXPENSE	14,762	12,360	11,151	10,000	
13-470-7073	BOND PRINCIPAL PAYMENT	75,000	70,000	80,000	80,000	
	TOTAL EXPENDITURES	90,876	83,231	91,948	90,797	
	ADDITIONAL RESERVE FUNDS	20,000				Transferred from the Capital Fund
	INCREASE TO RESERVES	20,518	3,863	-	-	
	BALANCE IN RESERVES	38,785	43,377	31,400	20,354	
	EMERGENCY RESERVES	3,342	2,613	2,393	2,393	

ARAPAHOE COUNTY OPEN SPACE FUND 14

CHERRY HILLS VILLAGE

2016 BUDGET WORKSHEET

This fund was created to account for sales tax revenues generated from the Arapahoe County Open Space ballot measure (resolution no. 030381). The City receives a shareback of the tax revenues collected. These funds may be used to acquire real estate, easements, and water rights and to improve, restore and protect open space. The funds may also be used to manage, patrol and maintain open space lands including construction costs, equipment and improvements. The funds also allow for environmental education programs.

	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2016 BUDGET	NOTES/EXPLANATIONS:
	REVENUES:					
14-320-3200	OPEN SPACE SHAREBACK	124,886	129,570	125,000	130,000	
14-320-3220	SALES TAX COLLECTION FEE	2,343	3,064	2,000	2,000	5% of all open space tax collected by the City
14-360-3611	INTEREST ON INVESTMENTS	1,386	1,476	1,200	1,400	
14-360-3680	OTHER REVENUES	17,394	135,870	0	0	
14-360-3800	TRANSFERS IN	0	0	0	0	
	TOTAL REVENUES	146,009	269,981	128,200	133,400	
	EXPENDITURES:					
14-450-9091	TRAIL IMPROVEMENTS	45,139	15,902	70,000	90,000	Concrete repair on City paved or concrete trails/sidewalks ($15,000), Bank Stabalization along Little Dry Creek ($50,000) High Line Trail resurface ($25,000)
14-450-9092	PARK IMPROVEMENTS	0	12,004	10,000	510,000	($10,000) Parks and Open Space Improvements, ($50,000) Parks and Opens Space Master Plan Consultant costs , ($200,000) John Meade design and engineering, ($250,000) John Meade construction
14-450-9093	OTHER EXPENDITURES	38,089	145,746	50,000	0	
	TOTAL EXPENDITURES	83,228	173,652	130,000	600,000	
	INCREASE TO RESERVES	62,781	96,329	(1,800)	(466,600)	
	BALANCE IN RESERVES	569,915	662,525	664,978	198,222	
	EMERGENCY RESERVES	4,380	8,099	3,846	4,002	

WATER AND SEWER FUND 20

CHERRY HILLS VILLAGE

2016 BUDGET WORKSHEET

The City is currently involved in a program to incorporate the water and sewer districts located within the City boundaries into the municipal government. With this ongoing action, the City desires to account separately for the funds allocated to the project and its associated utility function. For this reason, the Water and Sewer Fund was created to account for all revenues and expenses associated with the consolidation and operation of water and sewer utilities coming under the auspices of the City of Cherry Hills Village.

	DESCRIPTION	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2016 BUDGET	NOTES/EXPLANATIONS:
	BEGINNING FUNDS AVAILABLE	871,312	927,865	887,481	593,559	
	REVENUES:					
20-320-3220	TAP FEES	56,700	29,000	0	0	
20-320-3226	SEWER ADMINISTRATION FEES	25,920	2,328	2,328	2,328	$12/yr to those with Englewood total service agreements (162 homes) and Cherry Hills Country Club(32 tap equivalancies)
20-320-3228	SEWER REPAIR & MAINTENANCE	9,287	31,440	56,700	74,496	$384/yr for repairs and maintenance to those with Englewood agreements. (162 homes), Cherry Hills Country Club(32 taps), Greenwood Village, Country Homes and Cherryvale
20-360-3611	INTEREST INCOME	843	844	800	800	
20-360-3680	OTHER REVENUES	11,000	25	-	0	
	TOTAL REVENUE	103,749	63,637	59,828	77,624	
	EXPENDITURES:					
20-461-4042	LEGAL COUNSEL	3,452	1,287	1,000	1,000	Collins Cockrel and Cole
20-461-4049	OTHER CONTRACTUAL SERVICES	0	0	25,000	30,000	Engineering and Oversight
20-461-5052	SEWER REPAIRS AND MAINTENANCE	8,228	70,207	300,000	500,000	Needed repairs to sewer lines discovered in engineering analysis.
20-461-6063	TRAINING, DUES & SUB	913	854	1,000	1,000	Technical Advisory Committee Membership
20-461-6068	MISCELLANEOUS EXPENSES	7,757	3,750	-	0	
20-461-7050	DEPRECIATION	23,612	23,612	26,750	0	
	TOTAL EXPENDITURES	43,962	99,710	353,750	532,000	
	INCREASE TO RESERVES	59,787	(36,073)	(293,922)	(454,376)	
	BALANCE IN RESERVES	924,753	885,572	591,764	136,854	
	EMERGENCY RESERVES	3,112	1,909	1,795	2,329	

PARKS AND RECREATION FUND 30

CHERRY HILLS VILLAGE

2016 BUDGET WORKSHEET

The Parks and Recreation fund was established for the purpose of accounting for costs related to exclusion by the City from the South Suburban Park and Recreation District and to establish certain park and recreation functions within the City of Cherry Hills Village.

PERSONNEL SUMMARY

City Employees:	2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET
Park and Trail Administrator	1	1	1	1	1
Parks Worker II	3	3	3	3	4
Crew leader	1	1	1	1	1
Clerk	0.5	0.5	0.5	0.5	0.5
Seasonal	6	6	6	6	6
Total	11.5	11.5	11.5	11.5	12.5

		2013 ACTUAL	2014 ACTUAL	2015 BUDGET	2015 ESTIMATE	2016 BUDGET	NOTES/EXPLANATIONS:
	BEGINNING FUNDS AVAILABLE	998,467	929,242	970,185	957,487	2,299,604	
	REVENUES:						
	ASSESSED VALUE	301,972,720	290,292,390	292,295,294	292,295,294	337,216,810	
	Mill Levy	6.422	6.422	6.422	6.422	6.422	7.422 less 1 Mill moved to Capital Fund
	Debt service mill levy (abated)	1.418	1.348	1.362	1.362	1.165	Debt incurred prior to the exclusion that is due to South Suburban. Last payment due in 2019
	Applied mill levy	5.004	5.074	5.060	5.060	5.257	
30-310-3111	CURRENT PROPERTY TAXES	1,517,820	1,466,977	1,479,014	1,479,014	1,772,749	
30-310-3121	SPECIFIC OWNERSHIP TAX	0	177,750	0	-	10,000	
30-360-3611	INTEREST INCOME	8,781	4,761	5,000	4,720	5,000	
30-360-3680	OTHER REVENUES	0	0	1,542,491	1,542,491	0	2005 loan from the General Fund moved from Balance Sheet (asset) to Income Statement (Revenue)
	TOTAL REVENUE	1,526,601	1,649,488	3,026,505	3,026,225	1,787,749	
	EXPENDITURES:						
	PERSONNEL SERVICES						
30-432-1011	PERSONNEL SERVICES	314,426	322,262	355,000	360,436	420,282	3% Increases and on call pay (staff is requesting 1 new fulltime maintenance employee).
30-432-1013	SOCIAL SECURITY TAXES	24,533	24,888	28,400	28,050	33,623	
30-432-1014	RETIREMENT 401 MANAGEMENT	4,323	4,456	4,500	4,595	4,600	
30-432-1015	RETIREMENT 457	6,974	7,593	8,000	7,967	8,000	
30-432-1016	HEALTH-LIFE-DENTAL INSURANCE	48,512	53,395	58,860	65,281	58,000	
30-432-1018	UNIFORMS	1,921	2,331	2,500	2,479	3,500	Boots (5 pair), pants (4 pair per employee); coats (1 per employee) and shirts for 4 fulltime people and shirts for seasonal workers, misc uniform expense
30-432-1019	OVERTIME	3,442	1,507	2,500	4,852	5,000	Snow removal and misc special events
	TOTAL PERSONNEL SERVICES	404,131	416,432	459,760	473,661	533,004	
	SUPPLIES AND MATERIALS:						
30-432-2021	OFFICE SUPPLIES/PRINTING	555	172	1,000	1,013	1,200	Office supplies and mailings (Certified letters to residents, copying for grant packets, general administrative office supplies)
30-432-2023	PLANT SUPPLIES	2,325	2,242	2,500	1,646	3,500	Park and entryway flowers and supplies (Village Center flower beds, Volunteer Park bed, Holly and Quincy flower beds) ($2,500), Misc Fertalizers for imprved and open space parks ($1,000)
30-432-2025	GENERAL INFRASTRUCTURE MAINT	16,140	17,324	15,500	17,405	15,500	($1,500) misc repairs to City shelters (wood, paint and other materials needed), Repair to City walks and trails ($3,000), fence repair ($4,000), trash bags ($1,000), pet pick ups ($3,000), weed control materials for Parks and Open Space ($2,000), City backflow yearly testing ($1,000).
30-432-2026	SNOW AND ICE MELT	64	184	1,000	1,000	1,000	For hard surface trail trouble spots
30-432-2027	PARK SIGNAGE	434	430	1,000	1,010	1,000	Repair and replacement of park and trail signage
30-432-2028	SPECIAL MATERIALS	3,718	4,559	3,500	3,523	7,050	Yearly Soil Sample testing costs ($350), Misc Herbacide for Parks and Open Space ($1,000), Lumber, paint, hardware and anything not anticipated ($2,500), Yearly Gohper and Vole removal contract for misc Parks and Open Space ($3,200)
	TOTAL SUPPLIES AND MATERIALS	23,237	24,910	24,500	25,597	29,250	

30-432-3032	WATER	23,847	17,532	30,000	23,629	30,000	Cost of water for irrigation of all parks and trails and watering of trees in winter months. Increase in water costs. ($5,000) CHV East Water District.
30-432-3033	COMMUNICATIONS	3,140	2,181	3,200	2,065	3,200	Verizon Wireless phones for Parks employees
	TOTAL UTILITIES	26,987	19,712	33,200	25,693	33,200	
	CONTRACTUAL SERVICES:						
30-432-4041	COUNTY TREASURER FEES	15,178	14,670	14,790	14,790	17,727	1% of Property Tax revenues
30-432-4043	LEGAL/SURVEYING	1,728	1,800	4,000	4,000	4,000	($1,000) Document and easement review; ($3,000) surveying
30-432-4047	FORESTRY/ROW TREE MAINT.	24,660	33,986	30,000	23,631	28,000	Tree planting in City parks and Open space ($5,000), Yearly Tree Fertalizing and insecticide materials and misc equipment ($2,000), Tree Maintenance, additional watering and removals in City parks and Open space ($8,000); spraying contract with City Tree Care Provider ($10,000), hazardous tree pruning along the High Line Canal ($3,000).
30-432-4048	VEHICLE MAINTENANCE CONTRACT	12,758	7,826	18,200	14,145	16,000	Cost of PM program provided by the City of Englewood
30-432-4046	ENGINEERING	1,989	5,759	14,000	8,445	14,000	For new and existing structures and projects
30-432-4049	OTHER CONTRACTUAL SERVICES	73	0	4,350	4,000	8,150	($2,350) Trash services; ($2,000) West Nile mosquito spraying and materials, S&B Portable Restroom Cleanings "Three Pond Park" ($3,800)
	TOTAL CONTRACTUAL SERVICE	56,386	64,040	85,340	69,010	87,877	
	MAINTENANCE:						
30-432-5052	EQUIPMENT MAINTENANCE	1,963	3,404	6,000	6,000	6,000	($3,000) small equipment repair; ($3,000) for skidsteer trade in
30-432-5053	VEHICLE MAINTENANCE	3,749	2,288	4,500	4,553	4,500	Cost to maintain vehicles above and beyond the scope of the PM contract with the City of Englewood. ($1,000) for sweeper parts.
30-432-5054	GASOLINE-OIL	19,840	22,229	25,000	17,064	20,000	Cost for fueling vehicles
30-432-5055	GROUNDS MAINTENANCE/IMPROVED	28,054	19,610	20,000	18,652	20,000	Entry features & Improved park repair and/or maintenance, irrigation system upgrades ($15,000), Misc plantings and or removals within entry features and improved parks ($2,500), new stone benches with plaques to replace broken or worn out benches throughout the City ($2,000)
	TOTAL MAINTENANCE	53,606	47,530	55,500	46,269	50,500	
	OTHER EXPENSES						
30-432-6063	TRAIN-DUES-TRAVEL-SUB	5,820	5,056	5,200	5,106	7,200	CPRA Dues ($600), CPRA Annual Conference ($1,500), Pro Green ($1,000), Team Building ($600), ISA Arborist Certification ($300), Rocky Mountain Turfgrass Conference ($600), Additional training ($2,600)
30-432-6064	TESTING-PHYSICALS	93	55	500	510	500	Drug testing and yearly physicals, full-time and seasonal employees
30-432-6067	SPECIAL EVENTS	9,150	14,244	15,000	13,236	15,000	Movie Night (August - $4,000), Car Show (September - $4,000), Annual Holiday Lighting event (December - $4,000), Additional misc costs ($3,000).
30-432-6068	MISC EXPENSE	4,273	3,507	5,000	4,664	5,000	Includes hiring costs and $2,400 auto allowance.
30-432-6069	RECREATION REIMBURSEMENT	233,024	236,907	225,000	226,095	233,744	Money paid to the residents for qualifing recreation activities, up to $500/household.
30-432-7071	EQUIPMENT	6,693	15,226	15,800	15,716	7,500	Shovels, rakes, truck generators and small power tools for park maintenance, Utility Trailer ($2,500)
30-432-7075	ADMINISTRATIVE SERVICES	25,000	25,000	25,000	25,000	25,000	Property casualty, sewer, electric, janitorial, phone, audit, workers comp
	TOTAL OTHER EXPENSES	284,053	299,994	291,500	290,328	293,944	
	ASSET PAYMENT EXPENSES						
30-432-7072	INTEREST EXPENSE	12,642	12,895	18,925	18,925	25,387	2 year Treasury Note for interest payment at .853%, last payment due in 2019
30-432-7073	PRINCIPAL EXPENSE	734,784	735,730	734,625	734,625	734,586	Last payment due in 2019
	TOTAL PAYMENT EXPENSES	747,426	748,625	753,550	753,550	759,973	
	TOTAL OPERATING EXPENSES	1,595,826	1,621,244	1,703,350	1,684,107	1,787,749	
	ADD/(SUBTRACT) OPERATING DIFFERENCE	(69,225)	28,244	1,323,155	1,342,118	0	
	TRANSFER TO CAPITAL FUND			0		0	
	ENDING FUNDS AVAILABLE	929,242	957,487	2,293,340	2,299,604	2,299,604	

EXHIBIT B

COUNCIL BILL 7
SERIES OF 2015

INTRODUCED BY _____
SECONDED BY _____

A BILL FOR AN ORDINANCE
ADOPTING A BUDGET AND LEVYING PROPERTY TAXES
FOR THE CITY OF CHERRY HILLS VILLAGE, COLORADO
FOR FISCAL YEAR 2016

WHEREAS, the City of Cherry Hills Village prepared and established a Budget for fiscal year 2016, made such Budget available for public inspection, and held a public hearing prior to adoption of the Budget by the City Council pursuant to Article IX of the Charter of Cherry Hills Village; and

WHEREAS, the Budget provides for expenditures and transfers for all purposes in the amount $14,874,598 and

WHEREAS, the Arapahoe County Assessor has certified a taxable assessed valuation for the City of Cherry Hills Village $337,216,810; and

WHEREAS, $4,571,649 of the total expenditures and transfers required shall be derived from ad valorem taxes, and the balance shall be derived from other sources.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. The City of Cherry Hills Village Budget in the total amount of $14,874,598 for the fiscal year beginning January 1, 2016 and ending December 31, 2016, is hereby approved and adopted.

Section 2. The Mayor and City Clerk of the City of Cherry Hills Village, Colorado, are hereby authorized and directed to certify a General Purpose Levy of fourteen and seven hundred and twenty two thousandths (14.722) mills to the Board of County Commissioners of Arapahoe County, Colorado, on or before the 15th day of December 2015, to be levied against all property within the City of Cherry Hills Village for taxes to be collected in 2016 for the valuation year 2015.

Section 3. The City Council may, by resolution, transfer any unexpended balance in any of the funds to any fund or to a reserve.

Section 4. The City Council, pursuant to Article XX of the Colorado Constitution, supersedes and deems the provision of C.R.S. 1972, 29-1-301, inapplicable.

Section 5. Should any section, clause, sentence or part of this Ordinance be adjudged by any court to be unconstitutional or invalid, the same shall not affect, impair or invalidate the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Adopted as Ordinance No. __, Series 2015, by the City Council of the City of Cherry Hills Village, Colorado, the TH day of _____, 2015.

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

APPROVED AS TO FORM:

_____
Linda Michow, City Attorney

Published in the Villager
Published_____
Legal # _____

EXHIBIT C

COUNCIL BILL 8
SERIES OF 2015

INTRODUCED BY _____
SECONDED BY _____

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO AUTHORIZING APPROPRIATIONS FOR FISCAL YEAR 2016

WHEREAS, the City of Cherry Hills Village has prepared and approved a Budget for fiscal year 2016 and the City is authorized and required to make appropriations by ordinance for each fiscal year pursuant to Article IX of the Charter of Cherry Hills Village, and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. From the monies obtained from taxation and from all other sources of revenue of the City of Cherry Hills Village, Colorado, during the year beginning January 1, 2016, and ending December 31, 2016, there is hereby appropriated the following sums for the following funds, to-wit:

General Fund	7,004,867
Capital Fund	4,605,065
Land Donation Fund	5,620
Conservation Trust Fund	248,500
Special Improvement District No. 7	90,797
Water & Sewer Enterprise Fund	532,000
Arapahoe County Open Space Fund	600,000
Parks and Recreation Fund	1,787,749
TOTAL	$ 14,874,598

Section 2. The City Council may, by resolution, transfer any unexpended balance in any of the above mentioned funds to any other fund mentioned or to reserves.

Section 3. The City Council, pursuant to Article XX of the Colorado Constitution, deems that this ordinance supersedes the provisions of C.R.S. 29-1-301, and that said statute is inapplicable to the matters addressed by this ordinance.

Section 4. Should any section, clause, sentence or part of this Ordinance be adjudged by any court to be unconstitutional or invalid, the same shall not affect, impair or invalidate the ordinance as a whole or any part thereof other than the part so declared to be invalid, except to the extent that such invalidation defeats the purpose and intent of the City Council in adopting this ordinance.

Adopted as Ordinance No., Series 2015, by the City Council of the City of Cherry Hills Village, Colorado, the day of, 2015.

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

APPROVED AS TO FORM:

_____
Linda Michow, City Attorney

COUNCIL BILL 09 INTRODUCED BY:_____

SERIES OF 2015 SECONDED BY:_____

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE AMENDING CHAPTER 7 OF THE MUNICIPAL CODE TO ADD A NEW ARTICLE VII CONCERNING REGULATIONS APPLICABLE TO THE OPERATION OF UNMANNED AIRCRAFT SYSTEMS

WHEREAS, the City of Cherry Hills Village ("Village") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority, the Village may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety and welfare; and

WHEREAS, the City Council has determined that the use of unmanned aircraft systems ("UAS"), commonly known as drones, within the Village may be detrimental to the personal safety, privacy rights, and welfare of the inhabitants; and

WHEREAS, the use of UAS in the Village may cause nuisances to wildlife, livestock and domesticated animals; and

WHEREAS, the use of UAS are no longer limited to military and government uses and there is evolving a wide range of civilian, commercial and recreational uses; and

WHEREAS there have been reported drone accidents in which people have been injured; and

WHEREAS, the City Council recognizes there is a strong market growth predicted for the use of UAS by hobbyists for recreational purposes as well as by commercial operators; and

WHEREAS, the City Council acknowledges that the United States Government has exclusive sovereignty of navigable airspace of the United States[1]; and

WHEREAS, the Federal Aviation Administration ("FAA") is the ultimate authority on regulating aircraft, including UAS, in navigable airspace; and

WHEREAS, the FAA Modernization and Reform Act of 2012 mandates that the FAA develop a plan for integrating drones into the existing regulatory framework of navigable airspace FAA Modernization and Reform Act of 2012; however, none have been adopted to date; and

WHEREAS, currently, no federal law expressly prohibits or preempts municipalities from establishing laws concerning UAS usage that address nuisance and trespass issues within municipalities' specific borders; and

[1] 49 U.S.C. § 40103(a).

WHEREAS, in the 2015 Colorado General Assembly, failed House Bill 2015-1115 was introduced to address the privacy concerns arising from public and private use of UAS by creating two separate crimes for the misuse of UAS by private individuals; and

WHEREAS, to date, there is only one Colorado regulation concerning the specific operation of UAS and such regulation prohibits use of UAS for hunting wildlife; and

WHEREAS, the current state laws do not adequately address potential nuisance concerns with unregulated use of UAS; and

WHEREAS, the City Council determines that it is in the best position to regulate and enforce UAS operations within its jurisdiction, subject to the jurisdiction of the FAA; and

WHEREAS, the FAA has recognized that state and local law enforcement agencies are often in the best position to deter, detect, immediately investigate, and as appropriate, pursue enforcement actions to stop unauthorized or unsafe UAS operations[2]; and

WHEREAS, City Council further finds that its police department and other local public safety agencies generally will be the first responders to UAS accidents; and

WHEREAS, the City desires to retain and exercise its broad police powers to address the negative impacts arising from the use of UAS within the jurisdiction of Cherry Hills Village, particularly at low altitudes under 400 feet above ground level at which most UAS operate; and

WHEREAS, the regulations adopted herein will be subject to any future state or federal regulations governing UAS through navigable airspace.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. A new Article VII of Chapter 7 of the Municipal Code is hereby added to read in full as follows:

Article VII
Regulation of Unmanned Aircraft Systems

7-7-10. Purpose and Intent.

7-7-20 Definitions.

7-7-30 Exemptions.

7-7-40 General Requirements for Hobby Operators.

7-7-50 Enforcement and Penalties.

Section 7-7-10. Purpose and Intent.

The purpose of this Article VII is to establish a registration system for Hobby Operators and regulations pertaining to any unmanned aircraft system operating within the jurisdictional borders of the City of Cherry Hills Village. It is the intent of this Article to be interpreted in

[2] Law Enforcement Guidance for Suspected Unauthorized UAS Operations, U.S. Department of Transportation, Federal Aviation Administration.

conformance with any existing or future federal or state laws or regulations that address the operation of unmanned aircraft systems.

Section 7-7-20. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

Aircraft means any contrivance invented, used, or designed to navigate or fly in the air.

City Airspace means and includes all airspace above the jurisdictional boundaries of the City, to the full extent such airspace can legally be regulated by the City.

Domestic animal shall have the same meaning as set forth in Article V of Chapter 7 of this Code.

Livestock shall have the same meaning as set forth in Article V of Chapter 7 of this Code.

Model Aircraft means an unmanned aircraft that is: (1) capable of sustained flight in the atmosphere; (2) flown within visual line of sight of the person operating the aircraft; and (3) flown for hobby or recreational purposes.

Navigable airspace means airspace above the minimum altitudes of flight prescribed by FAA regulations, including airspace needed to ensure safety in takeoff and landing of aircraft.

Operate means to fly, use, launch, land, employ or navigate an unmanned aircraft system through the air.

Hobby Operator means an individual or entity operating an unmanned aircraft system for strictly recreational or hobby use.

Person shall have the same meaning as set forth in Section 1-2-10 of Chapter 1 of this Code.

Unmanned aircraft system or UAS means an aircraft, powered aerial vehicle, or other device without a human pilot on board, the flight of which is controlled either autonomously by on board computers or by remote control of a pilot operator on the ground or in another vehicle or aircraft, and all associated equipment and apparatus. It includes model aircrafts and drones.

Section 7-7-30. Exemption from Registration. The following operations of unmanned aircraft systems are exempt from the registration requirements of this Article:

(a) Any local, state or federal government agency lawfully operating unmanned aircraft systems for a government purpose or function.

(b) Any commercial operator authorized by the FAA to operate a UAS, as evidenced by a valid certificate of authorization or exemption issued by the FAA.

Section 7-7-40. General Requirements for Hobby Operators.

(a) Registration required. Registration of UAS is required for all Hobby Operators operating a UAS within City Airspace.

(1) Registration. A Hobby Operator of an unmanned aircraft system shall register the UAS as provided in this Section prior to operating an unmanned aircraft system within City Airspace. The City may accept a federal registration in lieu of City registration of a specific UAS only if the federal registration program enables the City to confirm a registration number for such UAS and to obtain substantially the same application information as required by the City in subsection (2) below.

(2) Application form. Application for registration of an unmanned aircraft system shall be made on a form provided by the City Clerk, which form shall include but not be limited to the following: (a) name, address and telephone number of owner of UAS; (b) name, address and telephone number of operator of UAS, if different than owner; (c) type, model of UAS; (d) performance characteristics of UAS; (e) weight of UAS; and (f) intended purpose of UAS.

(3) Registration fee. The registration fee shall be twenty-five dollars ($25.00) for each UAS, which fee must be paid to the City at the time of submission of the registration form. The City Council may increase or decrease the registration fee by resolution as codified in the City's comprehensive fee schedule.

(4) Registration Identification. Upon receipt of a completed application, and required registration fee, the City will issue a registration number for each UAS properly registered by the City. The designated City or federal registration number shall be prominently displayed on the UAS before and as a condition of its operation within the City or City Airspace.

(b) Operating requirements. Except as otherwise provided in this Article VII, persons operating a UAS in City Airspace shall comply with the following operating regulations:

(1) UAS operated by Hobby Operators must weigh no more than fifty-five (55) pounds at the time of operation, inclusive of equipment, payload and fuel.

(2) Hobby Operators must have a visual line of sight of the UAS at all times. Visual line of sight means the UAS must be visible at all times to the Operator, using his or her own natural vision to observe the UAS, including the use of standard eyeglasses or contact lenses.

(3) Without express prior written authorization from the City Manager, no person may operate a UAS on or over any City property inclusive of public streets, alleys, bridle paths, trails, playgrounds, parks, open space, parking lots, and public buildings.

(4) No person shall enter, hover, launch, or land an unmanned aircraft system on or over another person's property without the prior consent of the property owner. Such unauthorized entry onto another's property shall be deemed a trespass.

(5) No person shall operate a UAS in a reckless or careless manner so as to endanger or cause reasonable risk of harm or actual harm to persons, property, or any domestic animal or livestock.

Section 7-7-50. Enforcement and Penalties.

It shall be unlawful to violate any provision of this Article. Any person who is convicted of a violation of any provision of this Article shall be punished in accordance with Section 1-4-20 of this Code. In addition, any UAS operated in violation of this Article may be immediately impounded in the interest of public safety. Law enforcement officers are authorized to disable any UAS operating within the City Airspace that poses an imminent threat to public safety.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid or preempted, such invalidity or preemption shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid or preempted portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. ___ Series 2015, by the City Council of the City of Cherry Hills Village, Colorado this __ day of _____, 2015.

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

Approved as to form:

_____
Linda C. Michow, City Attorney

Published in *The Villager*

Published:_____

Legal #:_____

COUNCIL BILL 09 INTRODUCED BY:_____

SERIES OF 2015 SECONDED BY:_____

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE AMENDING CHAPTER 7 OF THE MUNICIPAL CODE TO ADD A NEW ARTICLE VII CONCERNING REGULATIONS APPLICABLE TO THE OPERATION OF UNMANNED AIRCRAFT SYSTEMS

WHEREAS, the City of Cherry Hills Village ("Village") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority, the Village ~~is authorized under its general police powers~~may exercise any power and ~~C.R.S. 31-15-401 to adopt nuisance regulations in furtherance~~perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety and welfare~~ of its residents~~; and

WHEREAS, the City Council has determined that the use of unmanned aircraft systems ("UAS"), commonly known as drones, within the Village may be detrimental to the personal safety, privacy rights, and welfare of the inhabitants; and

WHEREAS, the use of UAS in the Village may cause nuisances to wildlife, livestock and domesticated animals; and

WHEREAS, the use of UAS are no longer limited to military and government uses and there is evolving a wide range of civilian, commercial and recreational uses; and

WHEREAS there have been reported drone accidents in which people have been injured; and

WHEREAS, the City Council recognizes there is a strong market growth predicted for the use of UAS by hobbyists for recreational purposes as well as by commercial operators; and

WHEREAS, the City Council acknowledges that the United States Government has exclusive sovereignty of navigable airspace of the United States[1]; and

WHEREAS, the Federal Aviation Administration ("FAA") is the ultimate authority on regulating aircraft, including UAS, in navigable airspace; ~~however, the City Council recognizes that the FAA has been slow to adopt regulations or rules concerning UAS and drones; and~~and

WHEREAS, the FAA Modernization and Reform Act of 2012 mandates that the FAA develop a plan for integrating drones into the existing regulatory framework of navigable airspace FAA Modernization and Reform Act of 2012; however, none have been adopted to date; and

[1] 49 U.S.C. § 40103(a).

WHEREAS, currently, no federal law expressly prohibits or preempts municipalities from establishing laws concerning UAS usage that address nuisance and trespass issues within municipalities' specific borders; and

WHEREAS, in the 2015 Colorado General Assembly, failed House Bill 2015-1115 was introduced to address the privacy concerns arising from public and private use of UAS by creating two separate crimes for the misuse of UAS by private individuals; and

WHEREAS, to date, there is only one Colorado regulation concerning the specific operation of UAS and such regulation prohibits use of UAS for hunting wildlife; and

WHEREAS, the current state laws do not adequately address potential nuisance concerns with unregulated use of UAS; and

WHEREAS, the City Council determines that it is in the best position to regulate and enforce UAS operations within its jurisdiction, subject to the jurisdiction of the FAA; and

WHEREAS, the FAA has recognized that state and local law enforcement agencies are often in the best position to deter, detect, immediately investigate, and as appropriate, pursue enforcement actions to stop unauthorized or unsafe UAS operations[2]; and

WHEREAS, City Council further finds that its police department and other local public safety agencies generally will be the first responders to UAS accidents; and

WHEREAS, the City desires to retain and exercise its broad police powers to ~~control~~address the negative impacts arising from the use of UAS within the jurisdiction of Cherry Hills Village, particularly at low altitudes under 400 feet above ground level at which most UAS operate; and

WHEREAS, the regulations adopted herein will be subject to any future state or federal regulations governing UAS through navigable airspace.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. A new Article VII of Chapter 7 of the Municipal Code is hereby added to read in full as follows:

Article VII
Regulation of Unmanned Aircraft Systems

7-7-10. Purpose and Intent.

7-7-20 Definitions.

7-7-30 Exemptions.

7-7-40 General Requirements for Hobby Operators.

[2] Law Enforcement Guidance for Suspected Unauthorized UAS Operations, U.S. Department of Transportation, Federal Aviation Administration.

~~7-7-50 Prohibited Acts.~~

~~7-7-60~~ **Enforcement and Penalties.**

Section 7-7-10. Purpose and Intent.

The purpose of this Article VII is to establish a registration system for Hobby Operators and regulations pertaining to any unmanned aircraft system operating within the jurisdictional borders of the City of Cherry Hills Village. It is the intent of this Article to be interpreted in conformance with any existing or future federal or state laws or regulations that address the operation of unmanned aircraft systems.

Section 7-7-20. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

Aircraft means any contrivance invented, used, or designed to navigate or fly in the air.

City Airspace means and includes all airspace above the jurisdictional boundaries of the City, to the full extent such airspace can legally be regulated by the City.

Domestic animal shall have the same meaning as set forth in Article V of Chapter 7 of this Code.

Livestock shall have the same meaning as set forth in Article V of Chapter 7 of this Code.

Model Aircraft means an unmanned aircraft that is: (1) capable of sustained flight in the atmosphere; (2) flown within visual line of sight of the person operating the aircraft; and (3) flown for hobby or recreational purposes.

Navigable airspace means airspace above the minimum altitudes of flight prescribed by FAA regulations, including airspace needed to ensure safety in takeoff and landing of aircraft.

Operate means to fly, use, launch, land, employ or navigate an unmanned aircraft system through the air.

Hobby Operator means an individual or entity operating an unmanned aircraft system for strictly recreational or hobby use.

Person shall have the same meaning as set forth in Section 1-2-10 of Chapter 1 of this Code.

Unmanned aircraft system or UAS means an aircraft, powered aerial vehicle, or other device without a human pilot on board, the flight of which is controlled either autonomously by on board computers or by remote control of a pilot operator on the ground or in another vehicle or aircraft, and all associated equipment and apparatus. It includes model aircrafts and drones.

Section 7-7-30. ~~Exemptions.~~Exemption from Registration. The following operations of unmanned aircraft systems are exempt from the registration requirements of this Article:

~~(1)~~(a) Any local, state or federal government agency lawfully operating unmanned aircraft systems for a government purpose or function.

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~~(2)~~(b) Any ~~Operator~~commercial operator authorized by the FAA to operate a UAS, as evidenced by a valid certificate of authorization or exemption issued by the FAA.

Section 7-7-40. General Requirements for Hobby Operators.

(a) Registration required. Registration of UAS is required for all Hobby Operators~~.~~ operating a UAS within City Airspace.

(1) Registration. A Hobby Operator of an unmanned aircraft system shall register the UAS as provided in this Section prior to operating an unmanned aircraft system within ~~the City or City Airspace~~City Airspace. The City may accept a federal registration in lieu of City registration of a specific UAS only if the federal registration program enables the City to confirm a registration number for such UAS and to obtain substantially the same application information as required by the City in subsection (2) below.

(2) Application form. Application for registration of an unmanned aircraft system shall be made on a form provided by the City Clerk, which form shall include but not be limited to the following: (a) name, address and telephone number of owner of UAS; (b) name, address and telephone number of operator of UAS, if different than owner; (c) type, model of UAS; (d) performance characteristics of UAS; (e) weight of UAS; and (f) intended purpose of UAS.

(3) Registration fee. The registration fee shall be twenty-five dollars ($25.00) for each UAS, which fee must be paid to the City at the time of submission of the registration form. The City Council may increase or decrease the registration fee by resolution as codified in the City's comprehensive fee schedule.

(4) Registration Identification. Upon receipt of a completed application, and required registration fee, the City will issue a registration number for each UAS properly registered by the City. ~~Such~~The designated City or federal registration number shall be prominently displayed on the UAS before and as a condition of its operation within the City or City Airspace.

(b) ~~General~~Operating requirements~~ for Hobby Operators~~. Except as otherwise provided in this Article VII, persons operating a UAS ~~within the~~in City Airspace~~:~~ shall comply with the following operating regulations:

(1) UAS operated by Hobby Operators must weigh no more than fifty-five (55) pounds at the time of operation, inclusive of equipment, payload and fuel.

(2) Hobby Operators must have a visual line of sight of the UAS at all times. Visual line of sight means the UAS must be visible at all times to the Operator, using his or her own natural vision to observe the UAS, including the use of standard eyeglasses or contact lenses.

~~**Section 7-7-50. Prohibited Acts.**~~

~~The following acts are prohibited in the operation of an unmanned aircraft system anywhere in the City or City Airspace:~~

~~(1) No person shall operate a UAS so as to endanger or harm the life or property of any person.~~

~~(2) No person under the age of seventeen (17) years shall operate a UAS within the City without an adult present during operation.~~

(3) Without express prior written authorization from the City Manager, no person may operate a UAS on or over any City property inclusive of public streets, alleys, bridle paths, trails, playgrounds, parks, open space, parking lots, and public buildings.

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~~(4)~~ No person shall ~~operate a UAS so as to endanger, harass, harm or injure domesticated animals or livestock.~~

~~(5) No person shall operate a UAS who is under the influence of alcohol, marijuana, or one or more controlled substances as defined in Article 18 of Title 18 of the Colorado Revised Statutes.~~

~~(6) No person shall operate a UAS if he or she knows or has reason to know of any physical or mental condition that would interfere with the safe operation of a UAS, or if he or she knows or has reason to know that UAS equipment is not in proper working order.~~

~~(7) No person may operate a UAS near any person, pedestrians, bicyclists, motorists, livestock, or domestic animal not directly involved in the UAS operation to the extent it creates a public safety threat to life or property.~~

~~(8) Hobby Operators may not operate a UAS any time between dusk and dawn.~~

~~(9) No Hobby Operator may operate a UAS within the City or City Airspace without registering the unmanned aircraft system in accordance with this Article.~~

~~(10)~~(4) ~~Hobby Operators shall not~~ enter, hover, launch, or land ~~or otherwise operate~~ an unmanned aircraft system on or over another person's ~~private~~ property without the prior consent of the property owner. Such unauthorized entry onto another's property shall be deemed a trespass.

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~~(11) No Hobby Operator shall operate a UAS at airspeeds greater than 10 miles per hour.~~

(5) No person shall operate a UAS in a reckless or careless manner so as to endanger or cause reasonable risk of harm or actual harm to persons, property, or any domestic animal or livestock.

Section 7-7-~~60~~50. Enforcement and Penalties.

It shall be unlawful to violate any provision of this Article. Any person who is convicted of a violation of any provision of this Article shall be punished in accordance with Section 1-4-20 of this Code. In addition, any UAS operated in violation of this Article may be immediately impounded in the interest of public safety. Law enforcement officers are authorized to disable any UAS operating within the City Airspace that poses an imminent threat to public safety.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid or preempted, such invalidity or preemption shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid or preempted portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. ___ Series 2015, by the City Council of the City of Cherry Hills Village, Colorado this __ day of _____, 2015.

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

Approved as to form:

_____
Linda C. Michow, City Attorney

Published in *The Villager*

Published:_____

Legal #:_____

SUBSTITUTE

ORDINANCE

AS

AMENDED

WHEREAS, The City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

WHEREAS, Pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs, including the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, A recent *Washington Post* investigation found that law enforcement agencies, universities and other registered drone users have reported 23 accidents and 236 unsafe incidents since November 2009; and

WHEREAS, Chicago has witnessed an increase in "flyaways", which occur when drones go rogue and fly off from their users; and

WHEREAS, Last August, Federal Aviation Administration (FAA) officials criticized a Chicago man for being "reckless and careless" after he sent a drone over the Lollapalooza music festival and posted videos from it on You Tube; and

WHEREAS, Videos have recently surfaced of a handgun-firing drone built by an 18-year-old Connecticut student for a college class; and

WHEREAS, On May 5, 2014, a DJI Phantom 2 Quadcopter crashed into the 30th floor of the Metropolitan Square building, the tallest building in St. Louis, Missouri; and

WHEREAS, Pilots have reported dozens of cases in which drones flew too close to their aircraft, and the FAA has stated that our Nation's air-traffic system is not equipped to handle thousands of small devices flying at low altitudes; and

WHEREAS, Chicago's airspace is among the busiest in the world. In 2014, Chicago-O'Hare International Airport handled nearly 882,000 flights and 70 million passengers, while Chicago Midway Airport handled approximately 250,000 flights and 21 million passengers; and

WHEREAS, On July 21, 2015, a drone crashed into the runway at Chicago Midway Airport while the United States National Guard was conducting a Blackhawk training mission there, causing a breach of security at the airport; and

WHEREAS, Drones can be equipped with highly sophisticated surveillance technology that threatens privacy; and

WHEREAS, Last December, the FAA launched a public awareness campaign urging novice operators to pay attention to safety and to avoid reckless and unsafe activities, such as flying too close to passenger planes, buzzing crowds or operating drones or unmanned aircraft while under the influence of alcohol or drugs; and

WHEREAS, The prevalence and unregulated use of drones throughout the City of Chicago poses a threat to the public health, safety and welfare and has created public health, safety and welfare concerns, including, but not limited to, privacy, nuisance and trespass concerns; and

WHEREAS, On the other hand, responsible and safe drone use is an increasingly popular recreational activity, particularly among amateur photographers, and promotes technological innovation, economic growth and job creation; and

WHEREAS, The use of drones for hobby and recreational purposes will enable Chicagoans of all ages to familiarize themselves with this exciting new technology, and will undoubtedly inspire a whole new generation of entrepreneurs and innovators to pursue careers in this field and in related high-tech industries that are flourishing in Chicago; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated into SECTION 2 of this ordinance and made part thereof as though fully set forth therein.

SECTION 2. Chapter 10-36 of the Municipal Code of Chicago is hereby amended by inserting a new Article IV, and a new Section 10-36-400, as follows:

ARTICLE IV. SMALL UNMANNED AIRCRAFT

10-36-400 Small unmanned aircraft.

(a) *Definitions.* As used in this section:

"Aircraft" means any contrivance invented, used or designed to navigate or fly in the air.

"City airspace" means the airspace above the land, water and waterways within the jurisdiction of the city.

"Firearm" has the meaning ascribed to the term in section 8-20-010.

"Hobby or recreational purposes" means a pursuit engaged in for relaxation, and not for business purposes and not for compensation or hire.

"Open air assembly unit" means any structure, enclosed area or other demarcated space used for the assembly of persons in the open air, including, but not limited to, amusement parks, stadiums, athletic fields, automotive speed ways, aviation fields, band stands, beach enclosures, grandstands, observation platforms, outdoor public swimming pools, outdoor theaters, race tracks, reviewing stands, street festivals or parade routes.

"Operate" means to pilot, steer, direct, fly or manage a small unmanned aircraft through the air whether from within the aircraft or remotely. The term "operate" includes managing or initiating a computer system that pilots, steers, directs, flies or manages a small unmanned aircraft.

"Public aircraft" has the meaning ascribed to the term in Section 40102 of Title 49 of the United States Code.

"Small unmanned aircraft" means an aircraft that (1) is operated without the possibility of direct human intervention from within or on the aircraft, and (2) weighs less than 55 pounds at the time of the operation, including the weight of any payload or fuel. The term "small unmanned aircraft" does not include "toy aircraft" or "public aircraft" as defined herein.

"Surveillance" means the gathering, without permission and in a manner that is offensive to a reasonable person, of visual images, physical impressions, sound recordings, data or other information involving the private, personal, business or familial activities of another person, business or entity, or that otherwise intrudes upon the privacy, solitude or seclusion of another person, business or entity, regardless of whether a physical trespass onto real property owned, leased or otherwise lawfully occupied by such other person, business or other entity, or into the airspace above real property owned, leased or otherwise lawfully occupied by such other person, business or other entity, occurs in connection with such surveillance.

"Toy aircraft" means (1) a glider or hand-tossed small unmanned aircraft that is not designed for and is incapable of sustained flight; or (2) a small unmanned aircraft that is capable of sustained flight and is controlled by means of a physical attachment, such as a string or wire.

"Weapon" means any instrument, article or substance that, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.

(b) *Operating regulations.* Except as otherwise provided in subsection (c) of this section, no person shall operate any small unmanned aircraft in city airspace:

(1) except for hobby or recreational purposes only and in conformity with this section;

(2) directly over any person who is not involved in the operation of the small unmanned aircraft, without such person's consent;

(3) over property that the operator does not own, without the property owner's consent, and subject to any restrictions that the property owner may place on such operation;

(4) at an altitude higher than 400 feet above ground level;

(5) outside the visual line of sight of the operator. The operator shall use his or her own natural vision (which includes vision corrected by standard eyeglasses or contact lenses) to maintain at all times an unobstructed view of the small unmanned aircraft, without the use of vision-enhancing devices, such as binoculars, night vision goggles, powered vision magnifying devices, goggles designed to provide a "first person view" from the model or similar devices;

(6) within five miles of any airport;

(7) in a manner that interferes with, or fails to give way to, any manned aircraft;

(8) between dusk and dawn;

(9) whenever weather conditions impair the operator's ability to operate the small unmanned aircraft safely;

(10) over any open air assembly unit, school, school yard, hospital, place of worship, prison or police station, without the property owner's consent, and subject to any restrictions that the property owner may place on such operation;

(11) within 500 feet of any water intake facility or any electric generating facility, substation or control center, or within 100 feet of any electric transmission facility, or within 25 feet of any electric distribution facility or of any overhead wire, cable, conveyor or similar equipment for the transmission of sounds or signal, or of heat, light or power, or data, upon or along any public way within the city, without the facility or equipment owner's consent, and subject to any restrictions that the facility or equipment owner may place on such operation;

(12) for the purpose of conducting surveillance, unless expressly permitted by law;

(13) while under the influence of alcohol, or other drug or drugs, intoxicating compound or compounds or any combination thereof, as those terms are defined in 625 ILCS 5/11-501, as amended;

(14) that is equipped with a firearm or other weapon;

(15) with intent to use such small unmanned aircraft or anything attached to it to cause harm to persons or property;

(16) in a reckless or careless manner; or

(17) in violation of any Federal or State law.

(c) *Construction of section.*

(1) *Operations authorized by the FAA – Exception.* Notwithstanding the prohibitions set forth in this section, nothing in this section shall be construed to prohibit, limit or otherwise restrict any person who is authorized by the Federal Aviation Administration to operate a small unmanned aircraft in city air space, pursuant to Section 333 of the FAA Modernization and Reform Act of 2012 or a certificate of waiver, certificate of authorization or airworthiness certificate under Section 44704 of Title 49 of the United States Code or other Federal Aviation Administration grant of authority for a specific flight operation(s), from conducting such operation(s) in accordance with the authority granted by the Federal Aviation Administration.

(2) *Operations prohibited by the FAA – Clarification.* Nothing in this section shall be construed to authorize the operation of any small unmanned aircraft in city airspace in violation of any Federal statute or rules promulgated thereunder, including, but not limited to, any temporary flight restrictions or notices to airmen issued by the Federal Aviation Administration.

(3) *Operations authorized by the State of Illinois – Exception.* Notwithstanding the prohibitions set forth in this section, nothing in this section shall be construed to prohibit the use of a drone by a law enforcement agency in accordance with Section 15 of the Freedom from Drone Surveillance Act, codified at 725 ILCS 167/1 et seq., or its successor provision.

(d) *Violation – Penalty.* Any person who violates this section or any rule promulgated thereunder shall be fined not less than $500.00 nor more than $5,000.00 for each offense, or may be incarcerated for a term not to exceed 180 days, or both. Each day that a violation continues shall constitute a separate and distinct offense.

(e) *Seizure for unlawful use.* If the mayor, superintendent of police, commissioner of aviation, fire commissioner or their duly authorized enforcement officers or designees have a reasonable basis to believe that any small unmanned aircraft is or has been operating in violation of this section, said small unmanned aircraft may be seized by such duly authorized enforcement

official, followed by an opportunity for an administrative hearing, with notice to the owner within seven calendar days of such seizure, for the purpose of reviewing the appropriateness of the seizure, and shall be held by the city until such time that the owner of such small unmanned aircraft reimburses the city for the actual cartage costs incurred in connection with the seizure and pays to the city $20.00 for each day, or part of a day, that the small unmanned aircraft is in storage. If criminal charges involving the use, condition or operation of the small unmanned aircraft are pending, the small unmanned aircraft shall be held until disposition of the criminal charges. If it is determined at an administrative hearing, by a preponderance of evidence, that the seized small unmanned aircraft was not operated in violation of this section, such small unmanned aircraft shall be returned to its owner without charge.

(f) *Rules*. The commission of aviation, in consultation with the corporation counsel, is authorized to promulgate rules necessary or appropriate to implement this section. Such rules shall be posted by the commissioner on the City of Chicago's rule web portal.

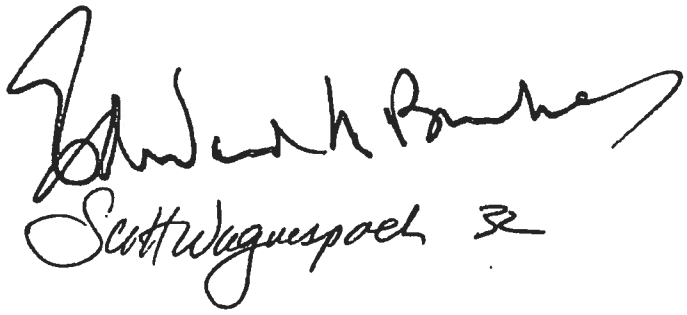
SECTION 3. Section 10-36-380 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

10-36-380 Helicopter operations – Prohibitions – Exception for governmental entities.

(Omitted text is unaffected by this ordinance)

(d) As used in this section, the term "other rotary wing aircraft capable of vertical landing and takeoff" does not include small unmanned aircraft, public aircraft or toy aircraft, as defined in section 10-36-400.

SECTION 4. This ordinance shall take full force and effect 10 days after its passage and publication.



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COMMITTEE MEMBERSHIPS
AVIATION
(CHAIRMAN)
BUDGET & GOVERNMENT OPERATIONS
HEALTH & ENVIRONMENTAL PROTECTION
RULES & ETHICS
ECONOMIC, CAPITAL & TECHNOLOGY DEVELOPMENT
WORKFORCE DEVELOPMENT & AUDIT
FINANCE

November 18, 2015

To the President and Members of the City Council:

Your Committee on Aviation begs to leave report and recommend that your Honorable Body pass the proposed ordinances transmitted herewith.

A meeting was held on November 12, 2015 in Council Chambers at City Hall to consider the following ordinances:

O2015-7314 Lease Agreement with American Airlines for equipment and storage and staging
Emanuel (Mayor)

O2015-7370 Amendment and term extension of intergovernmental agreement with Chicago O'Hare Noise Compatibility Commission for implementation of noise compatibility programs and projects
Emanuel (Mayor)

O2015-7376 Amendment and term extension of intergovernmental agreement with Chicago Midway Noise Compatibility Commission for implementation of noise compatibility programs and projects
Emanuel (Mayor)

O2015-4650 Amendment of Chapter 10-36 regarding airport access agreements and public parking programs at Chicago Midway and Chicago O'Hare International airports.
Emanuel (Mayor)

SO2015-5419 Amendment of Municipal Code Title 9 by adding new Chapter 9-121 entitled "Small Unmanned Aircraft"
Burke (14)
Waguespack (32)

These ordinances were passed unanimously by a viva voce vote of the members.

Respectfully submitted,

Michael R. Zalewski
Chairman,
Committee on Aviation

CHERRY HILLS VILLAGE
COLORADO

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www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 8a

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: JAY GOLDIE, DEPUTY CITY MANAGER/DIRECTOR OF PUBLIC WORKS

SUBJECT: PUBLIC WORKS FACILITY PRELIMINARY DESIGN REVIEW - MAINTENANCE DESIGN GROUP

DATE: DECEMBER 9, 2016

Attached you will find the updated report from Maintenance Design Group regarding the proposed new Public Works Facilities. The preliminary report was provided to City Council at the November 17, 2015 Council meeting. Since that time staff reviewed the preliminary report with Maintenance Design Group to make adjustments to the program and look at ways to reduce the overall cost of the facilities. Based on the findings it was determined that additional land would be needed to make the program successful, even after reductions and adjustments were made. With that being said the original analysis did not consider the use of any space at the current Village Center site; staff has worked with Maintenance Design Group to illustrate this scenario. In table 4.3 of the report this analysis is shown as 1,500 square feet of heated space at the Village Center site.

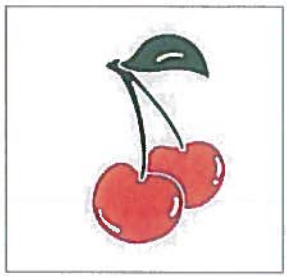
Public Works currently utilizes approximately 8,000 square feet of heated space for vehicle/shop and office space, which is not adequate for the current public works functions. This scenario includes an additional 4,080 square feet of space for a total of 12,080 square feet of heated space spread out on three sites. Staff feels that due to the limited space on the Englewood and Hampden sites, as well as for operational effectiveness, that space at the Village Center site would be beneficial to the overall operation. This space would not be utilized for material storage or construction staging. The space at the Village Center (or other site) would be designed to house snow plows or mowing equipment, etc. to help facilitate seasonal needs of the Department. Additional covered storage and better developed and designed yard space is key to improving workflow and the overall operations.

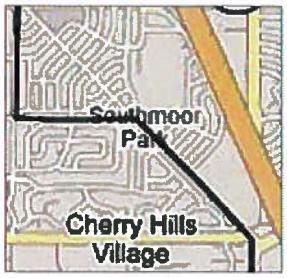
The utilization of the Village Center was not considered in the Maintenance Design analysis as the original effort was to evaluate the other site(s) and program needs without utilization of any space at the Village Center. Staff feels that the best option, based on the available parcels, is to consider utilizing limited space at the Village Center site (or other site) to maximize operational efficiency and effectiveness. The estimated cost for the construction of the three facilities is $6,411,984 not including land lease costs for the Englewood site.

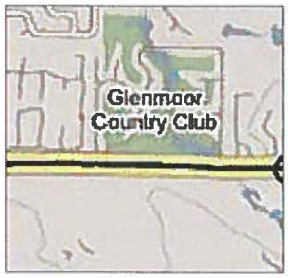
ATTACHMENTS

Exhibit A: Preliminary Public Works Facility Review

EXHIBIT A







PROGRAMMING REPORT

Cherry Hills Village Public Works Facility
Cherry Hills Village, Colorado

December 2, 2015

Maintenance Design Group

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Existing Facilities 1.1
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Section Five - Concept Plans

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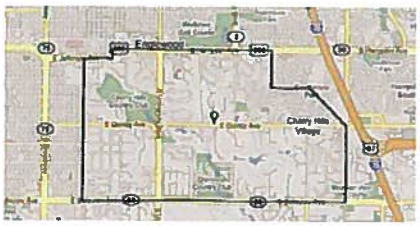
Concept Site Plan (Hampden Pie Site) 5.4

Appendices

- Appendix 1 Space Needs Program
- Appendix 2 Exhibit Lease Area
- Appendix 2 Utility Survey

Section One
Project Overview



Cherry Hills Village, Colorado

Introduction

The City of Cherry Hills Village is establishing a new Public Works facility which will be located on a site owned by the City of Englewood. Cherry Hills Village will lease a portion of this site for a new facility that will house staff from two departments while utilizing fueling, washing, and various other operations already established on site by the City of Englewood. The Streets Division (part of the Public Works Department) and the Parks, Trails, and Recreation Department will utilize the facility for storing vehicles and materials necessary to perform their duties. In addition, a smaller site on East Jefferson Avenue and South Lafayette Street will be used as a transfer station and storage site for snow removal and bulk materials.

This report will document the space needs for the groups that will be using the new facilities and identify key planning issues.

The user groups that will be included are:

- Streets Division
- Parks, Trails, and Recreation Department (herein referred to as "Parks")

Existing Facilities

Currently, the Parks Department operates out of a former firehouse located on Meade Lane, next to the Cherry Hills Village City Hall. This space has a meeting room, limited office space, a locker room, a restroom with a shower, a kitchen, and a garage. There are additional storage areas both inside the garage and behind the building. Near the firehouse, space is also available for Parks and Streets to store vehicles and materials. The lot has two fuel tanks - one above ground and one below ground. A tank for magnesium chloride is situated on the lot. Adjacent to the lot is a garage that houses vehicles, tools, signs, and some shop equipment for the Streets Division. Additional office space is located inside the City Hall building.

This site has several issues, such as the current building being located in a flood plain and the area being needed for redevelopment projects. There is limited heated storage for vehicles at this site.

Site Descriptions

Two sites are examined in this report. The main site is located at the City of Englewood Fleet Maintenance site along Platte River Drive. The City of Cherry Hills Village will be sharing a 1.25 acre area with the City of Englewood. The City of Cherry Hills Village will be utilizing the northeast corner of this site.

The site area is fenced on the north and east sides. The east fence is in acceptable condition but the north fence is in poor condition. A square space along the north fence is indented (located towards the northeast corner of the site) which is open to the road. This indented space is currently used to store mulch. A strip of gravel runs between the north fence and the road. Most of the area is paved with asphalt, but that asphalt currently shows signs of wear. The area along the inside of the east fence is unpaved. There are existing structures in the area and storm water drainage systems currently in place on the site.

The other site in this report is a small, 0.5 acre triangular property in Cherry Hills Village. This site is bounded on the northwest by East Jefferson Avenue, along the east by South Lafayette Street, and on the south by an offshoot of Jefferson Street. The roads on the east and south sides are unpaved. Jefferson Street, on the northwest side of the site, is a busy thoroughfare. The westernmost portion of the site has a large roadside sign and two power posts. Trees and bushes are located on the property, especially along the southern edge. The entire property is unpaved. It is referred to as the Hampden Pie site.

Purpose of Report

The purpose of this document is to define functional requirements and space needs, which will serve as a general basis for design of the new facility. This document is generally intended for coordination and budget development efforts, but it is also a very helpful tool that encourages the user's involvement in the review and verification of data and assumptions.

The Planning Team

The City of Cherry Hills Village Public Works Department selected and contracted with the Planning Team, consisting of Maintenance Design Group, LLC (MDG) and Otak Group, Inc. to provide preliminary design services for the new Public Works Facility.

As part of the planning process, this Programming Report was developed to document assumptions, the design planning theory, planning ratios space needs, and other technical data pertaining to the required functions and equipment at the Public Works Facility.

Methodology

The most successful facility projects begin with gaining an understanding of the functions or operations to be performed within the facility. Therefore, the Planning Team began this project with data collection, observation, and interviews with Streets Division and Parks staff.

Report Overview

This Programming Report prepared by the Planning Team consists of three sections and one appendix. The following is a brief description of the contents of each section:

Section One - Project Overview

Describes the background of the project and gives an overview of the complete report.

Section Two - Basis for Design

Provides a summary of the more qualitative design issues that were noted during interviews with Public Works (specifically Streets Division) and Parks staff.

Section Three - Space Needs Program

Presents a summary and methodology of the Space Needs Program.

Appendices

- *Appendix 1: Space Needs Program* presents a detailed listing of space requirements for the Streets Division and Parks. The intent of the program is to identify program spaces to fulfill future facility needs. Programmed spaces are further defined by their quantity, area, and any remarks significant to design.
- *Appendix 2: Exhibit Lease Area* details the boundaries of the portion of the Englewood site that is being leased to Cherry Hills Village.

Park view in Cherry Hills Village

- *Appendix 3: Utility Survey* provides a utility survey of the Hampden Pie conducted by Precision Survey and Mapping, Inc. It shows the location of utility equipment at the site.

Acknowledgements

The Planning Team would like to acknowledge the efforts and contribution of City of Cherry Hills Village and City of Englewood staff during the facility programming effort. It is this continued enthusiastic participation that will ensure the realization of the best facility design possible.

Section Two
Basis for Design

Introduction

This section presents the functional and operational characteristics of the existing City of Cherry Hills Village Public Works facilities. The information gathered and indicated in this report will provide the basis for the design and layout of the new Public Works facility to accommodate the program needs. This Basis for Design is an important element in developing the requirements and space needs for the Parks, Trails, and Recreation Department (Parks) and the Streets Division (part of the Public Works Department). The understanding gained by the Planning team greatly influences planning decisions concerning the design and layout of the new facility. A summary of operational characteristics is included for all departments and/or divisions.

The Planning Team identified the function, staffing (including hours of operation and positions), support vehicles, vehicles maintained, and key planning issues for each space projected for use by Parks and Streets. The Planning Team will use this information in future planning and design efforts.

This section will present a summary of the Space Needs Program by site, starting with the Englewood site and then the Hampden Pie site, and also by department and/or division.

The Space Needs Program does not include growth projections, since Cherry Hills Village is mostly built out for development and no expansion of services is required at this time.

Functional and Operations Design Data (Englewood Site)

Streets Division

Function

The Streets Division is part of the Public Works Department and maintains Cherry Hills Village's streets. Streets staff also perform sign repair, snow removal, street sweeping, and are responsible for Right-of-Way (ROW) drainage and storm water systems.

Staffing

The current hours of operation for Streets staff at the central facility are from 8:00 AM to 4:30 PM, Monday through Friday. Table 2.A summarizes Streets staffing.

Table 2.A - Streets Staffing

Staffing	
Position	**Program 2025**
Public Works Project and ROW Manager*	1
Streets Operations Supervisor	1
Laborer	4
Total	6

*Not located at Englewood site

Vehicle Parking

Table 2.B presents the quantities of all vehicles that are utilized by the Streets Division.

Table 2.B - Streets Parking Requirements

Parking Requirements		
Vehicle Type	**Size (Fleet)**	**Parking Requirements**
Small	1	8' x 10'
Medium	12	10' x 20'
Large	8	12' x 30'
Extra Large	1	12' x 40'
Total	22	

Key Planning Issues

The following key planning issues should be considered in planning and design efforts for the Streets Division.

Office Areas

- Provide a private office space for the Operations Supervisor, which includes space for a desk with a chair, lateral file cabinet, bookshelf, and two guest chairs.
- Provide an open office space for Laborers that includes a workstation for each Laborer. Each workstation shall include

space for computer, chair, small workspace, and lateral file storage. Locate the open office space adjacent to the Operations Supervisor's office.

Office Support Areas

- Streets staff will hold meetings in the main meeting room.
- Provide access to shared areas including Restrooms, the Break Room, Meeting Room, and the Copy Room.

Shared Specialty Bays

- Provide two large and three extra-large spaces in the heated enclosed vehicle storage.
- Provide one small, five medium, three large, and two extra-large spaces in the unenclosed covered vehicle storage.
- If possible, layout vehicle storage so Streets vehicles may park together.
- Vehicle storage shall NOT have North facing doors to minimize movement on the shady side of the building where ice can build up.

Shop Areas

- Provide a shop area with room for workbenches and space to set up the Street Division's large shop equipment. Ensure enough access to move items to be worked on in and out easily.
- Provide an enclosed but not heated tool storage room with ample shelving for tools of varying sizes. Provide electrical connections and a nearby surface where battery chargers can be placed as well.
- Provide a storage room with storage units for pesticide and herbicide. Also provide access to an area where pesticides and herbicides can be mixed safely.
- Provide an enclosed but not heated sign storage room with racking for sign storage and sign layout space.
- Space shall be capable of welding. Provide proper ventilation and power for welding equipment.
- If possible, locate storage rooms adjacent to the area where their contents are to be employed or prepared for transport.

Parks, Trails, and Recreation Department

Function

Parks maintains Cherry Hills Village's park land, trails, and Right-of-Way improvements.

Staffing

The current hours of operation for Parks staff at the central facility are from 8:00 AM to 4:30 PM, Monday through Friday. Table 2.C summarizes Parks staffing.

Table 2.C - Parks Staffing

Staffing	
Position	**Program 2025**
Parks, Trails, and Recreation Administrator	1
Parks Crew Chief	1
City Arborist	1
Maintenance Technicians	3
Seasonal Workers	6
Total	12

Vehicle Parking

Table 2.D presents the quantities of all vehicles that are utilized by Parks.

Table 2.D - Parks Parking Requirements

Parking Requirements		
Vehicle Type	**Size (Fleet)**	**Parking Requirements**
Medium	14	10' x 20'
Large	3	12' x 30'
Extra Large	0	12' x 40'
Total	17	

Key Planning Issues

The following key planning issues should be considered in planning and design efforts for Parks.

Office Areas

- Provide a private office space for the Parks, Trails, and Recreation Administrator, which includes space for a desk with a chair, lateral file cabinet, bookshelf, and two guest chairs. Between the Administrator's Office and the exterior of the building there shall be a vestibule/mud room that shall include a coat rack, a small table, and some chairs. A boot clear shall be located outside the exterior door for removing debris from shoes and boots.
- Provide a private office space for the Parks Crew Chief, which includes space for a desk with a chair, lateral file cabinet, bookshelf, and two guest chairs.
- Provide a private office space for the City Arborist, which includes space for a desk with a chair, lateral file cabinet, bookshelf, and two guest chairs.
- Provide an open office space for the Parks Maintenance Technicians that includes a workstation for each Technician. Each workstation shall include space for computer, chair, small workspace, and lateral file storage. Locate the open office space adjacent to the Parks, Trails, and Recreation Administrator's Office, the Parks Crew Chief's Office and the City Arborist's Office.

Office Support Areas

- Parks staff will hold meetings in the main meeting room.
- Provide access to shared areas including restrooms, the break room, meeting room, and the copy room.

Shared Specialty Bays

- Provide three medium spaces in the heated enclosed vehicle storage.
- Provide 12 medium and three large spaces in the unenclosed covered vehicle storage. Provide an easily accessible storage area for vehicle attachments as well.
- If possible, layout the vehicle storage so all Parks vehicles may park together.

- Vehicle storage shall not have north facing doors so as to minimize movement on the shady side of the building where ice tends to build up.

Shop Areas

- Provide a Shop Area with room for workbenches and space for Parks' large shop equipment. Ensure enough access to move items easily in and out of the area.
- Provide a Parts Storage Room with ample shelving for parts of varying sizes.
- Provide a Tool Storage Room with ample shelving for tools of varying sizes. Provide electrical connections and a nearby surface where battery chargers can be placed.
- Provide a Storage Room for special events which shall have an open space where large items can be safely stored upright and shelving for smaller items. Ensure enough access to move large items in and out of the area easily.
- Provide a Storage Room for equipment with small engines that has ample shelving and racks. Provide adequate open floor space for storing equipment that should not be kept on shelves or racks. Ensure enough access to move items in and out of the area easily.
- Provide a Storage Room with storage units for pesticide, herbicide, fertilizer, and seed. Provide access to an area where pesticides and herbicides can be mixed safely.
- Provide an irrigation room with a workstation and electrical and data connections for all equipment necessary for running the irrigation system.
- If possible, locate storage rooms adjacent to the area where their contents are to be employed or prepared for transport.

Shared Spaces

Function

The shared spaces include operational equipment and support devices that are utilized by staff within both the Streets Division and Parks.

Key Planning Issues

The following key planning issues should be considered in planning and design efforts for the shared areas.

Office Areas

- Provide a Meeting Room with seating and table space for 18 people. Provide connections for computers and a projector. Ensure that a projector screen is included at the opposite end of the room from the projector. The wall behind the screen should also be able to serve as a screen.

Office Support Areas

- Provide a space for the Janitor's Closet with includes space for a mop sink, shelving, and a mobile garbage receptacle.
- Provide a room for shared printing and copying with space for a copy machine, vertical file cabinets, a plotter, and a large countertop.
- Provide a Break Room large enough for half of the field staff. Include space for a kitchenette which includes an oven, a dishwasher, and a microwave oven.
- Provide a Restroom for men with space for toilets, urinals, sinks, and a shower.
- Provide a Restroom for women with space for two toilets, two sinks, and a shower.
- The Restrooms should open to an entry vestibule. The vestibule should include drinking fountains.
- Provide a Men's Locker Room and a Women's Locker Room with space for lockers for full-time staff who do not have private offices. Provide half sized lockers for seasonal and part-time staff. Locate the Locker Rooms so as to be accessible from the Restroom entry vestibule.

Building Systems Areas

- Provide a room for electrical controls for the building.
- Provide a room for mechanical controls to the building.
- Provide a fire riser room with a fire suppression system and alarm.
- Provide a room for the controls of the data and communication for the building.

Shared Specialty Bays

- Provide enclosed and heated vehicle storage at least large enough for the vehicles listed in the program as stored in an enclosed heated environment.

- Provide unenclosed and covered vehicle storage at least large enough for the vehicles listed in the program as stored in an unenclosed covered environment.
- Ensure there is enough room for vehicles to be easily loaded with tools, equipment, and parts, before exiting the vehicle storage areas.
- Vehicle storage shall NOT have North facing doors to minimize movement on the shady side of the building where ice can build up.

Exterior Site

Function

The exterior site includes outdoors areas and parking utilized by staff within both the Streets and Parks Divisions.

Key Planning Issues

The following key planning issues should be considered in planning and design efforts for the exterior site.

Exterior Areas

- Provide a covered storage area for 200 tons of solid de-ice material.
- Provide two small bulk material bins and two extra small bulk material bins.
- Provide a space for keeping fencing parts and another for keeping small equipment.
- Provide trash/recycle bins for holding up to 400 tons of waste. Also include a compost bin for grass waste.
- Provide a Yard Storage Area for street cones, panels, construction fencing, barricades, and any miscellaneous items that are to be kept outdoors.
- Provide an area suitable for community brush drop-off/recycling operations.
- Locate all storage and bins nearby the access point for the vehicle storage.
- Provide an outdoor patio for use by staff.
- Provide an emergency generator for the facility.

Parking

- Provide 18 staff parking spaces, two spaces for visitors, and one accessible (handicap) space.

Functional and Operations Design Data (Hampden Pie Site)

Streets Division

Vehicle Parking

Table 2.E presents the quantities of all vehicles that are utilized by the Streets Division.

Table 2.E - Streets Parking Requirements (Hampden Pie)

Parking Requirements		
Vehicle Type	**Size (Fleet)**	**Parking Requirements**
Extra Large	1	12' x 40'
Total	1	

Key Planning Issues

The following key planning issues should be considered in planning and design efforts for the Streets Division.

Shared Specialty Bays

- Provide one extra-large space in the Heated Enclosed Vehicle Storage for a front-end loader.

Shared Spaces

Function

The shared spaces include operational equipment and support devices.

Key Planning Issues

The following key planning issues should be considered in planning and design efforts for the shared space.

Building Systems Areas

- Provide a room for electrical controls for the building.

Exterior Site

Function

The exterior site includes outdoors areas and parking utilized by staff within both the Streets Division and Parks.

Key Planning Issues

The following key planning issues should be considered in planning and design efforts for the exterior site areas.

Exterior Areas

- Provide a storage area for 200 tons of solid de-ice material.
- Provide space for a storage tank with containment basin for liquid de-icer.
- Provide two small bulk material bins and two extra small bulk material bins.
- Provide trash/recycle bins for holding waste.

Parking

- Provide two parking spaces for staff.

Section Three
Space Needs Program

Introduction

This section presents the Space Needs Program for the new Public Works Facility through the projected needs of the year 2025. The program includes office and support areas, storage areas, shop areas, exterior areas, and exterior parking areas to meet the future operational needs for the City of Cherry Hills Village.

The Planning Team members held interviews with Streets Division (part of the Public Works Department) and Parks, Trails, and Recreation (Parks) staff, which were instrumental in determining space sizing and staff numbers.

Staff Summary

An understanding of facility staffing levels is crucial to the Planning Team when determining the number of parking spaces, size of support facilities, and developing occupancy levels. Table 3.A is a summary of the staffing levels that the Team determined from interview sessions with City of Cherry Hills Village Streets and Parks staff. Refer to *Section Two - Basis for Design* and *Appendix 1 - Space Needs Program* for a more detailed breakdown of the staffing positions.

Table 3.A - Staff Summary

Staffing	
Department/Division	**Program 2025**
Streets Division	6
Parks (with seasonal staff)	12
Total	18

Vehicle Summary

City of Cherry Hills Village vehicle quantities and sizes are essential data for the Planning Team when determining parking requirements on the site and the size of the support facilities. The vehicle quantities were taken directly from a Vehicle Equipment Inventory provided by the City of Cherry Hills Village. Table 3.B summarizes vehicle quantities by division or department.

Table 3.B - Vehicle Summary

Vehicles	
Department/Division	**Program 2025**
Streets Division	22
Parks	17
Total	39

Space Standards

Space standards were applied to the Space Needs Program and generally apply to the offices, support areas, shops, bays, and vehicle parking. Area requirements in shops and storage areas were derived from functional requirements and equipment space needs. The space standards listed below were utilized to develop the facility program and overall area requirements. The space standards are based on functional needs and requirements established through the design of other facilities and are also based on specific requirements of each functional group. Tables 3.C through Table 3.E display the general area for common types of spaces used throughout the facility.

Table 3.C - Office Areas

Office Areas	
Space Type	**Area/Person (Square Feet)**
Private Office	120
Work Carrel	48

Table 3.D - City Vehicle Parking

Vehicle Parking		
Space Size	**Area (Square Feet)**	**Dimensions (LxW)**
Small	80	8' x 10'
Medium	200	10' x 20'
Large	360	12' x 30'
Extra Large	480	12' x 40'

Table 3.E - Employee Visitor Vehicle Parking

Parking		
Space Type	**Area (Square Feet)**	**Dimensions (LxW)**
Employee/Visitor Parking	162	9' x 18'
Accessible Parking	234	13' x 18'

Circulation Factors

The space requirements shown for each function are designated by net usable area. By using the urban design approach to this development of the facility, the Planning Team plans to minimize the amount of circulation necessary for an efficient facility. There are three Circulation Factors utilized in the Space Needs Program. These factors account for Interior or Building Circulation, Parking Circulation, and Site Circulation.

Interior or Building Circulation

This factor is applied to the program as a percentage of the total building area. It accounts for miscellaneous building spaces such as hallways, stairwells, custodial closets, mechanical, plumbing, and electrical rooms, wall thickness, structure, and access requirements. The following is a list of the factors (in general) that have been applied to the program:

Office Areas	35%
Shops	20%

Parking Circulation

This factor is included to account for the drive aisles, walkways, islands, and other areas created by site and access inefficiencies. This factor can vary from 75 to 100 percent of the actual space occupied by a vehicle. For this project the following factor was applied:

Vehicle Parking areas	100%

Site Circulation Factor

This factor is also applied to the program as a percentage of the total program area. It accounts for areas around buildings, site drive aisles, building access, and site access. For new construction, a 100 percent factor is normally applied to account for all site inefficiencies. As such, the better the site conditions, access, easement, etc., the more efficient the site layout can become which reduce this factor and in effect reduce the necessary footprint of the area used on the site.

Space Needs Program and Summary

Summaries of the Space Needs Program for the City of Cherry Hills Village Facility site area in Englewood and the Hampden Pie

are provided in Figures 3.1 and 3.2. This summary table includes projected area needs for building areas, vehicle storage areas, exterior areas, and parking areas. These projected space needs are subtotaled into net area requirements in square feet and converted to the total site area in acres for the new facility and any potential residual land area. Site circulation, landscaping requirements, and total acres required are also shown.

The detailed Space Needs Program Summary begins with the identification of each space by name and a space standard (if applicable). The Program 2025 column represents spaces required to accommodate the vehicles and operations for Streets and Parks.

The detailed Space Needs Program can be found in *Appendix 1-Space Needs Program*.

Figure 3.1 - Space Needs Program Summary (Englewood Site)

Englewood Site Space Needs Program Summary		
Building Areas		(Square Feet)
Total Streets Operations Areas		762
Total Parks Operations Areas		1,122
Total Shared Operations Areas		2,743
Total Streets Enclosed Heated Areas		3,744
Total Parks Enclosed Heated Areas		1,248
Covered Areas		
Streets		4,048
Parks		5,497
		19,164
Total Building Areas		**19,164**
Exterior Areas		
Total Exterior Areas		10,548
Total All Exterior Areas		**10,548**
Subtotal All Areas		**29,712**
Site Circulation Factor (includes setbacks, landscaping, etc.)	75%	22,284
GRAND TOTAL FOR ALL AREAS		51,996
ACRES		1.19

Figure 3.2 - Space Needs Program Summary (Hampden Pie Site)

Hampden Pie Site Space Needs Program Summary		
Building Areas		(Square Feet)
Total Streets Enclosed Heated Areas		736
Covered Areas		
Total Streets Covered Areas		704
		1,440
Total Building Areas		**1,440**
Exterior Areas		
Shared Exterior Areas		5,674
Total All Exterior Areas		**5,674**
Subtotal All Areas		**7,114**
Site Circulation Factor (includes setbacks, landscaping, etc.)	100%	7,114
GRAND TOTAL FOR ALL AREAS		14,228
ACRES		0.33

Section Four
Project Budget

Introduction

The preliminary construction cost estimate was prepared by Maintenance Design Group (MDG) based on similar recently constructed facilities in the Colorado Front Range. There are separate cost estimates for the Englewood and Hampden Pie sites.

The preparation of these estimates is based on the following:

- Space Needs Program Document prepared by Maintenance Design Group
- The Concept Site Plans for the City of Englewood site and the Hampden Pie site
- Review meetings with the City of Cherry Hills Village Public Works Staff

The estimate includes the following scope of work:

- Shop and Heated Vehicle Storage (Englewood site)
- Covered Vehicle Storage (Englewood Site)
- Site grading and paving (Englewood Site)
- Heated Vehicle Storage (Village Center)
- Heated Vehicle Storage (Hampden Pie site)
- Covered Salt Storage (Hampden Pie Site)
- Site grading and paving (Hampden Pie Site)

Assumptions and Qualifications

Essential services such as electrical, telephone, water, natural gas, storm drainage, and sanitary sewer systems are already on or near each of the sites and can be readily tapped into with some expansion to the existing main systems.

The estimate specifically excludes the following:

- Removal of toxic hazardous materials (if any)
- Real estate/right-of-way acquisition
- Legal and finance fees
- Owner's administration costs
- Cost escalation from the date of the estimate (it is recommended to include a range of five to seven percent per year)

It is assumed that the above items, if needed, are included elsewhere in the owner's overall project budget.

The estimate is based on all work to be performed during regular working hours. No premium allowance is included for overtime, working at nights, or weekends.

Items potentially affecting the cost estimate:

- Modifications to the scope of work included in this estimate
- Unforeseen sub-surface conditions
- Special phasing requirements
- Restrictive technical specifications or excessive contract conditions
- Any specified item of equipment, material, or product that cannot be obtained from at least three different sources
- Any other non-competitive bid situations

The estimate has been prepared using accepted practices and it represents the Planning Team's opinion of probable construction costs. It is intended to be a determination of fair market value for the project construction. It is not a prediction of a low bid. Since the Planning Team has no control over market conditions (such as surges in steel and cement prices) and other factors which may affect the bid prices, the Team cannot and do not warrant nor guarantee that bids or ultimate construction costs will not vary from the cost estimate.

Please note that the estimate has been based on preliminary and limited information and it only serves as a general guideline for more specific and detailed studies in the future. An updated estimate should be prepared when more specific and detailed design information is available.

Summary

The Concept Design Cost Estimate is presented in three separate iterations to indicate how the City staff has made an attempt to reduce the project budget. The total project budget is estimated at approximately $6,412,000 for all three sites of new facility construction. As mentioned, this is for construction costs as of December 2015 and if the project is delayed for any length of time, the costs are expected to increase each year.

Table 4.1 is the project budget for the first round of programming prior to review by the City staff of new Public Works Facility at the Englewood Site.

Table 4.2 is the revised project budget after the City staff made some tough decisions to reduce some of the facility areas to make the building as operationally efficient as possible.

Table 4.3 is the reduced project budget which includes not building all of the covered storage facility requirements and relocating two heated vehicle bays to the Village Center.

Table 4.4 is the project budget for the facility requirements at the Hampden Pie site.

Table 4.1 - Preliminary Cost Estimate

Cherry Hills Village Public Works Facility Budget (Englewood)					November 17, 2015
Building Space	Area	Cost		Total	Notes
Shop/Heated Vehicle Storage	14,720 sf	$250 sf	=	$3,680,000	Steel Framed Structure
Covered Vehicle Storage	6,014 sf	$100 sf	=	$601,400	
Site Work	54,200 sf	$10 sf	=	$542,000	Grading, asphalt pavement, drainage, landscaping, fencing
		Subtotal		$4,823,400	
		Contingency		$482,340	*10% at Concept Design*
		Contractor Costs		$723,510	*15% Profit and Overhead*
		Hard Cost Total		*$6,029,250*	
Total Design Team Fees				$554,691	10% of Hardcost Subtotal plus Contingency
Design Expenses				$27,735	5% of Design Fees, Printing, Permitting, CA, etc.
FF&E	4,000	$10 sf		$40,000	Workstations, Furniture, Storage, etc.
Permitting and Fees				$48,234	1% of Construction Estimate City of Fort Collins Fees
Owner Construction Contingency				$602,925	10% for Unforeseen Conditions, Owner Changes, etc.
		Soft Costs Total		*$1,273,585*	
ls = lump sum, sf = square foot, lf = linear foot		TOTAL COSTS		$7,302,835	

Table 4.2 - Revised Cost Estimate

Cherry Hills Village Public Works Facility Budget (Englewood)					December 1, 2015
Building Space	Area	Cost		Total	Notes
Shop/Heated Vehicle Storage	9,822 sf	$250 sf	=	$2,455,500	Steel Framed Structure
Covered Vehicle Storage	9,545 sf	$100 sf	=	$954,500	
Site Work	55,400 sf	$15 sf	=	$831,000	Grading, asphalt pavement, drainage, landscaping, fencing
		Subtotal		$4,241,000	
		Contingency		$424,100	*10% at Concept Design*
		Hard Cost Total		*$4,665,100*	
Total Design Team Fees				$466,510	10% of Hardcost Subtotal plus Contingency
Design Expenses				$23,326	5% of Design Fees, Printing, Permitting, CA, etc.
FF&E	3,000	$10 sf		$30,000	Workstations, Furniture, Storage, etc.
Permitting and Fees				$42,410	1% of Construction Estimate City of Fort Collins Fees
Owner Construction Contingency				$466,510	10% for Unforeseen Conditions, Owner Changes, etc.
		Soft Costs Total		*$1,028,756*	
ls = lump sum, sf = square foot, lf = linear foot		TOTAL COSTS		$5,693,856	

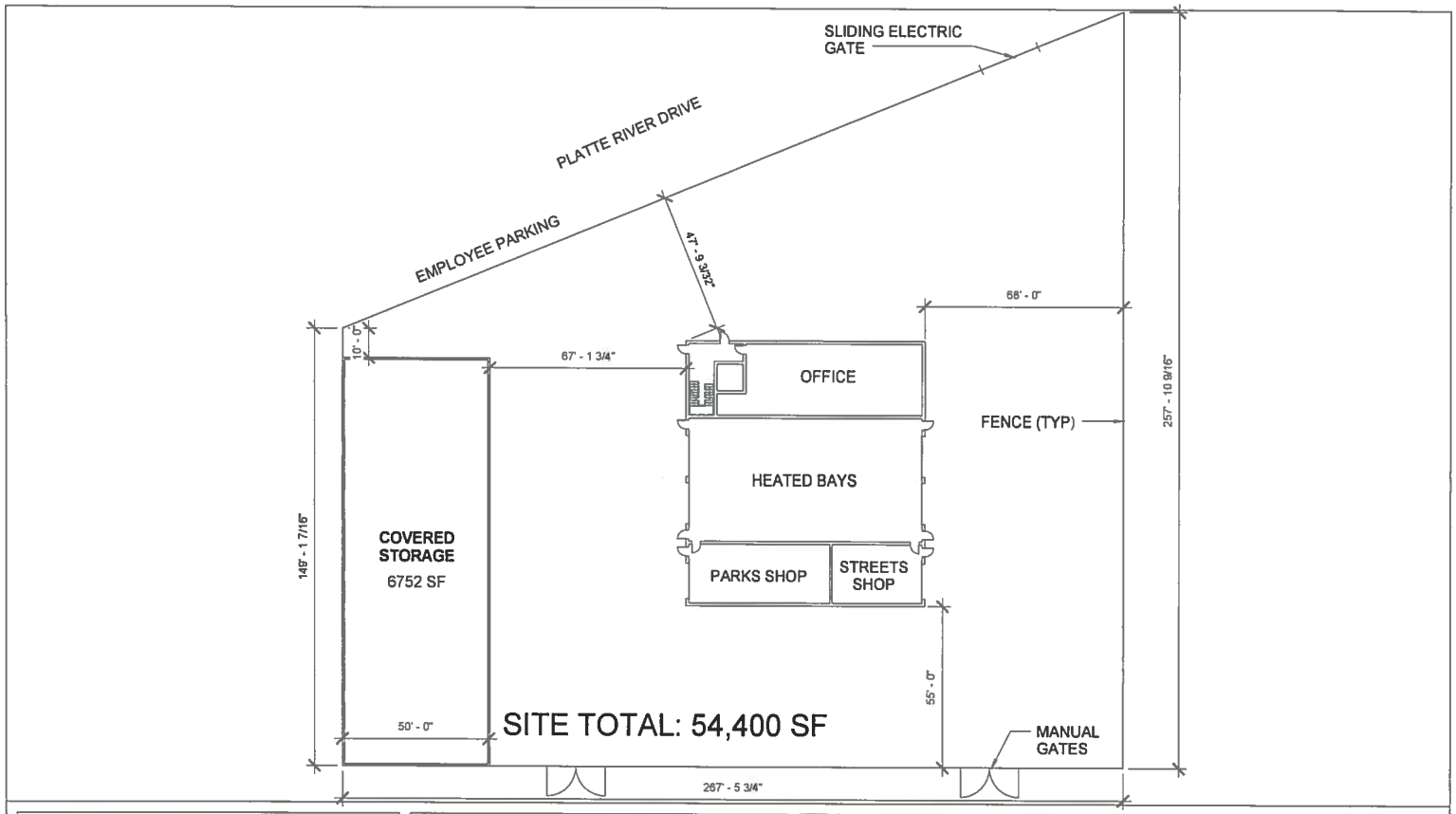
Table 4.3 - Reduced Cost Estimate

Cherry Hills Village Public Works Facility Budget (Englewood & Village Center)					December 2, 2015
Building Space	Area	Cost		Total	Notes
Shop/Heated Vehicle Storage	9,300 sf	$250 sf	=	$2,325,000	Steel Framed Structure
Covered Vehicle Storage	6,752 sf	$100 sf	=	$675,200	
Site Work	55,400 sf	$15 sf	=	$831,000	Grading, asphalt pavement, drainage, landscaping, fencing
Heated Bays (Village Center)	1,500 sf	$300 sf	=	$450,000	Integrated into Village Center Building
		Subtotal		$4,281,200	
		Contingency		$428,120	*10% at Concept Design*
		Hard Cost Total		*$4,709,320*	
Total Design Team Fees				$470,932	10% of Hardcost Subtotal plus Contingency
Design Expenses				$23,547	5% of Design Fees, Printing, Permitting, CA, etc.
FF&E	3,000	$10 sf		$30,000	Workstations, Furniture, Storage, etc.
Permitting and Fees				$42,812	1% of Construction Estimate City of Fort Collins Fees
Owner Construction Contingency				$470,932	10% for Unforeseen Conditions, Owner Changes, etc.
		Soft Costs Total		*$1,038,223*	
ls = lump sum, sf = square foot, lf = linear foot		TOTAL COSTS		$5,747,543	

Table 4.4 - Preliminary Cost Estimate

Cherry Hills Village Public Works Facility Budget (Hampden Pie)					December 2, 2015
Building Space	Amount	Cost		Total	Notes
Heated Storage Building	1,280 sf	$200 sf	=	$256,000	Salt storage and Loader
Material Storage Bins	300 sf	$275 lf	=	$82,500	8' high walls
Site Work	26,500 sf	$6 sf	=	$159,000	Grading, pavement (asphalt millings), drainage, landscaping
		Subtotal		$497,500	
		Contingency		$49,750	*10% at Concept Design*
		Hard Cost Total		*$547,250*	
Total Design Team Fees				$54,725	10% of Hardcost Subtotal plus Contingency
Design Expenses				$2,736	5% of Design Fees, Printing, Permitting, CA, etc.
Permitting and Fees				$4,975	1% of Construction Estimate City of Fort Collins Fees
Owner Construction Contingency				$54,725	10% for Unforeseen Conditions, Owner Changes, etc.
		Soft Costs Total		*$117,161*	
ls = lump sum, sf = square foot, lf = linear foot		TOTAL COSTS		$664,411	

Section Five
Concept Plans



Maintenance Design Group

CHERRY HILLS VILLAGE
PUBLIC WORKS FACILITY
ENGLEWOOD SITE

No.	Description	Date

CONCEPT SITE PLAN

Project number	Project Number	C101
Date	12/2/2015	
Drawn by	Author	
Checked by	Checker	Scale 1" = 30'-0"

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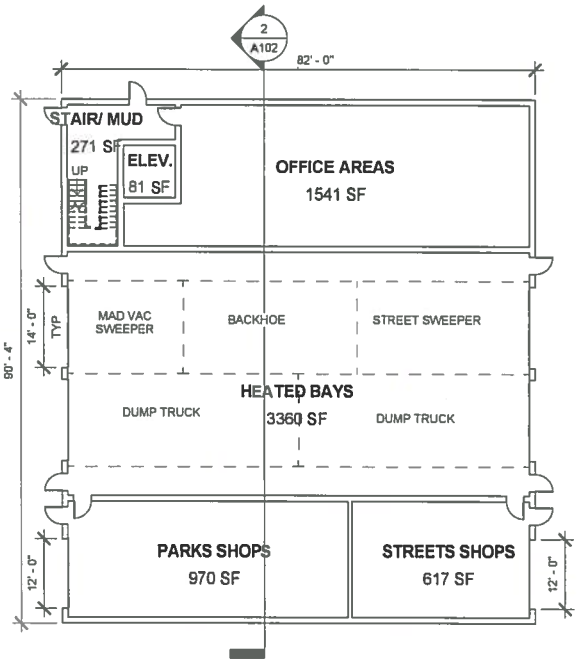

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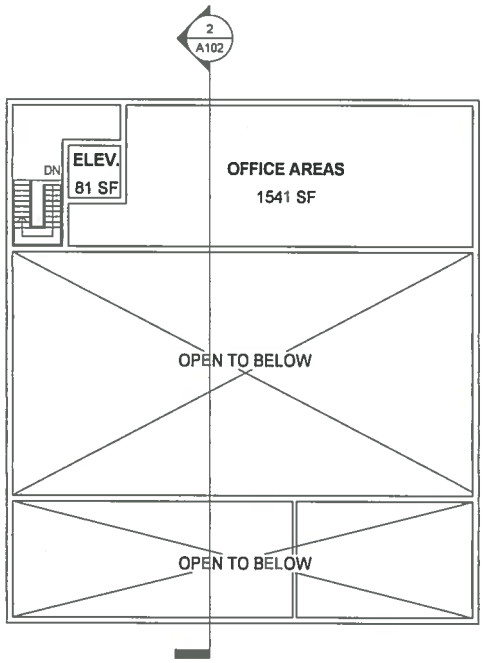

2 Level 2
1/16" = 1'-0"

Maintenance Design Group

CHERRY HILLS VILLAGE
PUBLIC WORKS FACILITY
ENGLEWOOD SITE

No.	Description	Date

CONCEPT FLOOR PLAN

Project number	Project Number	A101
Date	12/2/2015	
Drawn by	Author	
Checked by	Checker	Scale 1/16" = 1'-0"

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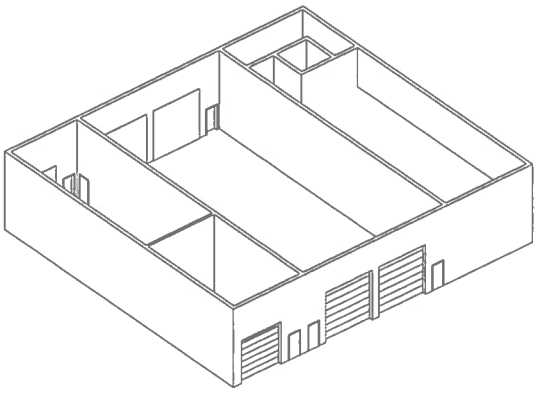
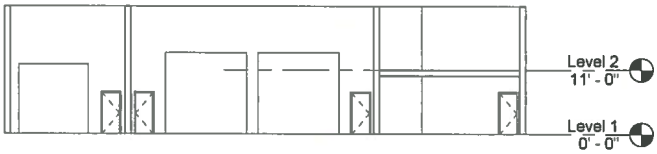


1 3D



2 Section
1/16" = 1'-0"

Maintenance Design Group

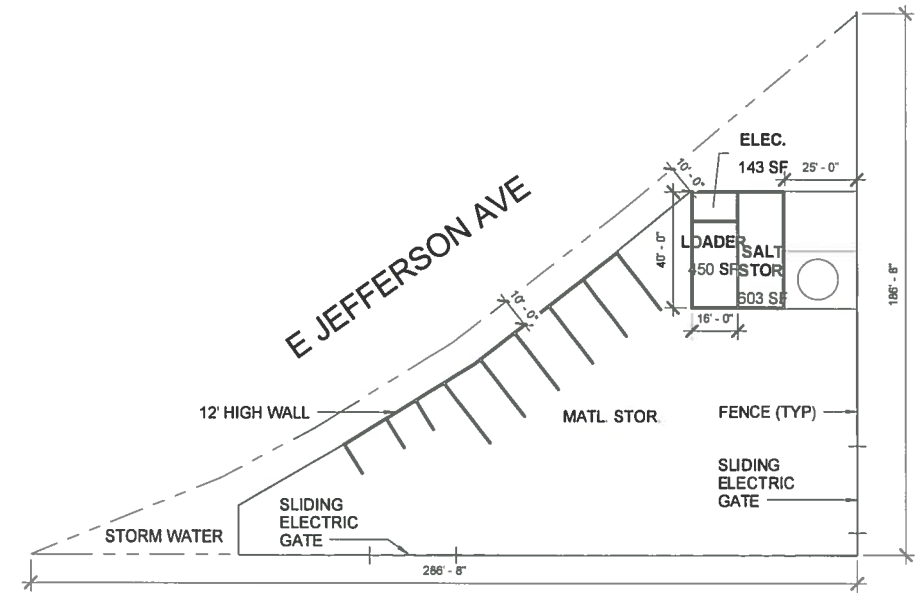
CHERRY HILLS VILLAGE
PUBLIC WORKS FACILITY
ENGLEWOOD SITE

No.	Description	Date

SECTION AND 3D VIEW

Project number	Project Number	A102
Date	12/2/2015	
Drawn by	Author	
Checked by	Checker	Scale 1/16" = 1'-0"

12/2/2015 12:45:47 PM



1 Level 1
1/32" = 1'-0"

Maintenance Design Group

CHERRY HILLS VILLAGE
PUBLIC WORKS FACILITY
HAMPDEN PIE SITE

No.	Description	Date

CONCEPT SITE PLAN

Project number	Project Number	C102
Date	12/2/2015	
Drawn by	Author	
Checked by	Checker	Scale 1/32" = 1'-0"

12/2/2015 11:37:47 AM

Appendix 1
Space Needs Program

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Offices/Administration - Streets (Englewood)					
Office Areas					
Operations Supervisor	120	1	1	120	Private office
Open Office Space for Laborers	48	5	0	0	Meet in Meeting Room
Subtotal: Offices/Administration - Streets		6	1	120	
Net Gross Factor (Circ/Mech/Elec/Struct)	35%			42	
Total: Offices/Administration - Streets (Englewood)		6	1	162	
Shops - Streets (Englewood)					
Shop Areas					
Streets Shop			1	250	
Pesticide/Herbicide Storage				100	
Tool Storage			1	150	
Subtotal: Shops -Streets		0	2	500	
Circulation	20%			100	
Total: Shops - Streets (Englewood)		0	2	600	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Enclosed Vehicle Storage (Heated) - Streets (Englewood)					
Heated Parking					
Vehicle Make and Model					
Large	16 x 30		2	960	
2002 Street Sweeper.					
2007 John Deere 310 Backhoe					
Extra Large	16 x 40		3	1920	2 trucks located at Village
2006 International dump truck					
2012 Kenworth dump truck					
2013 Kenworth dump truck					
Subtotal: Enclosed Vehicle Storage (Heated) - Streets		0	5	2,880	
Net Gross Factor (Circ/Mech/Elec/Struct)	30%			864	
Total: Enclosed Vehicle Storage (Heated) - Streets (Englewood)		0	5	3,744	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Covered Vehicle Storage (Unenclosed) - Streets (Englewood)					
Covered Parking					
Vehicle Make and Model					
Small	8 x 10		1	80	
2001 Wacker Double Drum roller					
Medium	10 x 20		5	1000	
1998 Chevrolet K20					
2000 Hypac Wheel roller					
2002 Chevrolet Silverado					
2006 Lee Boy Paver					
2006 Tack Wagon					
Large	12 x 30		3	1080	
2005 Ford F-350					
2006 trailer 18 feet					
2008 Ford F-250					
Extra Large	12 x 40		2	960	
2000 International dump truck					
2009 Volvo Grader					
Sign Storage			1	400	
Subtotal: Covered Vehicle Storage (Unenclosed) - Streets		0	12	3,520	
Net Gross Factor (Circ/Mech/Elec/Struct)	15%			528	
Total: Covered Vehicle Storage (Unenclosed) - Streets (Englewood)		0	12	4,048	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Offices/Administration - Parks (Englewood)					
Office Areas					
Administrator	120	0	0	0	At Village Center
Shared Office					
Town Arborist and Parks Crew Chief	120	2	1	120	Shared Offic; GIS on one computer
Open Office Space for Parks Maintenance Technicians		3	0	0	In shared Meeting Room
Subtotal: Offices/Administration - Parks & Open Space		5	1	120	
Net Gross Factor (Circ/Mech/Elec/Struct)	35%			42	
Total: Offices/Administration - Parks (Englewood)		5	1	162	
Shops - Parks (Englewood)					
Shop Areas					
Parks & Forestry Shop			1	250	
Parts Storage			1	250	
Seed, Fertilizer, Pesticide, and Herbicide Storage			1	150	
Tool Storage			1	150	
Subtotal: Shops - Parks		0	4	800	
Circulation	20%			160	
Total: Shops - Parks (Englewood)		0	4	960	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025				
	Space Standard	Quantity		Area (sf)	Remarks
		Staff	Space		
Enclosed Vehicle Storage (Heated) - Parks (Englewood)					
Heated Parking					
Vehicle Make and Model					
Medium	16 x 20		3	960	
Mad Vac - Sweeper					
2005 Bobcat Toolcat					
2008 Bobcat Skidsteer					
Subtotal: Enclosed Vehicle Storage (Heated) - Parks		0	3	960	
Net Gross Factor (Circ/Mech/Elec/Struct)	30%			288	
Total: Enclosed Vehicle Storage (Heated) - Parks (Englewood)		0	3	1,248	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Covered Vehicle Storage (Unenclosed) - Parks (Englewood)					
Covered Parking					
Medium	10 x 20		12	2400	
Wood chipper					
1990 trailer 12 feet					
1999 John Deere 4300 tractor					
1998 Sullivan compressor					
2006 John Deere 1445 mower					
2007 John Deere 1445 mower					
2007 John Deere 997 mower					
2008 John Deere 997 mower					
2008 Ford Ranger					
2009 trailer 14 feet					
2009 John Deere 1600 mower					
2015 Toyota					
Large	12 x 30		3	1080	
2006 Ford F-350					
2013 Ford F-550					
2015 Ford					
Attachments Storage			1	200	Storage for 12 attachments
Covered Storage					
Irrigation Room			1	150	
Special Event Storage			1	150	
Equipment with Small Engines Storage			1	800	
Subtotal: Covered Vehicle Storage (Unenclosed) - Parks		0	19	4,780	
Net Gross Factor (Circ/Mech/Elec/Struct)	15%			717	
Total: Covered Vehicle Storage (Unenclosed) -Parks (Englewood)		0	19	5,497	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Offices/Administration - Shared (Englewood)					
Office Support Areas					
Vestibule/Mud Room			1	100	Boot wash area, coat rack
Meeting Room/ Break Room			1	360	Room for 18 people
Kitchenette			1	100	
Shared Printer/Copy Room			1	100	
Restrooms					
Men			1	300	2 toilets, 2 sinks, 2 urinals, 1 shower
Women			1	150	1 toilet, 1 sink, 1 shower
Locker Rooms					
Men	10		1	102	15 in. x 12 in. x 60 in.
Women	10		1	30	15 in. x 12 in. x 60 in.
Seasonal staff	5		1	30	Half-sized lockers
Janitor's Closet			1	50	
Building Systems Areas					
Electrical Room			1	120	
Mechanical Room			1	300	
Data/Communication Room			0	120	
Fire Riser			1	50	
Compressor Room			1	120	
Subtotal: Office and Administration (Englewood)		0	14	2,032	
Net Gross Factor (Circ/Mech/Elec/Struct)	35%			711	
Total: Offices/Administration - Shared (Englewood)		0	14	2,743	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Exterior Site Areas (Englewood)					
Solid De-ice Material			0	0	Hampden Pie Site
Bulk Material Bins - Small			0	0	Hampden Pie Site
Extra Small Material Bins			0	0	Hampden Pie Site
Fence Storage			1	600	
Emergency Generator			1	200	
Trash/Recycle/Compost Bins			1	0	Shared with Englewood
Small Equipment Storage					
Yard Storage			1	1000	
Community Brush Drop-off/Recycling Operation					
Subtotal: Exterior Site Areas - Shared		0	4	1,800	
Circulation	100%			1,800	
Total: Exterior Site Areas (Englewood)		0	4	3,600	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Exterior Site Requirements (Englewood)					
Employee/Visitor Parking					
Staff Parking	9 x 18		18	2916	
Visitor/Public Parking	9 x 18		2	324	
Handicapped Parking	13 x 18		1	234	
Subtotal: Exterior Site Requirements		0	21	3,474	
Circulation	100%			3,474	
Total: Exterior Site Requirements (Englewood)		0	21	6,948	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Enclosed Vehicle Storage (Heated) - Streets (Hampden Pie)					
Heated Parking					
Vehicle Make and Model					
Extra Large	16 x 40		1	640	
2003 Caterpillar Front End Loader					
Electrical Room			1	100	
Subtotal: Enclosed Vehicle Storage (Heated) - Shared		0	1	640	
Net Gross Factor (Circ/Mech/Elec/Struct)	15%			96	
Total: Enclosed Vehicle Storage (Heated) - Streets (Hampden Pie)		0	1	736	
Covered Areas (Hampden Pie)					
Solid Deicer	16 x 40		1	640	
Subtotal: Covered Areas		0	1	640	
Circulation	10%			64	
Total: Exterior Site Areas (Hampden Pie)		0	1	704	

Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Space Standard	Program 2025 Quantity Staff	Program 2025 Quantity Space	Program 2025 Area (sf)	Remarks
Exterior Site Areas (Hampden Pie)					
Liquid Deicer			1	150	
Bulk Material Bins - Small	15 x 25		5	1875	Road Base, Mulch, Trash, Asphalt Millings, Dirt
Extra Small Material Bins	12 x 12		2	288	Top Soil, Crusher Fines
Trash/Recycle Bins			1	200	
Subtotal: Exterior Site Areas		0	9	2,513	
Circulation	100%			2,513	
Total: Exterior Site Areas (Hampden Pie)		0	9	5,026	

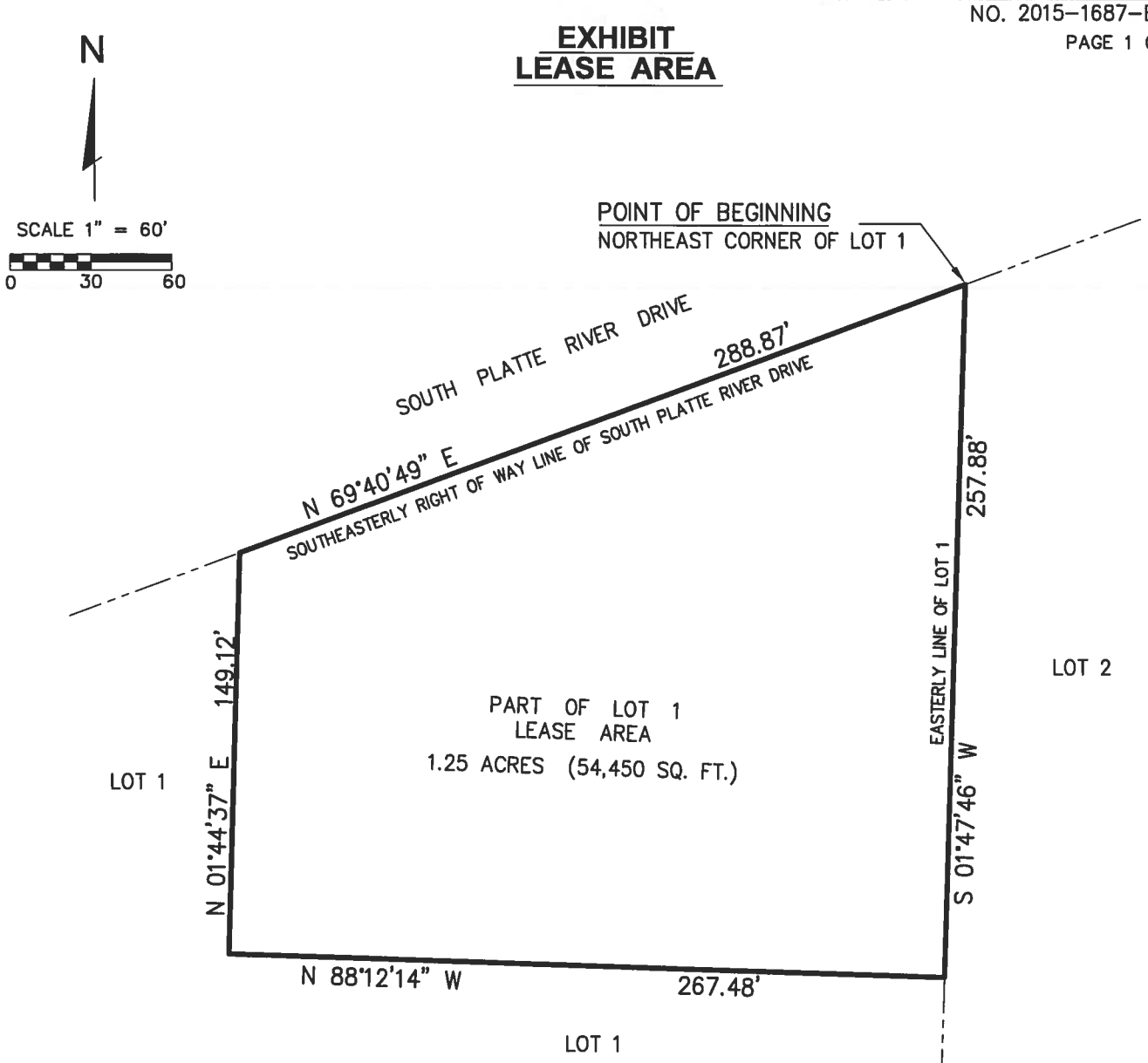
Streets and Parks Facilities (Englewood and Hampden Pie)

December 2, 2015

Area Description	Program 2025 Space Standard	Quantity Staff	Quantity Space	Area (sf)	Remarks
Exterior Site Requirements (Hampden Pie)					
Employee/Visitor Parking					
Staff Parking	9 x 18		2	324	
Subtotal: Exterior Site Requirements		0	2	324	
Circulation	100%			324	
Total: Exterior Site Requirements (Hampden Pie)		0	2	648	

Appendix 2
Exhibit Lease Program

EXHIBIT
LEASE AREA



DESCRIPTION

A PORTION OF LOT 1, PLATTE RIVER SUBDIVISION,
CITY OF ENGLEWOOD, COUNTY OF ARAPAHOE, STATE OF COLORADO,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1,
SAID POINT BEING ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF
SOUTH PLATTE RIVER DRIVE,
THENCE S 01°47'46" W ALONG THE EASTERLY LINE OF SAID LOT 1,
A DISTANCE OF 257.88 FEET;
THENCE N 88°12'14" W, A DISTANCE OF 267.48 FEET;
THENCE N 01°44'37" E, A DISTANCE OF 149.12 FEET TO A POINT
ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SOUTH PLATTE
RIVER DRIVE, SAID POINT BEING 288.87 FEET FROM THE NORTHEAST
CORNER OF SAID LOT 1;
THENCE N 69°40'49" E ALONG THE SOUTHEASTERLY RIGHT OF WAY
LINE OF SOUTH PLATTED RIVER DRIVE, A DISTANCE OF 288.87 FEET
TO THE NORTHEAST CORNER OF SAID LOT 1, THE POINT OF BEGINNING.

CONTAINING 54,450 SQUARE FEET OR 1.25 ACRES.

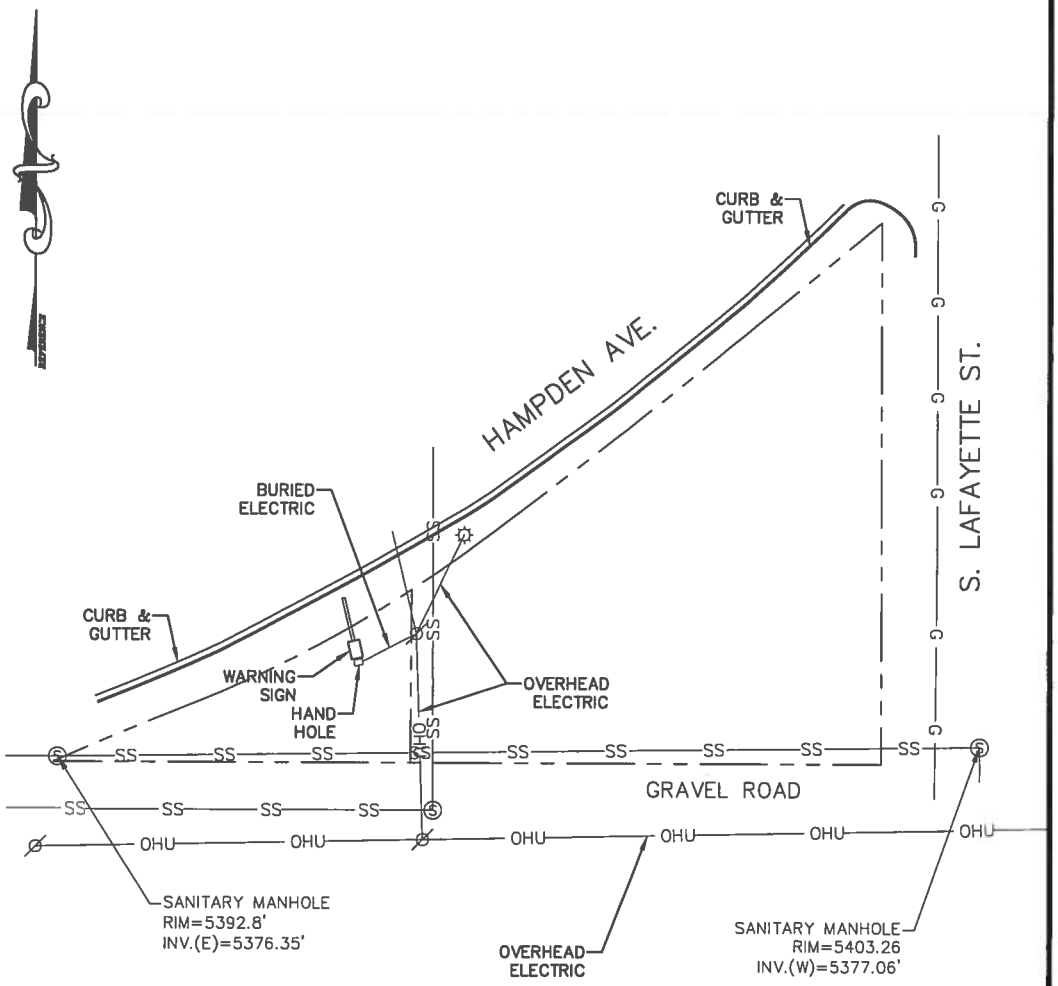
COLORADO ENGINEERING & SURVEYING, INC.

By_____

Date OCTOBER 26, 2015

Appendix 3
Utility Survey

UTILITY SURVEY
CHERRY HILLS VILLAGE PROPERTY



LEGEND

EXISTING OVERHEAD UTILS	————
EXISTING GAS LINE	——G——
EXISTING ELECTRIC LINE	——E——E——
EXISTING UTILITY POLE	Ø
EXISTING STREET LIGHTPOLE	☼

50' 25' 0' 50' 100'

GRAPHIC SCALE: 1" = 50'

NOTE:

1.)THERE APPEARS TO BE FIBER/COMMUNICATIONS AS THERE IS A QWEST FACITLITY BOX MOUNTED ON THE WARNING SIGN. WE WERE UNABLE TO OBTAIN A CONDUCTIVE SIGNAL TO TRACE THE CABLE.

2.) PROPERTY LINES SHOWN HEREON ON FOR REPRESENTATIVE PURPOSES ONLY. NO FILED WORK WAS CONDUCTED TO ACERTAIN LOCATIONS OF PROPERTY LINES.

Precision Survey & Mapping, Inc.
9145 E. Kenyon Ave., Suite 101, Denver, CO 80237
Tel:(303) 753-9799 Fax:(303) 753-4044

DRN. BY: C.P.J.
CHKD. BY:
DATE: 9/22/15
SCALE: 1" = 30'

FILE: R11574-CHV
SHEET: 1 OF 1
JOB #: R11574

UTILITY SURVEY
CHERRY HILLS VILLAGE

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

Item: 8b

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

THROUGH: ROBERT A. ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: COUNCIL BILL 10, SERIES 2015; REPEALING AND REENACTING MUNICIPAL CODE SECTION 16-16-40 CONCERNING FENCES (FIRST READING)

DATE: DECEMBER 9, 2015

ISSUE:

Should the City Council approve Council Bill 10, Series 2015 on first reading, updating the Village's fencing regulations under Municipal Code Section 16-16-40? The proposal includes new regulations for fences adjacent to public trails, parks and open spaces; front-yard fences; fences adjacent to public roads; fences adjacent to select arterial roads; and provisions for when a repair of a non-conforming fence triggers full conformance with current regulations.

Council asked that the Planning and Zoning Commission (P&Z) and Parks, Trails and Recreation Commission (PTRC) make recommendations on the proposal. While both Commissions agreed on some of the proposed regulations, there are also differences between the recommendations from each group. For this reason, two versions of the Council Bill 10, Series 2015 are being recommended for consideration:

- Version 1 (Exhibit A) – P&Z Recommended Regulations
- Version 2 (Exhibit B) – PTRC Recommended Regulations

BACKGROUND:

Purpose and Intent

The proposal is intended to update the fencing code to be consistent with the Village Master Plan, including the promotion and preservation of the semi-rural character of the Village, open space and view corridors. The proposed amendments are also in response to concerns expressed by residents over the types of fences that could be constructed adjacent to trails,

parks and open spaces, adjacent to public roads, and within front yards that may compromise the semi-rural, pastoral, and open character of the Village, disrupt view corridors, create tunnel like effects along trail systems, create potential safety hazards, and lead to the loss of a community atmosphere. (See Exhibit C for current fence regulations under Section 16-16-40.)

P&Z and PTRC Review Summary

Following direction from the City Council to begin working with the P&Z and PTRC on development of a revised fence code, staff began by holding a joint study session with both groups followed by several follow-up study sessions and review sessions of different draft ordinances. The following is a summary of each review session:

- June 9, 2015: P&Z and PTRC held a joint study session to review fence ordinances from other jurisdictions and provide staff direction on drafting an ordinance amendment. Direction was provided to address fencing along trails, parks and open spaces and fences within front yard areas of residential lots.
- August 25, 2015: P&Z reviewed a draft fence code amendment that that provided regulations for fencing along trails, parks and open spaces and fences within front yard areas of residential lots (see Exhibit D for minutes).
- September 10, 2015: PTRC reviewed the draft fence code as amended by the P&Z at their August 25, 20125 meeting. The PTRC recommended additional restrictions for the R-1 Zone District and for fencing along shared front yard and rear or side yard lot boundaries (see Exhibit E for minutes).
- October 8, 2015: P&Z and PTRC held a joint study session to discuss the proposed fence code for the R-1 Zone District and fencing for shared front yard and rear or side yard lot boundaries. The commissioner's present provided general staff direction on revisions to the draft ordinance.
- November 10, 2015: The P&Z reviewed the updated draft fence ordinance resulting from the October 8, 2015 joint study session. The P&Z voted to recommend to the City Council approval of the draft with amendments (see Exhibit F for draft minutes).
- November 12, 2015: The PTRC reviewed the updated draft fence ordinance as recommended by the P&Z at their November 10, 2015 meeting. The PTRC voted to recommend to the City Council approval of an alternate draft (see Exhibit G for draft minutes).

Both Commissions were also asked if issues such as allowed and prohibited materials or design elements of a fence should be addressed in the code. The recommendation from both was that materials and design should not be regulated.

History of Current Code

Prior to 1989, it appears that the code allowed 6-foot tall fences of any design anywhere on a legally established residential lot without restriction on the location or design of the fence. In

1989, Council adopted Ordinance 8, Series 1989 and Ordinance 15, Series 1989. These ordinances were intended to address residents' concerns for safety and aesthetics over the placement of six foot tall solid fencing along street rights of way. The ordinances established that fences parallel and adjacent to public roadways that are greater than 48" in height and less that 50% open must comply specific setback and landscape buffering options (see Exhibit H and I).

In 2007, Council adopted Ordinance 1, Series 2007, which is the most recent fence code revision, addressing the construction of gates. It allows gates to be constructed to a height of no more than ten feet provided that each gate is not more than 25% solid when viewed perpendicular. Gates six feet in height or less may be solid (see Exhibit J).

Review of Codes from Other Jurisdictions

For further background and reference, staff has provided fence codes from other local jurisdictions in Colorado (see Table 1 below) and from other local jurisdictions across the country that specifically address fences located along trails, parks, and open spaces, as we were not able to identify any Colorado jurisdictions with similar codes (see Table 2 below).

Table 1: Local Communities: General Fencing Codes

Community	Height, Openness, and Locational Standards	Material/Design	Other Comments
Greenwood Village (Exhibit K)	6' Fences prohibited from midpoint of principal structure to front property line with some exceptions: In 0.1 and .25 acre districts, fence allowed 5 feet back from the front of the principal structure. In 2.5 Acre District fences up to 4 feet and gates up to 6 feet in height, up to 25% opacity allowed in front yard. In 2.5 Acre District if front yard is used as a horse pasture then a fence up to 6 feet in height with 25% opacity allowed in front. No set openness requirements	High quality, approved materials (as set forth in Sec. 16-21-340.)	Discourages the use of fencing and encourages use of berms, shrubbery, and/or trees
Vail (Exhibit L)	3' front 6' all other areas No set openness requirements	Compatible with the site and existing structures on the site	Fence shall respect existing landforms and not arbitrarily follow site boundary lines
Aspen (Exhibit M)	4' front 6' all other areas No set openness requirements	Fences visible from a public right of way must be constructed out of a list of acceptable materials (Sec. 26.575.050).	Within public space areas, fencing must permit views from the street into and throughout the public space
Bow Mar (Exhibit N)	5' Must be Open Face Fencing (unless located along major street thoroughfares) Front yard fencing is prohibited	Harmonious with the style and color of the house	Discourages the use of fences to preserve the feeling of open space and sharing of views
Columbine Valley (Exhibit O)	3' or less, or 6' with a max of 50 linear feet at this height Front yard fencing is prohibited	Fences must be constructed out of wood	

Table 2: Example Communities: Fencing Codes along Trails, Parks, and Open Space

Community	Height	Openness	Material/Design	Other comments
Portola Valley, CA (Exhibit P)	4'	At least 50% open	Blend with the natural environment; fence colors may not exceed 40% reflectivity	
Keller, TX (Exhibit Q)	6'	Open Face Fencing	Masonry, Ornamental Metal, Tubular steel or similar open face material	
Flower Mount, TX (Exhibit R)	Minimum 4'	Open Face Fencing	Wrought iron or Tubular steel, Consistent color throughout a development	Has an allowance for approved masonry screening not to exceed 50% of the lot width or screening plants. Masonry screening must be set back 10 feet from the open face fencing.
Queen Creek, AZ (Exhibit S)	6'	4' solid, 2' open view at top	6" interlocking blocks, with open view fencing at top	

DISCUSSION:

Table 3 below summarizes the current fencing code in relation to the main amendments recommended by the P&Z and PTRC.

Table 3: Summary of Current Fence Code and Proposed Fence Codes

Fence Location	Current Code (Exhibit C)	Proposal - Version 1 (Exhibit A)	Proposal - Version 2 (Exhibit B)
Parallel to public trails, parks, or open space • All Residential Zone Districts	6 ft. max. height and up to 100% solid	6 ft. max. height and less than 25% solid	6 ft. max. height and less than 25% solid
Front yards • R-1, R-2, R-3, and R-3A districts	6 ft. max. height if less than 50% solid; or 4 ft. max. height if more than 50% solid; or 6 ft. max. height and more than 50% solid subject to setback/landscape standards*	4 ft. max. height and less than 50% solid (between front property line and front façade line)	4 ft. max. height and less than 50% solid (between front property line and front façade line)
• R-4 and R-5 districts	6 ft. max. height if less than 50% solid; or 4 ft. max. height if more than 50% solid; or 6 ft. max. height and more than 50% solid subject to setback/landscape standards*	No fence allowed (between front property line and front façade line)	No fence allowed (between front property line and front façade line)
Rear or side yards • All Residential Zone Districts	6 ft. max. height and up to 100% solid	6 ft. max. height and up to 100% solid	6 ft. max. height and up to 100% solid
Rear and side yards adjacent to public road • All Residential Zone Districts	6 ft. max. height if less than 50% solid; or 4 ft. max. height if more than 50% solid; or 6 ft. max. height and more than 50% solid subject to setback/landscape standards*	6 ft. max. height if less than 50% solid; or 4 ft. max. height if more than 50% solid; or 6 ft. max. height and more than 50% solid subject to setback/landscape standards*	6 ft. max. height and less than 25% solid or Up to 4 ft. maximum height and more than 25% solid subject to setback/landscape standards*
Any fence adjacent to State Highway	8 ft. max. height and up to 100% solid subject to setback/landscape standards*	8 ft. max. height and up to 100% solid subject to setback/landscape standards*	8 ft. max. height and up to 100% solid subject to setback/landscape standards*
Any fence adjacent to other select arterial roads	N/A	Adjacent to S. Clarkson St., E. Happy Canyon Rd., S. Colorado Boulevard, & E. Quincy Avenue: • 6 ft. max. height and up to 100% solid subject to setback/landscape standards*	Adjacent to S. Clarkson St., E. Happy Canyon Rd: • 6 ft. max. height and up to 100% solid subject to setback/landscape standards*

*Setback and Landscape Buffer Requirements (choice of A or B):

A. Pick any two of the following three:
   1. Setback 25 ft. from edge of paved road or 40 ft. from centerline of unpaved road.
   2. Landscape with minimum of 1 tree every 20-30 ft.
   3. Landscape with planting to cover 25% of fence surface

B. Indent every 15-25 ft. and plant indents with 2 trees or evergreen shrubs

In addition to the items addressed in Table 3, the proposed codes include the following provisions and clarifications:

- Any fence that that is replaced be brought into compliance with the new code, and any repair that exceeds 25% of the fence area within a 24-month period would constitute a replacement and need to be brought into full compliance. This provision is intended to bring non-conforming fences into compliance.
- Clarification that sport court fences could be up to 10 feet in height. The current code does not have a maximum height and only states "except where reasonably required for tennis courts or other uses reasonably requiring higher fences." The Village has historically allowed 10-foot tall fences under this code provision.
- Fencing in the C-2, commercial zone district would require approval under a Conditional Use Permit.
- Fencing for a nonprofit institution, private club or private recreation facility would require approval under an Expanded Use Permit.
- The proposed definition of Public Trail references on-street trails designated by the Cherry Hills Village Parks and Trails Map. This map will need to be adopted by resolution of the City Council concurrent with second reading of the proposed ordinance.

RECOMMENDED MOTION:

"I move to approve Council Bill 10, Series 2015 repealing and replacing Section 16-16-40 of the Cherry Hills Village Municipal Code concerning fences, as proposed in (Exhibit A or Exhibit B) of the December 9, 2015 staff memorandum (with the following amendments…)."

ATTACHMENTS:

Exhibit A: Council Bill 10, Series 2010 – Version 1
Exhibit B: Council Bill 10, Series 2010 – Version 2
Exhibit C: Municipal Code Section 16-16-40, Fences
Exhibit D: August 25, 2015 Planning and Zoning Commission Minutes
Exhibit E: September 10, 2015 Parks, Trails and Recreation Commission Minutes
Exhibit F: November 10, 2015 Draft Planning and Zoning Commission Minutes
Exhibit G: November 12 2015 Draft Parks, Trails and Recreation Commission Minutes
Exhibit H: Ordinance 8, Series 1989
Exhibit I: Ordinance 15, Series 1989
Exhibit J: Ordinance 1, Series 2007
Exhibit K: Greenwood Village Fence Code (Article 21, Division 3)
Exhibit L: Vail Fence Code (sec. 14-10-9)
Exhibit M: Aspen Fencing Standards (Sec. 26.575.020 E-5-p; Sec. 26.575.030 F-3; Sec. 26.575.050)

Exhibit N: Bow Mar Fence Standards (Design Guidelines Ch. X)

Exhibit O: Columbine Valley Fence Code

Exhibit P: Portola Valley Ordinance No. 2005-360

Exhibit Q: City of Keller Fencing Requirements (Sec. 9.06)

Exhibit R: Flower Mound Walls and Fences (Sec. 98-1143)

Exhibit S: Queen Creek Zoning Ordinance (Sec. 5.2)

EXHIBIT A

(Version 1)

COUNCIL BILL NO. 10
SERIES OF 2015

INTRODUCED BY:_____
SECONDED BY:_____

**A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE
REPEALING AND REENACTING SECTION 16-16-40 OF THE
CHERRY HILLS VILLAGE CONCERNING FENCES**

WHEREAS, the City of Cherry Hills Village ("City") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and Article 23, Title 31 of the Colorado Revised Statutes, the City has broad authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City has adopted zoning regulations codified in Chapter 16 of the Municipal Code that, in relevant part, establish requirements for fences; and

WHEREAS, the City Council has determined that in order to be consistent with the Master Plan, fencing regulations need to be established that preserve the semi-rural character of the Village, including the preservation of open space and view corridors.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Section 16-16-40 of the Cherry Hills Village Municipal Code, entitled "Fences," is hereby repealed and replaced as follows:

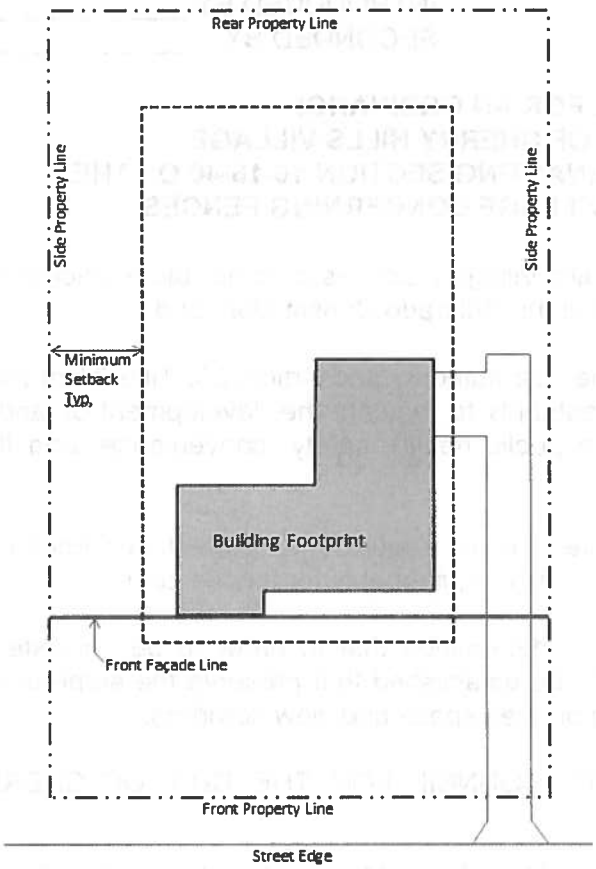
Sec. 16-16-40. - Fences.

Fences are permitted on legally established lots as defined in Section 16-1-10 of this Chapter, and are permitted on legally established nonconforming lots as defined in Section 16-1-10 and in Article XIV of this Chapter subject to compliance with the following regulations:

(a) Purpose. The purpose and intent of this section is to accommodate the reasonable fencing needs of residents in a manner that preserves the semi-rural character of the Village, including the preservation of open space and view corridors.

(b) Definitions. For the purpose of this Section, the following definitions shall be applicable:

Front façade line means a line generally perpendicular to the side property lines emanating from the outer wall of the façade of the house at the point closest to the front property line.



Public Trail means any area included in a publicly dedicated bridle path, trail or similar easement or right of way, any developed trail or path located within a road right of way, and any on-street trails as shown on the Cherry Hills Village Parks and Trails Map adopted by resolution of the City Council.

(c) Height and Opacity. Fences in residential zone districts shall be subject to the following height and opacity standards. Standards that apply are indicated by an "X".

Fence Location/Height and Opacity Standard	*R-1*	*R-2*	*R-3*	*R-3a*	*R-4*	*R-5*
In Building Envelope: Fences located outside of the minimum yard areas except for fences located between the front property line and front façade line.						
• 6 ft. maximum height and up to one-hundred percent (100%) solid.	X	X	X	X	X	X
Between Front Façade Line and Front Property Line[1]: Fences located between the front property line and the front façade line.						
• 4 ft. maximum height and no more than fifty percent (50%) solid when viewed at an angle perpendicular to the fence.	X	X	X	X		
• No fence allowed.					X	X
Minimum Rear or Side Yards Not Adjacent to Public Roads: Fences located between a rear or side property line and the minimum rear or side yard setback line and not adjacent to a public trail, public park, or public						

open space.						
• 6 ft. maximum height and up to one-hundred percent (100%) solid.	X	X	X	X	X	X
Minimum Rear or Side Yards Adjacent to Public Roads: Fences located between a rear or side property line and the minimum rear or side yard setback line except fences located adjacent and generally parallel to 1) highways owned by the state, 2) select arterial roads, or 3) a public trail, public park, or public open space.						
• *Generally parallel to a public road:* 1) 6 ft. maximum height and no more fifty percent (50%) solid when viewed at an angle perpendicular to the fence, or 2) 6 ft. maximum height and up to 100% solid subject to the setback and landscaping requirements of Subsection (d) below.	X	X	X	X	X	X
• *Generally perpendicular to public road:* 6 ft. maximum height and up to one-hundred percent (100%) solid.	X	X	X	X	X	X
Fences Adjacent to State Highways: Fences located in the minimum yard areas that are generally parallel to highways owned by the State.						
• 8 ft. maximum height and up to one-hundred percent (100%) solid subject to setback and landscaping requirements of Subsection (d) below.	X	X	X	X	X	X
Fences Adjacent to Designated Arterial Roads: Fences located in the minimum yard areas that are generally parallel to South Clarkson Street, East Quincy Avenue, South Colorado Boulevard or East Happy Canyon Road.						
• 6 ft. maximum height and up to 100% solid subject to the setback and landscaping requirements of Subsection (d) below.	X	X	X	X	X	X
Parallel to Public Trails, Parks, or Open Space: Fences located within the minimum yard area generally parallel and adjacent to a public trail, public park, or public open space.						
• 6 ft. maximum height and no more than twenty five percent (25%) solid when viewed at an angle perpendicular to the fence.	X	X	X	X	X	X
Surrounding Sports Courts, Tennis Courts, and Other Outdoor Recreational Uses: Fences associated with a legally established sport court, tennis court or other outdoor recreational use.						
• 10 ft. maximum height and no more than twenty five percent (25%) solid when solid when viewed at an angle perpendicular to the fence, except that a wind screen and other similar barriers may be applied to the fence.	X	X	X	X	X	X

[1]*On lots bordering two or more streets the front property line shall be determined pursuant to Paragraph 16-5-30 (h) or on lots with based on the orientation of the front of the house as determined by the Community Development Director.*

(d) Fence setback and landscape requirements. Fencing subject to minimum setback and landscaping requirements in Subsection C above must comply with either Subsection a. or b. below:

a. Select any two (2) of the following:

i. Set back at least twenty-five (25) feet from the edge of pavement of an adjacent paved roadway or forty (40) feet from the center line of any adjacent unpaved roadway.

ii. Landscape the area between the roadway and the fence with trees of a size set forth in Paragraph 16-16-10(d)(6) above and at a density of one (1) tree for every twenty

(20) feet to thirty (30) feet of fence as determined by the City Manager given the type and planting size proposed. Any area of City right-of-way proposed to be utilized for tree planting must be approved by the City Manager.

iii. Cover at least twenty-five percent (25%) of the fence roadside surface area with vegetation immediately adjacent to the fence surface. A planting plan submitted to the City Manager showing how the twenty-five-percent requirement will be met after three (3) growing seasons will be required.

b. Indent areas of the fence and plant at least two (2) trees or evergreen shrubs of a size set forth in Paragraph 16-16-10(d)(6) above in each such areas. These indentations shall be fifteen (15) feet to twenty-five (25) feet in width and at least four (4) feet in depth, and must comprise at least twenty-five percent (25%) of the total fence length.

(e) Gates. Not more than two (2) gates that provide for ingress and egress from a vehicular right-of-way to a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of each gate does not exceed ten (10) feet, each gate is not more than eighteen (18) feet in width, and each gate is not more than twenty-five percent (25%) solid when viewed from an angle that is perpendicular to the gate. A gate that provides for ingress and egress to a yard other than a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of the gate is not more than two (2) feet greater than the otherwise applicable height limitations for the fence and the gate is not more than four (4) feet in width and not more than one (1) such gate exists on or along any single property line.

(f) Utility Stations. Fences may be constructed for utility stations as permitted in this Chapter, provided that such fences do not exceed eight (8) feet in height and are not more than fifty percent (50%) solid.

(g) Measurement of height. When measuring the height of a fence, it shall be the vertical distance between the natural grade, or from the grade of an approved overlot grading plan, to the height of the fence. Neither a column nor a light fixture attached to a column shall be included within the calculation of the height of a fence so long as the height of the column, or combination of the height of the column and the light fixture, is not more than two (2) feet greater than the otherwise applicable height limitations for the fence. Where fences and berms are constructed one (1) upon the other, the height of such fences or berms shall be measured as the sum of the individual units.

(h) Visibility at intersections. Fencing and associated landscaping must conform with Section 16-16-30 above concerning visibility at intersections. Landscaping must be maintained in a neat, clean and healthy condition by the owner of the property as provided in Paragraph 16-16-10(d)(7) above.

(i) Replacement of nonconforming fences. Any existing fence that is replaced shall comply with the regulations as set forth in this section. Any repair of more than twenty-five percent (25%) of a fence within a twenty-four-month period shall constitute a replacement.

(j) Fencing for retail, office or medical or dental clinics in the C-2 zone district shall be subject to the Conditional Use review and approval procedures in Article XVIII of this Chapter.

(k) Fencing for nonprofit institutions, private clubs or private recreational facilities shall be subject to the review and approval procedures in Article XX of this Chapter.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. ___, Series 2016, by the City Council of the City of Cherry Hills Village, Colorado this _____ day of _____, 2016.

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

APPROVED AS TO FORM:

_____
Linda C. Michow, City Attorney

EXHIBIT B

(Version 2)

COUNCIL BILL NO. 10
SERIES OF 2015

INTRODUCED BY:_____
SECONDED BY:_____

**A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE
REPEALING AND REENACTING SECTION 16-16-40 OF THE
CHERRY HILLS VILLAGE CONCERNING FENCES**

WHEREAS, the City of Cherry Hills Village ("City") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and Article 23, Title 31 of the Colorado Revised Statutes, the City has broad authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City has adopted zoning regulations codified in Chapter 16 of the Municipal Code that, in relevant part, establish requirements for fences; and

WHEREAS, the City Council has determined that in order to be consistent with the Master Plan, fencing regulations need to be established that preserve the semi-rural character of the Village, including the preservation of open space and view corridors.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Section 16-16-40 of the Cherry Hills Village Municipal Code, entitled "Fences," is hereby repealed and replaced as follows:

Sec. 16-16-40. - Fences.

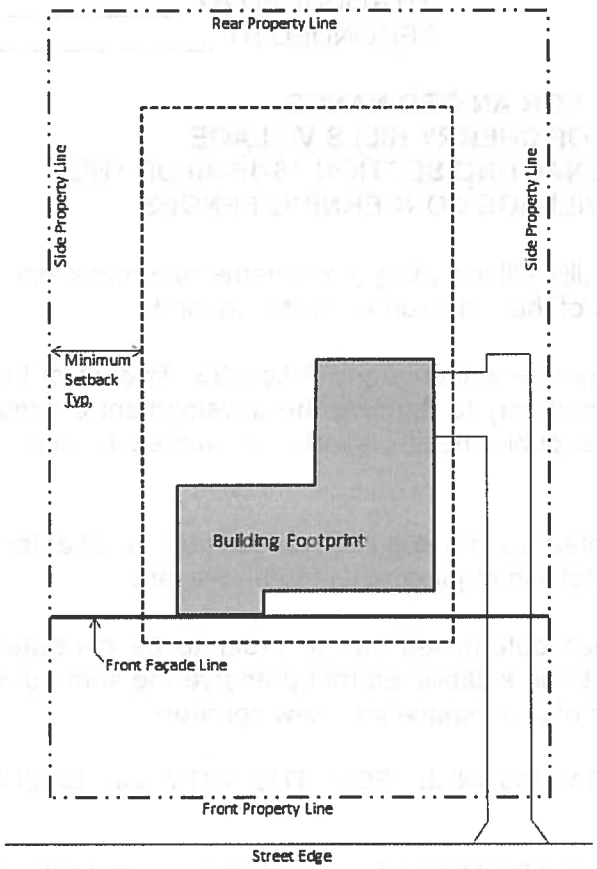
Fences are permitted on legally established lots as defined in Section 16-1-10 of this Chapter, and are permitted on legally established nonconforming lots as defined in Section 16-1-10 and in Article XIV of this Chapter subject to compliance with the following regulations:

(a) Purpose. The purpose and intent of this section is to accommodate the reasonable fencing needs of residents in a manner that preserves the semi-rural character of the Village, including the preservation of open space and view corridors.

(b) Definitions. For the purpose of this Section, the following definitions shall be applicable:

Front façade line means a line generally perpendicular to the side property lines emanating from the outer wall of the façade of the house at the point closest to the front property line.

(Version 2)



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Fence Location/Height and Opacity Standard	*R-1*	*R-2*	*R-3*	*R-3a*	*R-4*	*R-5*
In Building Envelope: Fences located outside of the minimum yard areas except for fences located between the front property line and front façade line.						
• 6 ft. maximum height and up to one-hundred percent (100%) solid.	X	X	X	X	X	X
Between Front Façade Line and Front Property Line[1]: Fences located between the front property line and the front façade line.						
• 4 ft. maximum height and no more than fifty percent (50%) solid when viewed at an angle perpendicular to the fence.	X	X	X	X		
• No fence allowed.					X	X
Minimum Rear or Side Yards Not Adjacent to Public Roads: Fences located between a rear or side property line and the minimum rear or side yard setback line and not adjacent to a public trail, public park, or public						

open space.						
• 6 ft. maximum height and up to one-hundred percent (100%) solid.	X	X	X	X	X	X
Minimum Rear or Side Yards Adjacent to Public Roads: Fences located between a rear or side property line and the minimum rear or side yard setback line except fences located adjacent and generally parallel to 1) highways owned by the state, 2) select arterial roads, or 3) a public trail, public park, or public open space.						
• *Generally parallel to a public road:* 1) Fences exceeding 4 ft. in height shall be no more than twenty five percent (25%) solid when viewed at an angle perpendicular to the fence, or 2) Fences up to 4 ft. in height shall be no more than 25% solid when viewed at an angle perpendicular to the fence or if greater than 25% solid when viewed at an angle perpendicular to the fence shall be subject to the setback and landscaping requirements of Subsection (d) below.	X	X	X	X	X	X
• *Generally perpendicular to public road:* 6 ft. maximum height and up to one-hundred percent (100%) solid.	X	X	X	X	X	X
Fences Adjacent to State Highways: Fences located in the minimum yard areas that are generally parallel to highways owned by the State.						
• 8 ft. maximum height and up to one-hundred percent (100%) solid subject to setback and landscaping requirements of Subsection (d) below.	X	X	X	X	X	X
Fences Adjacent to Designated Arterial Roads: Fences located in the minimum yard areas that are generally parallel to South Clarkson Street, East Quincy Avenue, South Colorado Boulevard or East Happy Canyon Road.						
• 6 ft. maximum height and up to 100% solid subject to the setback and landscaping requirements of Subsection (d) below.	X	X	X	X	X	X
Parallel to Public Trails, Parks, or Open Space: Fences located within the minimum yard area generally parallel and adjacent to a public trail, public park, or public open space.						
• 6 ft. maximum height and no more than twenty five percent (25%) solid when viewed at an angle perpendicular to the fence.	X	X	X	X	X	X
Surrounding Sports Courts, Tennis Courts, and Other Outdoor Recreational Uses: Fences associated with a legally established sport court, tennis court or other outdoor recreational use.						
• 10 ft. maximum height and no more than twenty five percent (25%) solid when solid when viewed at an angle perpendicular to the fence, except that a wind screen and other similar barriers may be applied to the fence.	X	X	X	X	X	X

[1]*On lots bordering two or more streets the front property line shall be determined pursuant to Paragraph 16-5-30 (h) or on lots with based on the orientation of the front of the house as determined by the Community Development Director.*

(d) Fence setback and landscape requirements. Fencing subject to minimum setback and landscaping requirements in Subsection C above must comply with either Subsection a. or b. below:

a. Select any two (2) of the following:

i. Set back at least twenty-five (25) feet from the edge of pavement of an adjacent paved roadway or forty (40) feet from the center line of any adjacent unpaved roadway.

ii. Landscape the area between the roadway and the fence with trees of a size set forth in Paragraph 16-16-10(d)(6) above and at a density of one (1) tree for every twenty (20) feet to thirty (30) feet of fence as determined by the City Manager given the type and planting size proposed. Any area of City right-of-way proposed to be utilized for tree planting must be approved by the City Manager.

iii. Cover at least twenty-five percent (25%) of the fence roadside surface area with vegetation immediately adjacent to the fence surface. A planting plan submitted to the City Manager showing how the twenty-five-percent requirement will be met after three (3) growing seasons will be required.

b. Indent areas of the fence and plant at least two (2) trees or evergreen shrubs of a size set forth in Paragraph 16-16-10(d)(6) above in each such areas. These indentations shall be fifteen (15) feet to twenty-five (25) feet in width and at least four (4) feet in depth, and must comprise at least twenty-five percent (25%) of the total fence length.

(e) Gates. Not more than two (2) gates that provide for ingress and egress from a vehicular right-of-way to a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of each gate does not exceed ten (10) feet, each gate is not more than eighteen (18) feet in width, and each gate is not more than twenty-five percent (25%) solid when viewed from an angle that is perpendicular to the gate. A gate that provides for ingress and egress to a yard other than a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of the gate is not more than two (2) feet greater than the otherwise applicable height limitations for the fence and the gate is not more than four (4) feet in width and not more than one (1) such gate exists on or along any single property line.

(f) Utility Stations. Fences may be constructed for utility stations as permitted in this Chapter, provided that such fences do not exceed eight (8) feet in height and are not more than fifty percent (50%) solid.

(g) Measurement of height. When measuring the height of a fence, it shall be the vertical distance between the natural grade, or from the grade of an approved overlot grading plan, to the height of the fence. Neither a column nor a light fixture attached to a column shall be included within the calculation of the height of a fence so long as the height of the column, or combination of the height of the column and the light fixture, is not more than two (2) feet greater than the otherwise applicable height limitations for the fence. Where fences and berms are constructed one (1) upon the other, the height of such fences or berms shall be measured as the sum of the individual units.

(h) Visibility at intersections. Fencing and associated landscaping must conform with Section 16-16-30 above concerning visibility at intersections. Landscaping must be maintained in a neat, clean and healthy condition by the owner of the property as provided in Paragraph 16-16-10(d)(7) above.

(i) Replacement of nonconforming fences. Any existing fence that is replaced shall comply with the regulations as set forth in this section. Any repair of more than twenty-five percent (25%) of a fence within a twenty-four-month period shall constitute a replacement.

(j) Fencing for retail, office or medical or dental clinics in the C-2 zone district shall be subject to the Conditional Use review and approval procedures in Article XVIII of this Chapter.

(k) Fencing for nonprofit institutions, private clubs or private recreational facilities shall be subject to the review and approval procedures in Article XX of this Chapter.

Section 2. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 3. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. ___, Series 2016, by the City Council of the City of Cherry Hills Village, Colorado this _____ day of _____, 2016.

_____
Laura Christman, Mayor

ATTEST:

_____
Laura Smith, City Clerk

APPROVED AS TO FORM:

_____
Linda C. Michow, City Attorney

EXHIBIT C

Sec. 16-16-40. - Fences.

Fences are permitted on legally established lots as defined in Section 16-1-10 of this Chapter, and are permitted on legally established nonconforming lots as defined in Section 16-1-10 and in Article XIV of this Chapter, subject to compliance with the following regulations:

(1) No fence, except where reasonably required for tennis courts or other uses reasonably requiring higher fences, may exceed six (6) feet in height; provided however, that fences that are parallel and adjacent to highways owned by the State may not exceed eight (8) feet in height. The foregoing limitations notwithstanding: (i) not more than two (2) gates that provide for ingress and egress from a vehicular right-of-way to a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of each gate does not exceed ten (10) feet and each gate is not more than twenty-five percent (25%) solid when viewed from an angle that is perpendicular to the gate and not more than eighteen (18) feet in width; and (ii) a gate that provides for ingress and egress to a yard other than a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of the gate is not more than two (2) feet greater than the otherwise applicable height limitations for the fence and the gate is not more than four (4) feet in width and not more than one (1) such gate exists on or along any single property line.

(2) Where fences generally parallel an adjacent public roadway within the minimum yard area and are greater than forty-eight (48) inches in height and less than fifty percent (50%) open in their vertical surface as viewed perpendicular to the fence, such fences constructed after the effective date of the initial ordinance codified herein shall comply with either of the following design criteria options in Subparagraph a or b below:

a. Select any two (2) of the following:

1. Set back at least twenty-five (25) feet from the edge of an adjacent paved roadway or forty (40) feet from the center line of any unpaved right-of-way.
2. Landscape the area between the roadway and the fence with trees of a size set forth in Paragraph 16-16-10(d)(6) above and at a density of one (1) tree for every twenty (20) feet to thirty (30) feet of fence as determined by the City Manager given the type and planting size proposed. Any area of City right-of-way proposed to be utilized for tree planting must be approved by the City Manager.
3. Cover at least twenty-five percent (25%) of the fence roadside surface area with vegetation immediately adjacent to the fence surface. A planting plan submitted to the City Manager showing how the twenty-five-percent requirement will be met after three (3) growing seasons will be required.

b. Indent areas of the fence and plant at least two (2) trees or evergreen shrubs of a size set forth in Paragraph 16-16-10(d)(6) above in each such areas. These indentations shall be fifteen (15) feet to twenty-five (25) feet in width and at least four (4) feet in depth, and must comprise at least twenty-five percent (25%) of the total fence length.

(3) Fencing and associated landscaping must conform with Section 16-16-30 above concerning visibility at intersections and must be maintained in a neat, clean and healthy condition by the owner of the property as provided in Paragraph 16-16-10(d)(7) above.

(4) When measuring the height of a fence, it shall be the vertical distance between the natural grade, or from the grade of an approved overlot grading plan, to the height of the fence. Neither a column nor a light fixture attached to a column shall be included within the calculation of the height of a fence so long as the height of the column, or combination of the height of the column and the light fixture, is not more than two (2) feet greater than the otherwise applicable height limitations for the fence. Where fences and berms are constructed one (1) upon the other, the height of such fences or berms shall be measured as the sum of the individual units.

(5) Any existing fence that is replaced shall comply with this regulation. Any repair of more than twenty-five percent (25%) of the fence along a public right-of-way within a twenty-four-month period shall constitute a replacement.

(6) Paragraph (2) above shall be inapplicable to fences existing on the effective date of the ordinance codified herein except as specified in Paragraph (5) above.

(7) Fences may be constructed for utility stations as permitted in this Chapter, provided that such fences do not exceed eight (8) feet in height and are not more than fifty percent (50%) solid.

(Prior code 6-15-4; Ord. 8, 1989; Ord. 15, 1989; Ord. 12, 2000; Ord. 6 §1, 2003; Ord. 9 §1, 2003; Ord. 03 §1, 2006; Ord. 01 §2, 2007)

Minutes of the
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado
Held on Tuesday, August 25, 2015 at 6:30 p.m.
At the Village Center

CALL TO ORDER

Chair Savoie called the meeting to order at 6:30 p.m.

ROLL CALL

Present at the meeting were the following Planning and Zoning Commissioners: Chair Peter Savoie, Vice Chair Jim Rubin, Commissioner Al Blum, Commissioner Peter Niederman and Commissioner Mike LaMair.

Present at the meeting were the following staff members: Rob Zuccaro, Community Development Director and Cesarina Dancy, Community Development Clerk.

Absent from the meeting were Commissioner David Wyman and Commissioner Doris Kaplan.

APPROVAL OF MINUTES

Vice Chair Rubin made a motion, which was seconded by Commissioner Blum, to accept the June 9, 2015 and July 14, 2015 minutes as written.

The motion passed unanimously.

AGENDA ITEMS

a. *Proposal for Amendments to Municipal Code Section 16-16-40 Concerning Fences.*

Mr. Zuccaro stated that in July, the Planning and Zoning Commission had a joint study session with the PTRC to discuss the issue of solid fencing along trails. He continued to say as a result of this study session, staff was given direction for draft amendments to the current fencing code.

Mr. Zuccaro displayed photos of several types of fences which are currently located along city trails. He stated that the concern over solid fencing along trails stems from concerns over safety, protection of views, protection of rural character, and a tunneling effect that solid fencing on both sides of a trail can create.

Mr. Zuccaro displayed a table showing the current fence code. He stated that properties along state highways are allowed to increase their fence height to 8 feet, and that any legally nonconforming fence can be repaired at a rate of 25% repairs every two years without having to bring the entire fence into conformance.

Mr. Zuccaro stated that currently there are very few front yard fences in the City, and that the majority of those are located in the R-1 Zone District.

Mr. Zuccaro displayed a table of the proposed fence code amendments. He stated that the proposal for fences adjacent to trails is to allow a maximum height of 4 feet with a 50% openness requirement.

Commissioner Blum asked about the fence that is on the property adjacent to Kent Denver.

Mr. Zuccaro replied that if the amendments were adopted, it would be considered legally nonconforming.

Vice Chair Rubin asked if a fence 4 feet in height would keep coyotes out.

Mr. Zuccaro replied that a coyote could jump over a fence higher than 4 feet. He stated that some owners have put coyote rollers on the tops of their fences.

Chair Savoie asked what the requirement would be for a front yard along a trail.

Mr. Zuccaro replied that there are some on-street trails, and that depending on zone district, fences could be 4 or 6 feet in height as well as 50% open.

Vice Chair Rubin stated that 4 feet seems low, and that if a fence is 50% open, 6 feet would not make that much of a difference.

Chair Savoie asked what the recommendation of the PTRC was.

Mr. Zuccaro stated that he would be presenting this at a later date to the PTRC. He continued to say that open rail fences are often 4 feet in height.

Commissioner Niederman stated that fences 6 feet in height would provide more security and privacy along the trails.

Mr. Zuccaro stated that landscaping can also be planted for more security and privacy.

Commissioner LaMair asked what the front yard setbacks are.

Mr. Zuccaro replied that in the R-1 and R-2 Zone Districts there is a 75 foot front setback, and in the R-3 and R-4 Zone Districts there is a 50 foot front setback. He continued to say that fences do not have setback requirements; fences can be located on the property lines.

Vice Chair Rubin asked what would the fence requirements be on a corner lot.
Mr. Zuccaro replied that currently a 6 foot solid fence is allowed all around the property. He continued to say that under this new amendment, an exception could be made for a rear yard that is adjacent to a side yard in the front setback area to allow for a 6 foot fence.

Mr. Zuccaro stated that in addition to the amendments, the only design requirement would be to no longer allow chain link fence.

Commissioner LaMair stated that he was concerned about security and the ability of a 4 foot fence to keep dogs and horses on their respective sides.

Mr. Zuccaro stated that the PTRC has found that fences 4 feet in height are adequate for the equestrian community.

Commissioner LaMair asked what the next steps in the process are.

Mr. Zuccaro replied that the PTRC would have a chance to review the amendments, and then it may possibly come back before the Planning and Zoning Commission. He stated that City Council would have two readings of the amendments, with one being a public hearing.

Commissioner LaMair stated that a 6 foot fence that is 75% open would still provide security.

Commissioner Blum stated that with a backyard facing a side yard the backyard would need privacy and this could be clarified in the ordinance.

Chair Savoie stated that a fence that is 6 feet in height that is 75% open with a maximum height of 4 feet in front yards would be suitable.

Vice Chair Rubin asked if HOA covenants would allow these changes.

Mr. Zuccaro replied that homeowners are obligated to follow whichever is more restrictive of the HOA covenants and City codes.

Lucinda Greene, resident, stated that the equestrian community feels that 4 feet is an acceptable height to provide safety to both horses and dogs. She continued to say that an area of concern to the equestrian community is areas that freeze on the trails due to shade from fencing and vegetation.

Chair Savoie stated that the privacy of residents overrides freezing areas on the trails.

Mr. Zuccaro stated that if the PTRC has differing recommendations from the Commission, the proposal could come back before the Commission in the future.

b. Draft Master Plan Implementation Plan

Mr. Zuccaro stated that at the joint study session of the PTRC and the Planning and Zoning Commission, both commissions, as well as City Council, stated that no major changes were needed to the Master Plan. He continued to say that all the parties involved agreed that what was needed was a formal implementation plan for the Master Plan.

Mr. Zuccaro stated that many of the items in the draft implementation plan are administrative. He stated that each item was given a priority, status, and action items where applicable. He continued to say that all of the goals and strategies are identical to the Master Plan; the only new item in this document is the implementation.

Commissioner LaMair stated that a table of contents would be useful.

The Commission discussed the following items:

1. Page 3, item 1a. Mr. Zuccaro stated that many questions come up regarding higher density residential facilities, such as a senior living facility. He stated that staff strongly discourages these types of applications.

   Commissioner Niederman stated that many in the Denver Metro area are aware of the strict zoning requirements and allowances in the City. He continued to ask if there was any City recreational use for the property located at the intersection of University and Quincy.

   Mr. Zuccaro replied that the property is divided into 4 one acre parcels with a private access road. He continued to say that the City currently does not have any active recreational areas.

   Chair Savoie stated that traffic at the intersection would make it difficult to have any kind of recreation facility in this location.

EXHIBIT E

Minutes of the Parks, Trails & Recreation Commission
City of Cherry Hills Village, Colorado
Thursday, September 10, 2015
at the Village Center

Commission members in attendance: Bill Lucas, Robert Eber, John Kokish, Rob Ganger, Joshua DiCarlo and Councilor Mike Gallagher. Employees present: Ryan Berninzoni, Parks, Trails and Recreation Administrator, Matt Krebsbach, Parks Crew Chief, Pamela Broyles, Administrative Assistant.

Absent: Colleen Dougherty, Nina Itin

CALL TO ORDER
Chair Bill Lucas called the PTRC meeting to order at 6:30 p.m.

APPROVAL OF THE JULY 9, 2015 MINUTES
Mr. Robert Eber moved to approve the July 9, 2015 minutes as presented. Mr. John Kokish seconded the motion. Motion passed unanimously.

AUDIENCE PARTICIPATION
There was no audience participation.

FENCE CODE PRESENTATION – ROB ZUCCARO (Intern Nate Silverstein)
Mr. Silverstein presented the proposed amendments to the City's fencing code to the Parks, Trails and Recreation Commission (PTRC) for review and recommendation to City Council. Amendments are being pursued to address concerns due to construction of a new six foot tall fence along the City's trail system. The proposed amendments are based on feedback from the joint study session on July 9, 2015 between the Planning and Zoning Commission (P&Z) and PTRC. The amended fencing code was presented to the P&Z Commission on August 25, 1015. P&Z's recommended changes have been incorporated into the new proposed fencing code. Amendments include increasing the allowed height of fencing along trails, parks and open spaces and further restricting fencing along the front yard area when constructed along the side property line. The current code does not address these issues.

Mr. Silverstein reviewed the proposed amendments from the August 25th study session and compared them to the proposed changes from the P&Z Commission. Changes include increasing the minimum height along public trails, parks or open spaces to 6 feet and 75% open versus 4 feet and 50% open. Language was also included to preclude chain link fencing around the perimeter. New language for front yard fencing was introduced after P&Z's recommendation that side yard fences in the general area of the front yard should also be restricted in height. Staff established a front façade line as a line perpendicular to the side property lines. Any fence within the front façade line would be designated as a front yard fence and would have to comply with the openness and height restrictions. The newest fencing code proposed by P&Z is as follows:

1. Parallel to public trails, parks, or open spaces:
   6 ft. and minimum 75% open.
2. Front yard for the R-1 District:
   4 ft. if less than 50% open or
   6 ft. if more than 50% open.
3. Front yards for R-2, R-3, R-3A, C-1 and C-2 Districts
   4 ft. and minimum 50% open.
4. Front yards for the R-4 and R-5 Districts
   No fence allowed in front yard.

The PTRC discussed whether there is a need for front yard fencing with the exception of horse properties and properties along main streets. The concern is that fences are detrimental to the character of the Village and the rural feel of the Community. The current code calls for 6 foot solid fences.

The Commission discussed limiting front yard fences along public trails and specifying the type of fencing that can be installed when it affects the view corridor. An example was wrought iron fences that give an open feel and still provide security to the homeowner.

Mr. Zuccaro presented two scenarios for the PTRC. First, the PTRC could agree with P&Z's proposal with minor adjustments and go before City Council. Second, if PTRC is recommending significant changes then a joint study session between the two commissions could be scheduled to establish a consensus.

The PTRC agreed to move forward with P&Z's recommendation that fences parallel to public trails, parks or open spaces will be a maximum of 6 feet with a minimum 75% open and to further study the front yard fencing recommendations.

Mr. Eber moved, seconded by Mr. Ganger to move forward with Planning and Zoning's recommendation that fences parallel to public trails, parks or open spaces will be a maximum of six feet with a minimum of 75% openness to be presented to City Council and to schedule an additional study session with the Planning and Zoning Commission to study front yard fencing.

The motion carried unanimously.

MASTER PLAN IMPLEMENTATION – ROB ZUCCARO

Mr. Zuccaro presented a draft Implementation Plan for the Cherry Hills Village Master Plan for review and recommendation to the City Council. The Commission reviewed each section of the Master Plan and recommended minor changes that Mr. Zuccaro will incorporate before presenting to City Council.

SUBCOMMITTEE DISCUSSIONS

a. Summary Sheet

Trail Enhancement Update

1. Signs for Highline Canal

Mr. Lucas proposed adding minimal signage on the City's section of the Highline Canal similar to Greenwood Village to establish a hierarchy for horses, pedestrians and bicyclists. The purpose is for the City to be proactive and establish expectations, rules and guidelines as traffic increases along the Highline Canal.

Mr. Ganger recommended that signage be placed at the beginning and end of the trail as opposed to adding signage along the City's section of the Highline Canal.

2. Trail Connection – 4501 South Monroe

A parcel of land recently purchased at 4501 South Monroe could provide a trail connection if the property owner is open to an easement along the west side of their property. The Commission will continue to pursue a contact to discuss an easement.

Mr. Kokish suggested the Commission could pursue permissive use for an extended period of time if the family is opposed to a permanent easement.

Special Events Update

Mr. Berninzoni reported that movie night was a great success. The Cherry Hills Village car show is scheduled for Sunday, September 27th and the Holiday Tree Lighting is scheduled for Friday, December 11th.

Open Space Update

There was nothing to report on this subject.

Communications/Crier Article

Mr. Eber reported that the Village Crier will now be printed monthly. He questioned whether the PTRC would like a presence in the Village Crier every month. The Commission agreed that it is important to have a presence in each issue even if it is a minor article.

b. Parks, Trails and Recreation Enhancement

John Meade Park and Alan Hutto Memorial Commons

Mr. Lucas reported that the John Meade Park Master Plan was approved by City Council. The next step is to solicit funds and discuss uses for John Meade Park. The floodplain development study can go simultaneously in preparation for the next step.

Mr. Zuccaro reported that the first phase will include an expanded use permit and development plan documents such as, final grading, layout of the park, restroom facility, users of the park and final amphitheater design. The next step would include the FEMA approval process, construction level design documents and work on permits that will be needed. This process is expected to take a full year to accomplish before any construction can start.

Mr. Berninzoni reported that the City will also be pursuing grant opportunities to assist with these projects.

PTRC CHAIR REPORT

The City received a trail inventory grant and a consultant has been hired. The Commission will be updated and involved throughout the process. The study is expected to be complete in March 2016.

The temporary pad and walkway for the Alan Hutto Memorial amphitheater is complete.

REPORTS

a. Parks Division Maintenance Log

There was nothing to report on this subject.

b. PTRC Parks Fund Budget and Priority list update: October Presentation

Mr. Berninzoni reported that the October 2015 PTRC meeting is an important meeting for the Commission. Mr. Berninzoni will present a draft of the 2016 budget. The Commission will also be asked to work on a priority list for 2016. The City Engineer is preparing a cost estimate for the completion of John Meade Park and the Alan Hutto Amphitheater for the 2016 budget.

b. City Council Report

Councilor Gallagher thanked the Commission for their work on the fence issue. He encouraged the Commission to continue their efforts as this is an important part of the aesthetics of the City.

Councilor Gallagher also reported that City Council is not pursuing the Construction Use Tax at this time due to short notice. City Council continues to work on an Agreement with the City of Englewood to move the Public Works facility.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

The next scheduled PTRC meeting is October 8, 2015.

_____

Bill Lucas
Chairman

_____

Ryan Berninzoni
Parks, Trails and Recreation Administrator

_____

Pamela Broyles

Administrative Clerk

EXHIBIT F

---DRAFT---

Minutes of the
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado
Held on Tuesday, November 10, 2015 at 6:30 p.m.
At the Village Center

CALL TO ORDER

Chair Savoie called the meeting to order at 6:30 p.m.

ROLL CALL

Present at the meeting were the following Planning and Zoning Commissioners: Chair Peter Savoie, Commissioner Al Blum, Commissioner David Wyman, Commissioner Peter Niederman, Commissioner Dori Kaplan, Commissioner Mike LaMair, and Commissioner Bill Lucas.

Present at the meeting were the following staff members: Rob Zuccaro, Community Development Director; Emily Kropf, Special Projects Coordinator; and Cesarina Dancy, Community Development Clerk.

APPROVAL OF MINUTES

Commissioner Wyman stated that on page 2, paragraph 5 of the minutes, the word "and" should be removed.

Commissioner Niederman made a motion, which was seconded by Commissioner Blum, to approve the October 13, 2015 minutes with this correction.

The motion passed unanimously.

AGENDA ITEMS

a. *Review of Amendments to Fencing Code*

Mr. Zuccaro stated that Staff is presenting for review and recommendation to the City Council a draft ordinance amending the Village's fencing regulations (Exhibit A). He continued to say that the ordinance is intended to address concerns over fencing adjacent to trails and within front yards that may compromise the semi-rural, pastoral, and open character of the Village, disrupt view corridors, create tunnel like effects along trail systems, create potential safety hazards, and lead to the loss of a community atmosphere.

Mr. Zuccaro gave a summary of the review process to date.

Mr. Zuccaro stated that Table 1 in the staff memorandum summarized the proposal found in Exhibit A as compared to the existing fencing code. He continued to say that in the current proposal, all fencing parallel to a public trail, park or open space would need to be a minimum of 75% open and could not exceed 6 feet in height. He stated that typical fences that would be allowed include 3 and 4-foot split rail or open rail fences and 4, 5 or 6-foot ornamental iron fences. Fences in front yards beyond the front façade line of the house in the R-1, R-2, R-3, and R-3A districts would be limited to 4 feet in height and a minimum of 50% open. Fences in front yards beyond the front façade line of the house in the R-4 and R-5 districts would be prohibited.

Commissioner Kaplan asked if the openness requirement also entailed a style or design requirement.

Mr. Zuccaro replied that the code currently does not place any restrictions on design or material, only openness.

Commissioner Niederman asked how many properties that would be affected by this change currently do not have a fence.

Mr. Zuccaro replied that there is not an exact count of how many properties do not currently have fences.

Commissioner Wyman stated that along Colorado Boulevard all the properties adjacent to the trail were fenced.

Mr. Zuccaro stated that it is a mix throughout the City because some trails have all properties adjacent that are fenced while others do not.

Commissioner Niederman asked if an existing fence needed to be repaired or replaced could the same style of fence be kept.

Mr. Zuccaro replied that there is a provision in the code that 25% of a fence can be repaired or maintained every two years but any repair or replacement in excess of this would require the entire fence to be brought into conformity with current zoning codes.

Commissioner Wyman asked if a tree limb falling or other unforeseen damage would require the fence to be brought into conformity.

Mr. Zuccaro replied that if 75% of the value of the fence is going to be put into rebuilding the fence then the entire fence would have to be brought into conformance. He continued to say that a natural disaster did not exempt a property owner from this provision.

Mr. Zuccaro stated that there is a higher standard for nonconforming fences in relation to other nonconforming structures and this is purposeful in order to bring the fences into compliance faster.

Chair Savoie asked if the PTRC feels strongly about this issue.

Mr. Zuccaro replied that the PTRC wants the current fencing code to change to allow additional regulations along streets and trails.

Chair Savoie asked why was the issue of the rear and side yards being adjacent was not addressed in the proposed amendments.

Mr. Zuccaro replied that the consensus from the study session was that privacy in the backyard was more important that restricting the height for a neighbor's side yard.

Chair Savoie stated that whole fence damage only may occur twice a year. He asked if the new changes would apply only to new construction.

Mr. Zuccaro replied that a nonconforming fence could in theory be maintained forever but the code amendments would apply to all new fences being constructed and to those that have crossed the threshold of maintenance and would need to be replaced in their entirety.

Commissioner Niederman stated that possibly the City could allocate some funds to encourage property owners along trails to bring their fences in compliance.

Commissioner Blum replied that it would be hard to convince City Council to allocate funds for this purpose.

Commissioner Lucas stated that the fence along the property behind Kent Denver started the conversation for the PTRC regarding fencing along trails. He stated that the PTRC views this particular fence as a scar on the landscape.

Commissioner LaMair stated that the trail will stay icy all winter as the fence is totally solid.

EXHIBIT G

Minutes of the Parks, Trails & Recreation Commission
City of Cherry Hills Village, Colorado
Thursday, November 12, 2015
at the Village Center

Commission members in attendance: Robert Eber, John Kokish, Nina Itin, Joshua DiCarlo and Councilor Klasina VanderWerf. Employees present: Ryan Berninzoni, Parks, Trails and Recreation Administrator, Matt Krebsbach, Parks Crew Chief, Pamela Broyles, Administrative Assistant.

Absent: Rob Ganger, Colleen Dougherty

STUDY SESSION – 6:00 P.M.
Mr. Berninzoni introduced John Altschuld with Stanley Consultants for a presentation on the City's Trail Inventory and Long-Range Maintenance and Repair Program. Stanley Consultants will continue to update the Commission as the project progresses.

Mr. Altschuld reviewed the proposed project schedule and preliminary work that has already been accomplished. The program goal is to produce an online WebGIS map that can be easily accessed by City staff and the public. The program identifies 4 trail types including:

- Paved Mixed use
- Unpaved (soft surface) Mixed Use
- Bridle Trails
- Street Side (paved)

Mr. Altschuld reviewed the guidelines for each trail type.

Stanley Consultants will begin the next steps that include:

- Continue legal research and GIS mapping
- Create Existing Conditions Analysis Report
- Continue WebGIS platform creation
- Create New Parks and Trails Map

Mr. Altschuld presented examples of the layers that will be available on the map. The study will include recommendations for improvements to existing trails, new connections, and new amenities.

CALL TO ORDER
Chair Robert Eber called the PTRC meeting to order at 6:30 p.m.

APPROVAL OF THE OCTOBER 8, 2015 MINUTES
Mr. John Kokish moved to approve the October 8, 2015 minutes as presented. Ms. Nina Itin seconded the motion. Motion passed unanimously.

AUDIENCE PARTICIPATION
There was no audience participation.

BILL LUCAS – THANKYOU PRESENTATION
Chair Eber and the Commission thanked Mr. Lucas for his service on the PTRC over the past 5 years. Chair Eber shared several accomplishments that Mr. Lucas achieved throughout his term.

ARTS COMMISSION PRESENTATION
Klasina VanderWerf and Teresa Harbaugh addressed the Commission regarding a location for the Emmett Culligan art sculpture that the Art Commission will receive in early 2016. The Art Commission would like to put the piece in the Alan Hutto Memorial Park. The Commission shared their concerns regarding the timing of placing an art piece in this location because of future planning and development that will begin in 2016. The Art Commission agreed to find a temporary location for the piece and will consider moving the piece to the Alan Hutto Memorial Park at a future date.

FENCE CODE PRESENTATION
Mr. Zuccaro presented the latest draft of the fence code amendment. The fence code amendment is intended to be for review and recommendation to City Council as drafted or with recommended changes.

The draft includes the following changes:

1. Parallel to public trails, parks, or open space (R-1, R-2, R-3, R-3A, R-4, R-5)
   Current: 6 feet and solid
   Proposed: A maximum of 6 feet high and a minimum of 75% open

2. Front Yards (R-1, R-2, R-3, R-3A)
   Current: 4 ft. if less than 50% open or
   6 ft. if more than 50% open or
   6 ft. if less than 50% open and complies with setback and landscape buffer requirements
   Proposed: A maximum of 4 feet high and a minimum of 50% open

   Front Yards (R-4, R-5)
   Current: 4 ft. if less than 50% open or
   6 ft. if more than 50% open or
   6 ft. if less than 50% open and complies with setback and landscape buffer requirements
   Proposed: No fence allowed in front yard

3. Rear and side yards (R-1, R-2, R-3, R-3A, R-4, R-5)
   Current: 6 ft. and up to 100% solid
   Proposed: No Change

   Rear and side yards adjacent to public road (R-1, R-2, R-3, R-3A

Current: 4 ft. if less than 50% open or
6 ft. if more than 50% open or
6 ft. if less than 50% open and complies with setback and landscape buffer requirements
Proposed: No Change

4. Front, side or rear yards adjacent to State Highway
Current: 8 ft. and up to 100% solid subject to setback and landscape buffer requirements.
Proposed: No Change

5. C-2 District
Current: 6 ft. and up to 100% solid
Proposed: Subject to Conditional Use Permit

Fence permits will be subject to the most restrictive code allowance.

The Planning and Zoning Commission (P&Z) placed the following 3 conditions on the proposed fence code recommendation to City Council.

1. Administrative issue of defining trails. Define what a trail is in the code and develop a map as a companion document. As changes occur City Council would have to readopt a new map version. The concern is that there needs to be official documentation on file to support a regulation that affects property rights.

2. Include clarification that the more restrictive fence code will govern when there is a conflict. The most restrictive fence code would be 4 ft. maximum height and a minimum of 50% open.

3. The P&Z Commission has concerns about the impact of traffic along arterial streets including Colorado Boulevard, Quincy Avenue, Clarkson Street and Happy Canyon Drive. They believe a 6 foot solid fence should be allowed to create a buffer from noise, traffic and the negative impact of living adjacent to these roads. P&Z is recommending an exception to the fence code for properties that front Colorado Boulevard, Quincy Avenue, Clarkson Street and Happy Canyon Drive. The exception would allow a maximum 6 foot solid fence with landscape buffering. The Commission agreed to exclude Holly Street from the exception because of the significant view corridors and the rural character along Holly. Properties adjacent to the Holly Street Trail would be required to have a 6 foot maximum and 75% minimum open fence.

The Parks, Trails and Recreation Commission (PTRC) voiced their concern that the exception to these 4 streets could potentially create solid walls or fences along the entire street.

The PTRC questioned if the work that was done to create the fencing agreement for the subdivision on the Calkins property would be affected by the proposed exception along

Quincy Avenue. Mr. Zuccaro confirmed that the Calkins fencing agreement is part of the subdivision agreement and will override the zoning code as more restrictive.

The PTRC Commission discussed the inability for the City to purchase large open lots to protect view corridors. The purpose of establishing fence codes is not to stop property rights, but to protect view corridors and maintain the semirural character of the Village. The Commission agreed that other alternatives should be considered to address the noise and traffic problems such as lower speed limits.

The PTRC is recommending the following changes to the fence code:

1. Parallel to public trails, parks, or open space (R-1, R-2, R-3, R-3A, R-4, R-5)

Nina Itin moved, seconded by Joshua DiCarlo to adopt the proposed code for a 6 foot maximum and 75% minimum open fence parallel to public trails, parks, or open space with an exception along the exterior streets including Clarkson Street and Happy Canyon Drive, but excluding Colorado Boulevard and Quincy Avenue.

The Motion carried unanimously.

2. Front Yards (R-1, R-2, R-3, R-3A, R-4 and R-5)

John Kokish moved, seconded by Nina Itin to approve a 4 foot maximum height with a minimum 50% open fence in the front yard of R-1, R-2, R-3 and R-3A districts with no fencing allowed in the front yards of R-4 and R-5 districts.

The Motion carried unanimously.

3. Rear and side yards (R-1, R-2, R-3, R-3A, R-4, R-5)

Joshua DiCarlo moved, seconded by Nina Itin to adopt the code as written to allow 6 foot maximum and up to 100% solid fencing in the R-1, R-2, R-3, R-3A, R-4 and R-5 districts.

The Motion carried unanimously.

4. Rear and side yards adjacent to public road (R-1, R-2, R-3, R-3A)

Robert Eber moved, seconded by John Kokish, to recommend that fences in rear and side yards adjacent to public roads in the R-1, R-2, R-3, R-3A districts can be solid if under 4 feet, but must comply with the setback and buffer landscape requirements. Any fence over 4 feet and up to a 6 foot maximum must be at least 75% open.

The Motion carried unanimously.

5. Front, side or rear yards adjacent to State Highway

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Robert Eber moved, seconded by Joshua DiCarlo to adopt the existing code to allow up to an 8 foot maximum and up to 100% solid fence subject to setback and landscape buffer requirements adjacent to state highways.

The Motion carried unanimously.

6. C-2 District

Robert Eber moved, seconded by Nina Itin to adopt the existing code to allow a 6 foot maximum and up to 100% solid fence in the C-2 District subject to a Conditional Use Permit.

The Motion carried unanimously.

The PTRC reported that their recommendations for fencing restrictions are to preserve the semi-rural character of the Village.

SUBCOMMITTEE DISCUSSIONS

a. Summary Sheet

Trail Enhancement Update
There was nothing to report on this subject.

Special Events Update
The Holiday Tree Lighting event is scheduled for Friday, December 11, 2015.

Open Space Update
There was nothing to report on this subject.

Communications/Crier Article
Mr. Eber will include discussions on the fence code proposal in the Village Crier.

b. Parks, Trails and Recreation Enhancement

PTRC CHAIR REPORT

Chair Eber asked for a motion to approve the 2016 PTRC meeting schedule.

Joshua DiCarlo moved, seconded by Nina Itin to adopt the 2016 PTRC meeting schedule. The Motion carried unanimously.

REPORTS

a. Parks Division Maintenance Log
There was nothing to report on this subject.

b. City Council Report
There was nothing to report on this subject.

ADJOURNMENT

John Kokish moved, seconded by Nina Itin to adjourn at 8:45 p.m.

DRAFT

Robert Eber
Chairman

Ryan Berninzoni
Parks, Trails and Recreation Administrator

Pamela Broyles
Administrative Clerk

DRAFT

ORDINANCE NO. 8

SERIES OF 1989

March 21, 1989: Public Hearing held on this Ordinance. Introduced as Council Bill No. 7, Series of 1989, by George Secor, seconded by Forrest McGrath, and considered in full on first reading. Passed unanimously.

April 4, 1989: Considered in full text on second reading. Passed unanimously. Designated as Ordinance No. 8, Series of 1989.

AN ORDINANCE AMENDING TITLE 6, CHAPTER 15, SECTION 4 OF THE CHERRY HILLS CITY CODE RELATING TO FENCES AND WALLS.

WHEREAS, safety and aesthetic concerns have been expressed by citizens about the placement of six-foot, solid fences along street rights of way; and

WHEREAS, said safety and aesthetic concerns relate to traffic visibility, snow removal problems and visual openness; and

WHEREAS, the subject has been thoroughly researched and reviewed by the Planning and Zoning Commission and, as a result, they have recommended certain amendments to the existing fence and wall regulations; and

WHEREAS, it is the opinion of the City Council that the recommended amendments are necessary in the interest of public safety and to protect property values in the City of Cherry Hills Village.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Title 6, Chapter 15, Section 4 be repealed in its entirety and replaced with the following:

"6-15-4: Fences and Walls: Notwithstanding any other provisions of this Title, fences and walls are permitted, subject to compliance with the following regulations:

1. No fence or wall, except where reasonably required for tennis courts or other uses reasonably requiring higher fences, may exceed six feet in height.

2. Where fences or walls generally parallel an adjacent public roadway and are greater than 48" in height and less than 50% open in its vertical surface as viewed perpendicular to the fence or wall, such fences or walls constructed after the effective date of this ordinance shall comply with either (A) or (B) of the following design criteria options:

   (A) Select any two of the following:

      1) Set back at least 25 feet from the edge of an adjacent paved roadway or 40 feet from the centerline of any unpaved right of way.

      2) Landscape the area between the roadway and the fence or wall with trees of a size set forth in Section 6-15-1E* and at a density of one tree for every 20-30 feet of fence or wall as determined by the City Manager given the type and planting size proposed. Any area of City right of way proposed to be utilized for tree planting must be approved by the City Manager.

      3) Cover at least 25% of the fence or wall roadside

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surface area with vegetation immediately adjacent to the fence or wall surface. A planting plan submitted to the City Manager showing how the 25% requirement will be met after three growing seasons will be required.

(B) Indent areas of the fence or wall and plant at least two trees or evergreen shrubs of a size set forth in Section 6-15-1E* in each such areas. These indentations shall be 15' to 25' in width, at least four feet (4') in depth, and must comprise at least 25% of the total fence length.

3. Fencing and associated landscaping must conform with Section 6-15-3 of this Code concerning visibility at intersections and must be maintained in a neat, clean and healthy condition by the owner of the property as provided in Section 6-15-1F of this Code.

4. When measuring the height of a fence or wall, it shall be the vertical distance between the natural grade, or from the grade of an approved overlot grading plan, to the dominate height of the fence or wall. Generally, a sporadic post or support structure is not considered in the calculation. Where fences, walls and berms are constructed one upon the other, the height of such fences, walls or berms shall be measured as the sum of the individual units.

5. Any existing fence or wall which is replaced shall comply with this regulation. Any repair of more than 25 percent of the fence or wall along a public right of way within a 24-month period shall constitute a replacement.

6. Paragraph 2 of this section shall be inapplicable to fences and walls existing on the effective date of this ordinance except as specified in Paragraph 5 above.

*Minimum size of trees and shrubs

Size & Type of Plant	Minimum Allowable Plant Size for New Landscaping
Ornamental Trees	1.5" caliper
Deciduous Trees	2" caliper
Evergreen Trees	6 feet tall
Shrubs	5 gallon container

Section 2. Severability. Should any sentence, section or part of the ordinance be adjudged by any court to be unconstitutional or invalid, such judgment shall not affect or impair or invalidate the ordinance as a whole or any part thereof not so declared to be unconstitutional or invalid.

Section 3. Declaration of Public Interest. In the opinion of the City Council, this ordinance is necessary for the preservation of the public health, safety and welfare.

Adopted as Ordinance No. 8, Series of 1989, by the City Council of the City of Cherry Hills Village, Colorado, and signed and approved by its Mayor and Presiding Officer this 4th day of April, 1989.

Joan R. Duncan
Joan R. Duncan
Mayor

ATTEST:

Elizabeth N. Noel
Elizabeth N. Noel
City Clerk

ORDINANCE NO. 15
SERIES OF 1989

October 17, 1989: Introduced as Council Bill No. 12, Series of 1989, by Merle Chambers, seconded by George Secor. Considered in full text on first reading as amended. Passed unanimously.

November 21, 1989: Public hearing held on this Council Bill, then considered in full text on second reading. Passed unanimously. Designated as Ordinance No. 15, Series of 1989.

AN ORDINANCE AMENDING SECTION 6-15-4 OF THE CITY CODE CONCERNING FENCES AND WALLS.

ABJ087

WHEREAS, on April 4, 1989, the City Council adopted Ordinance No. 4, Series of 1989, that repealed and re-enacted the fence and wall regulations of the City of Cherry Hills Village; and

WHEREAS, after six months of experience with said new fence and wall regulations, the City Council desires to clarify the wording concerning fences and walls which parallel an adjacent public roadway; and

WHEREAS, this proposed modification has been reviewed by the Planning and Zoning Commission at a public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. That the first paragraph of Section 6-15-4:2 of the City Code be deleted and replaced with the following regulation:

> "2. Where fences and walls generally parallel an adjacent public roadway within the minimum yard area, and are greater than 48" in height and less than 50% open in its vertical surface as viewed perpendicular to the fence or wall, such fences and walls constructed after the effective date of this ordinance shall comply with either (A) or (B) of the following design criteria options:"

Section 2. In the opinion of the City Council, this ordinance is necessary for the immediate preservation of the public health, safety and welfare.

Adopted as Ordinance No. 15, Series of 1989, by the City Council of the City of Cherry Hills Village, Colorado, and signed and approved by its Mayor and Presiding Officer this 21st day of November, 1989.

Joan R. Duncan
Joan R. Duncan
Mayor

ATTEST:

Elizabeth N. Noel
Elizabeth N. Noel
City Clerk

ORDINANCE NO. 01
Series 2007

November 21, 2006: Introduced as Council Bill 07, Series 2006 by Councilmember Doug Tisdale, seconded by Councilmember Klasina VanderWerf, and considered by the title only on first reading. Passed unanimously.

January 16, 2007: Considered in full text on second reading. Passed unanimously.

A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE
AMENDING CHAPTER 16 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE, CONCERNING ZONING, BY AMENDING SECTIONS 16-1-10, CONCERNING DEFINITIONS, AND 16-16-40, CONCERNING FENCES AND WALLS

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, the City of Cherry Hills Village is authorized to regulate land uses for property within the boundaries of the City; and

WHEREAS, the current requirements for fencing set forth in Section 16-16-40(1) of the Municipal Code limit the height of a gate, as a part of a fence, to either six (6) or eight (8) feet in height, depending upon the location of the fence; and

WHEREAS, the City Council has determined that it is reasonable and appropriate, in certain instances and subject to certain conditions, to allow gates to exceed the height of the remainder of the fence of which they are a part.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. That definitions of the terms "Column," "Fence" and "Gate" be added to Section 16-1-10 of the City of Cherry Hills Village Municipal Code to read as follows:

Column means a sporadic structural support pillar used in the construction of a fence, each of which pillars, if more than one, is not closer than six (6) feet from another if such column exceeds the height limit of the fence.

Fence means a structure that serves as an enclosure, barrier, screen or boundary, or that serves to mark a boundary, enclose a piece of land, or divide a piece of land into distinct portions, and that usually consists of wood, metal, wire, vinyl, masonry, stone, or other manufactured material.

Gate means a part of a fence that can be readily moved to block an entrance or passageway.

Section 2. That Section 16-16-40 of the City of Cherry Hills Village Municipal Code is hereby amended as follows:

Section 16-16-40. Fences ~~and walls~~.

Fences ~~and walls~~ are permitted on legally established lots as defined in Section 16-1-10, and are permitted on legally established nonconforming lots as defined in Section 16-1-10 and in Article XIV of this Chapter, subject to compliance with the following regulations:

(1) No fence ~~or wall~~, except where reasonably required for tennis courts or other uses reasonably requiring higher fences, may exceed six (6) feet in height; provided, however, that ~~F~~fences that are parallel and adjacent to highways owned by the State may not exceed eight (8) feet in height. The foregoing limitations notwithstanding: (i) not more than two (2) gates that provide for ingress and egress from a vehicular right-of-way to a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of each gate does not exceed ten (10) feet and each gate is not more than twenty-five percent (25%) solid when viewed from a angle that is perpendicular to the gate and not more than eighteen (18) feet in width; and (ii) a gate that provides for ingress and egress to a yard other than a front yard may exceed the otherwise applicable height limitations for the fence so long as the height of the gate is not more than two (2) feet greater than the otherwise applicable height limitations for the fence and the gate is not

more than four (4) feet in width and not more than one such gate exists on or along any single property line.

(2) Where fences ~~or walls~~ generally parallel an adjacent public roadway within the minimum yard area and are greater than forty-eight (48) inches in height and less than fifty percent (50%) open in their vertical surface as viewed perpendicular to the fence ~~or wall~~, such fences ~~or walls~~ constructed after the effective date of the initial ordinance codified herein shall comply with either of the following design criteria options in Subparagraph a or b below:

a. Select any two (2) of the following:

1. Set back at least twenty-five (25) feet from the edge of an adjacent paved roadway or forty (40) feet from the center line of any unpaved right-of-way.

2. Landscape the area between the roadway and the fence ~~or wall~~ with trees of a size set forth in Subsection 16-16-10(d)(6) above and at a density of one (1) tree for every twenty (20) feet to thirty (30) feet of fence ~~or wall~~ as determined by the City Manager given the type and planting size proposed. Any area of City right-of-way proposed to be utilized for tree planting must be approved by the City Manager.

3. Cover at least twenty-five percent (25%) of the fence ~~or wall~~ roadside surface area with vegetation immediately adjacent to the fence ~~or wall~~ surface. A planting plan submitted to the City Manager showing how the twenty-five-percent requirement will be met after three (3) growing seasons will be required.

b. Indent areas of the fence ~~or wall~~ and plant at least two (2) trees or evergreen shrubs of a size set forth in Subsection 16-16-10(d)(6) above in each such areas. These indentations shall be fifteen (15) feet to twenty-five (25) feet in width, at least four (4) feet in depth, and must comprise at least twenty-five percent (25%) of the total fence length.

(3) Fencing and associated landscaping must conform with Section 16-16-30 above concerning visibility at intersections and must be maintained in a neat, clean and healthy condition by the owner of the property as provided in Subsection 16-16-10(d)(7) above.

(4) When measuring the height of a fence ~~or wall~~, it shall be the vertical distance between the natural grade, or from the grade of an approved overlot grading plan, to the ~~dominant~~ height of the fence ~~or wall~~. Neither a column nor a light fixture attached to a column shall be included within the calculation of the height of a fence so long as the height of the column, or combination of the height of the column and the light fixture, is not more than two (2) feet greater than the otherwise applicable height limitations for the fence. ~~Generally, a sporadic post or support structure is not considered in the calculation.~~ Where fences~~, walls~~ and berms are constructed one (1) upon the other, the height of such fences~~, walls~~ or berms shall be measured as the sum of the individual units.

(5) Any existing fence ~~or wall which~~ that is replaced shall comply with this regulation. Any repair of more than twenty-five percent (25%) of the fence ~~or wall~~ along a public right-of-way within a twenty-four month period shall constitute a replacement.

(6) Paragraph (2) above shall be inapplicable to fences ~~and walls~~ existing on the effective date of the ordinance codified herein except as specified in Paragraph (5) above.

(7) Fences may be constructed for utility stations as permitted in this Chapter, provided that such fences do not exceed eight (8) feet in height and are not more than fifty percent (50%) solid. (Prior code 6-15-4; Ord. 8, 1989; Ord. 15, 1989; Ord. 12, 2000; Ord. 6 §1, 2003; Ord. 9 §1, 2003; Ord. 03 §1, 2006)

Section 3. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 4. Effective Date. This ordinance shall take effect in accordance with the City of Cherry Hills Village Home Rule Charter.

Adopted as Ordinance No. 01, Series 2007, by the City Council of the City of Cherry Hills Village, Colorado this 16th day of January, 2007.

Michael J. Wozniak, Mayor

ATTEST:

Karen C. Losier, City Clerk

APPROVED AS TO FORM:

Thad W. Renaud, City Attorney

ABF554

Published in the Villager
Published 2/8/07
Legal # 9088

CITY OF CHERRY HILLS VILLAGE
PUBLIC NOTICE

The following Ordinance was passed on second reading by the City Council of Cherry Hills Village, Colorado on Tuesday, January 16, 2007:

ORDINANCE NO. 1, SERIES 2007

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE AMENDING CHAPTER 16 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE, CONCERNING ZONING, BY AMENDING SECTIONS 16-1-10, CONCERNING DEFINITIONS, AND 16-16-40, CONCERNING FENCES AND WALLS

The ordinance is available for inspection at www.cherryhillsvillage.com and at the office of the City Clerk during regular business hours.

Published in The Villager
Published: February 8, 2007
Legal #9088

Greenwood Village

EXHIBIT K

Division 3 - Fences, Decorative Monuments, Decorative Walls and Noise-Attenuating Structures

Sec. 16-21-310. - Intent and applicability.

(a) Intent. It is the City's policy to keep fencing at a minimum and to further the open space feeling. There are areas within the City in which little or no fencing is desired or required, while in other areas the local needs may dictate the use of fences. In lieu of fencing, berms or plantings of shrubbery and trees are encouraged.

(b) Applicability. This Division shall apply to all fences, decorative monuments, decorative walls and noise-attenuating structures except retaining walls and pedestrian protection barricades around construction sites. Any provision of an approved PUD plan, SDP, subdivision plat or floodplain regulation that conflicts with any provision of this Division shall supersede the conflicting provision of this Division.

(Prior code 15.48.010, 15.48.020, 15.48.030, 15.48.080, 15.48.110; Ord. 32 §1, 2011)

Sec. 16-21-320. - Height.

(a) Except as otherwise provided in this Division, no fence, wall or monument shall exceed six (6) feet in height. Where a fence is constructed on a retaining wall or berm, the combined height of the berm, retaining wall and fence shall not exceed six (6) feet.

(b) Fence posts and columns may exceed the maximum allowed height of the fence by no more than nine (9) inches.

(c) When topography or construction requirements so dictate, a fence may exceed any height limitation imposed by this Division by up to six (6) inches.

(Prior code 15.48.080; Ord. 32 §1, 2011)

Sec. 16-21-330. - Location.

(a) No fence shall be located in the area from the midpoint of the principal building to the front property line, with the following exceptions:

(1) In the R-0.25 and R-0.1 Districts, a fence that does not extend beyond a point five (5) feet back from the front of the principal building to the front property line;

(2) In the R-2.5 District, a fence that does not exceed four (4) feet in height and twenty-five percent (25%) opacity;

(3) In the R-2.5 District, a gate that does not exceed six (6) feet in height and twenty-five percent (25%) opacity;

(4) In the R-2.5 zone district, in a front yard which is permanently used as a pasture for horses, a fence that does not exceed six (6) feet in height and twenty-five percent (25%) opacity;

(5) Decorative walls and decorative monuments, pursuant to this Division;

(6) Fencing on commercial properties, pursuant to this Division; and

(7) Noise-attenuating structures, pursuant to this Division.

(b) Chain link fences shall only be located from the midpoint of the principal building to the rear property line.

(5) Any existing fence that is replaced shall comply with this regulation. Any repair of more than twenty-five percent (25%) of the fence along a public right-of-way within a twenty-four-month period shall constitute a replacement.

(6) Paragraph (2) above shall be inapplicable to fences existing on the effective date of the ordinance codified herein except as specified in Paragraph (5) above.

(7) Fences may be constructed for utility stations as permitted in this Chapter, provided that such fences do not exceed eight (8) feet in height and are not more than fifty percent (50%) solid.

(Prior code 6-15-4; Ord. 8, 1989; Ord. 15, 1989; Ord. 12, 2000; Ord. 6 §1, 2003; Ord. 9 §1, 2003; Ord. 03 §1, 2006; Ord. 01 §2, 2007)

(Prior code 15.48.070; Ord. 32 §1, 2011)

Sec. 16-21-340. - Design.

(a) Materials. Permanent fencing or walls used to separate properties or as a landscape accent shall be constructed of high quality materials, such as:

(1) Decorative wood fencing with brick or stone columns;

(2) Wrought iron fencing;

(3) Masonry;

(4) Split face block; or

(5) Concrete with an enhanced surface treatment.

(b) Retaining walls. Retaining walls shall be constructed of stone, brick, split face block or concrete with an enhanced surface treatment. Wall segments over four (4) feet in height shall be tiered and landscaped.

(Prior code 15.43.150; Ord. 32 §1, 2011)

Sec. 16-21-350. - Prohibitions.

(a) The following are prohibited in the City:

(1) Barbed wire fences; and

(2) Fences, decorative monuments or noise-attenuating structures which obstruct the sight distance of traveling motorists at roadway intersections or driveway entrances.

(b) No lighting shall be installed on top of, integrated within or be attached to a fence.

(c) No privately owned fence or decorative monument shall be erected on City-owned property except entry walls and decorative monuments pursuant to this Division.

(Prior code 15.48.090; Ord. 32 §1, 2011)

Sec. 16-21-360. - Fence standards.

(a) Commercial fences. Fences on commercial property which abut a public right-of-way shall be set back at least ten (10) feet from the property line or back of curb, whichever results in the greater setback.

(b) Chain link fences. Chain link fences shall be vinyl-coated and shall not exceed four (4) feet in height; provided that chain link dog run fences and chain link temporary construction fences do not have to be vinyl coated and may exceed four (4) feet in height.

(c) Dog run fences. Dog run fences shall be located within twenty (20) feet of the principal building, shall comply with all applicable principal building setbacks and shall not exceed six (6) feet in height.

(d) Tennis and sport court fences. A fence enclosing a tennis court or sport court shall meet the following requirements:

(1) The fence shall be either dark or earth tone colored with matching fittings and posts;

(2) The fence shall not exceed ten percent (10%) opacity, with the exception of fabric screening material or a retaining wall used to partially or fully enclose a tennis court or sport court;

(3) The fence shall not exceed ten (10) feet in height; and

(4) The fence shall be considered to be a component of the tennis or sport court.

(e) Stallion enclosures. A fence enclosing a stallion shall meet the following requirements:

(1) The fence shall be constructed of a stable and durable material, such as pipe, post and board, post and mesh, post and smooth wire, post and rubber-nylon, post and rail, or PVC fence planking, with all corner posts anchored in concrete.

(2) The fence shall be six (6) feet in height.

(3) The fence shall enclose a minimum area of twenty-four (24) feet by sixty (60) feet.

(f) Temporary construction fences. A temporary fence enclosing a construction site shall meet the following requirements:

(1) The height of the fence shall not exceed eight (8) feet;

(2) The fence shall not be placed in a public right-of-way without a public right-of-way permit;

(3) The fence shall be removed prior to issuance of a Certificate of Occupancy or Completion; and

(4) The fence shall not display commercial speech.

(g) Swimming pools, hot tubs and spas.

(1) Fence or wall enclosures.

a. Every swimming pool, hot tub or spa not equipped with a safety cover meeting the requirements of Paragraph (2) hereof shall be completely enclosed by a fence or wall:

1. Located not less than four (4) feet from the swimming pool, hot tub or spa;

2. With a minimum vertical height of not less than four (4) feet for a single-family residential swimming pool; and not less than six (6) feet for a public pool, community pool, private club pool, homeowners association pool or multi-family complex pool;

3. With a maximum vertical clearance from the ground to the bottom of the fence or wall of two (2) inches;

4. With no gaps or voids which allow passage of a sphere equal to or greater than four (4) inches in diameter;

5. With any pedestrian access gate opening away from the swimming pool, hot tub or spa and equipped with a self-closing, self-latching device placed no lower than four (4) feet above the ground; and

6. With any gates other than pedestrian access gates equipped with lockable hardware or padlocks and locked at all times when not in use.

b. An existing wall or portion of a building may serve as one (1) or more sides of the enclosure.

(2) Safety covers.

a. A swimming pool not enclosed by a fence or wall in compliance with Paragraph (1) hereof shall be equipped with an approved power safety cover that meets or exceeds current ASTM standards.

b. A hot tub or spa not enclosed by a fence or wall in compliance with Paragraph (1) hereof shall be equipped with an approved manual safety cover that meets or exceeds current ASTM standards.

c. Safety covers shall be closed at all times when the swimming pool, hot tub or spa is not in use.

(Prior code 15.48.100, 15.48.104; Ord. 32 §1, 2011)

EXHIBIT L

14-10-9: FENCES, HEDGES, WALLS, AND SCREENING:

A. Placement: The placement of walls and fences shall respect existing landforms and fit into land massing rather than arbitrarily follow site boundary lines. Fences shall not be encouraged except to screen trash areas, utility equipment, etc.

B. Design: Design of fences, walls, and other structural landscape features shall be of materials compatible with the site and the materials of the structures on the site. Retaining walls and cribbing should utilize natural materials such as wood timbers, logs, rocks, or textured, color tinted concrete. No chainlink fences shall be allowed except as temporary construction fences or as required for recreational facilities.

C. Setbacks Observed: All accessory uses and structures except fences, hedges, walls and landscaping, or ground level site development such as walks, driveways, and terraces shall be located within the required minimum setback lines on each site. Recreational amenities may be exempted by the design review board if it determines that their location is not detrimental environmentally and/or aesthetically.

D. Sight Triangle: To minimize traffic hazards at street intersections by improving visibility for drivers of converging vehicles in any district where setbacks are required, no fence or structure over three feet (3') in height shall be permitted within the triangular portion of a corner lot measured from the point of intersection of the lot lines abutting the streets a distance of thirty feet (30') along each lot line.

E. Height Limitations: Fences, hedges, walls and landscaping screens shall not exceed three feet (3') in height within any required front setback area, and shall not exceed six feet (6') in height in any other portion of the site, provided that higher fences, hedges, walls or landscaping screens may be authorized by the administrator when necessary to screen public utility equipment. No barbed wire or electrically charged fence shall be erected or maintained. (Ord., 9-21-1999)

n) Heating and air conditioning equipment and similar mechanical equipment are prohibited in all yards facing a Street. Mechanical equipment may be placed within non-street facing yards but shall not exceed thirty (30) inches above or below finished grade. These features may be up to thirty (30) inches above and below finished grade simultaneously. The

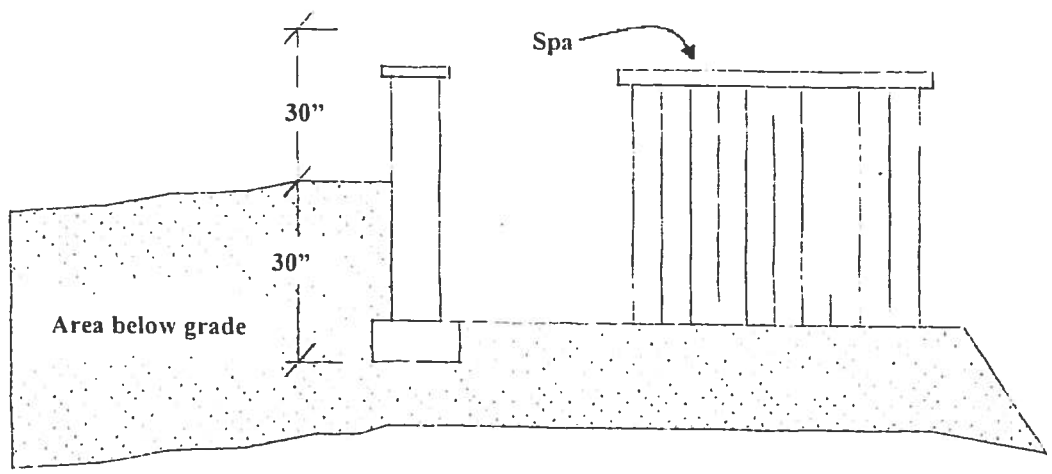


Figure 16: 30" Calculation

Planning and Zoning Commission may consider exceptions to this requirement pursuant to the procedures and criteria of Chapter 26.430 – Special Review.

o) The height and placement of energy efficiency or renewable energy production systems and equipment which are located adjacent to or independent of a building shall be established by the Planning and Zoning Commission pursuant to the procedures and criteria of Chapter 26.430 – Special Review. These systems are discouraged in all yards facing a Street. For energy production systems and equipment located on top of a structure, see sub-section F.4.

p) Fences and hedges less than forty-two (42) inches in height, as measured from finished grade, are permitted in all required yard setbacks. Fences and hedges up to six (6) feet in height, as measured from finished grade, are permitted only in areas entirely recessed behind the vertical plane established by the portion of the building facade which is closest to the Street. This restriction applies on all Street-facing facades of a parcel. (Also see Section 26.575.050 – Supplementary Regulations for limitations on fence materials.)

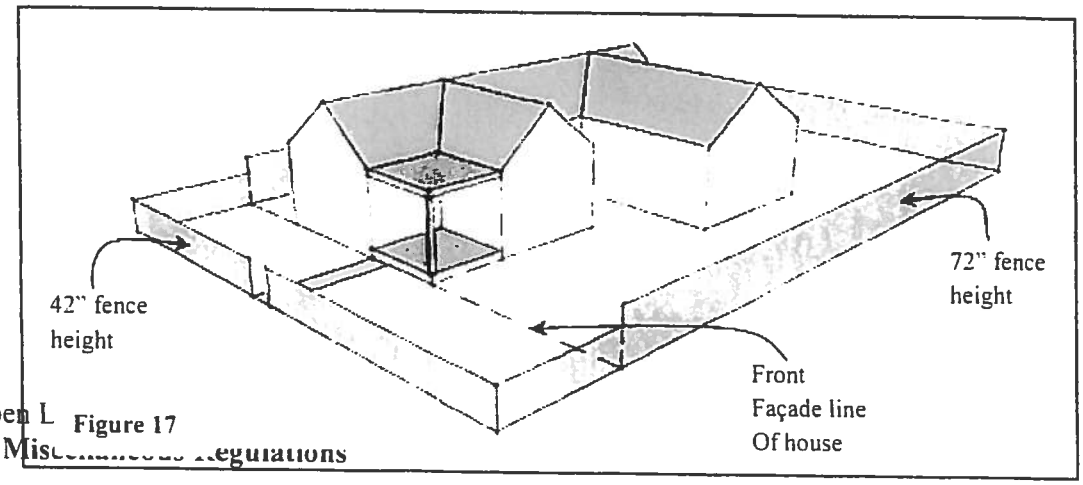


Figure 17

Bow Mar

EXHIBIT N

IX. COLORS

Colors must be approved in advance by the ACC for all new construction and for existing homes/remodels if the proposed colors significantly change the existing colors of the home. An expedited paint approval process is found under "Procedures," below.

In general, subtle colors should be used on the body of the home. Bright, bold or strongly contrasting colors may be used judiciously as an accent color for the trim, front door, or other limited architectural details, if appropriate to the overall style of the home.

The colors used should be complimentary to the style of the home, and to the other exterior materials used on the home (stone, brick, siding, stucco) including the roof.

The use of complimentary colors and materials is encouraged to reduce the mass and scale of larger residences. White and similar light colors tend to emphasize mass and should be avoided on larger residences.

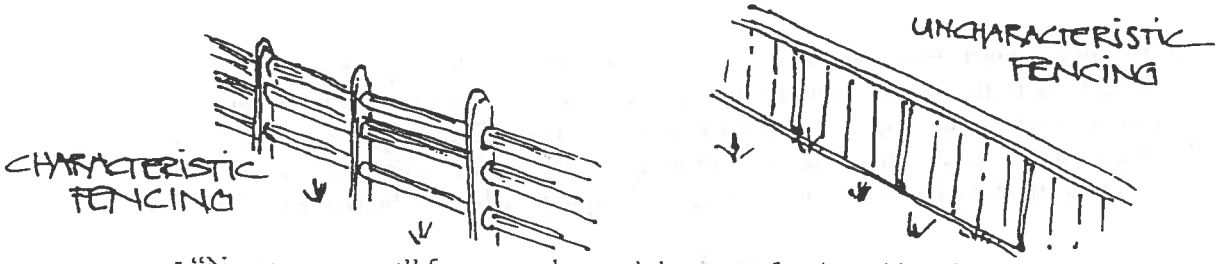
The use of any particular color palette (such as earth tones) is not required, however, certain colors (bright purples, pinks, oranges, turquoise, etc . . .) are objectively out of character with the community and are not permitted.

X. FENCING

All fencing (including dog runs, trash enclosures, etc . . .) requires the prior approval of the ACC and a building permit from the Town of Bow Mar.

Homeowners are strongly encouraged not to fence their yards to preserve the feeling of open space between houses and the sharing of views. However, where fencing is desired by the homeowner for safety or security purposes, the following guidelines apply:

- "Transparent" fences such as decorative wrought iron or 2- or 3-rail cedar split rail fences are allowed.



- "Non-transparent" fences such as solid privacy fencing, skip-a-board fencing, off-set fencing, or picket fencing are not permitted for yard fencing. Such designs may be allowed for trash enclosures or to create a small privacy area within a yard. The ACC is authorized to approve exceptions to this Guideline where additional privacy or sound blockage is required due to the location of the house along major thoroughfares or adjoining neighborhoods.

- The fencing style and color should be harmonious with the style and color of the house.

- White wood or vinyl split rail fences are allowed only if consistent with the style and color of the house.

- Fence heights are limited to 5 feet by Town of Bow Mar Town Ordinance. Any exception requires a variance from the Town. Section 16 -11 (f)

- Front yard fencing, including fencing that is purely decorative is not considered in character with the neighborhood.

- Chain link fencing is not considered in character with the neighborhood.

XI. LANDSCAPING

In reviewing landscaping applications, the ACC shall take into consideration Bow Mar Town Ordinances concerning landscaping on residential lots. Currently, Bow Mar Zoning Ordinance Sec. 16-12, Landscaping and shrubbery limitations, states as follows:

> Landscaping, including planting of shrubs and trees shall not obstruct unreasonably the views of the lake, mountains or city lights from any other lot or lots. It is the intent of this provision to prohibit plantings such as obstructive hedges, heavy shrubs or tree groupings that would, upon predicted maturity, significantly interfere with the view of any other lot or lots. This provision is not intended to discourage realistic and artistic plantings even though the view of other lots may be slightly affected.

Landscaping projects must be approved by the ACC in the following circumstances: 1) in conjunction with the construction of a new residence or major remodel to an existing residence, 2) when the proposed landscaping project may affect neighbors' views (such as the installation of heavy shrub hedges or multiple trees), and 3) when the proposed landscaping substantially alters the existing landscaping, including the removal of mature trees.

Replacement of existing trees does not require ACC approval so long as the replacement is comparable to the original (for example, replacing a deciduous tree with another deciduous tree of a similar size).

Columbine Valley

EXHIBIT O

17.20.040 Lot area. For every dwelling or main building erected or structurally altered there shall be provided a lot area of not less than one-half acre. (Ord. 3-1980 §1(part), 1980: prior code §7-2-10(A)(3)(a))

17.20.050 Building area. The area of a dwelling or main building hereafter erected shall not be less than twenty-two hundred square feet measured on the outside walls exclusive of porches, terraces, garage, carports, basement area, breezeways, guest house and servant quarters. (Ord. 3-1980 §1(part), 1980: prior code §7-2-10(A)(3)(b))

17.20.060 Setback. No structure shall be located nearer than thirty feet to any street right-of-way property line or nearer than forty feet to any rear property line; no structure shall be located nearer than fifteen feet to any side property line. In determining the distance between the property line and the structure, eaves, steps, and open porches shall be considered as part of the structure. (Ord. 3-1980 §1(part), 1980: prior code §7-2-10(A)(3)(c))

17.20.070 Fences, walls and hedges. A. No fence, wall or hedge shall be constructed or maintained on any residential property closer to the front property line or any side property line or any side street property line than the dwelling. A fence, wall or hedge three feet or less in height attached to and forming part of a dwelling may be constructed within the setback regulation for such dwellings, subject to the restrictions of the previous sentence.

B. A privacy fence of not more than six feet in height shall be permitted and such privacy fence shall be no longer than fifty lineal feet in total and shall comply with the restrictions above.

C. A six-foot privacy fence on Platte Canyon Road is permitted.

D. All fences must be of wood construction. (Ord. 3-1980 §1(part), 1980: prior code §7-2-10(A)(3)(d))

17.20.080 Gutters and extension of paving to existing paved portion of roadway. A. All applications for permits to construct buildings shall include plans and specifications for construction of the standard four foot wide cement gutters presently in use in the town as designed and/or approved by the town engineer, except to the subdivisions known as the Villas, Burning Tree and The Village where the cement gutters shall be three feet wide as presently in use in these subdivisions. Such plans for the gutter shall be included on the drawings as a part of the building construction to be accomplished on the owner's property. The construction of this gutter shall be completed prior to the granting of a building permit by the building commissioner of the town, or his designate. All costs for the

EXHIBIT P

Town of Portola Valley
Planning & Building Department
765 Portola Road
Portola Valley, CA 94028
(650) 851-1700
Fax: (650) 851-4677

FENCE REGULATIONS SUMMARY
Zoning Ordinance 2005-360

Zoning District	<1 acre districts	1 acre districts	2+ acre districts
Fence Location	• Domestic fences permitted on all property lines • Domestic fences in riparian corridors to be set back 20′ from the top of the creek bank • Double fencing not permitted in setbacks	• Domestic fences to be set back at least 25′ from the front property line and permitted on all other property lines • Horse fences permitted on all property lines • Fences not permitted on slopes exceeding 20% • Fences in riparian corridors to be set back 20′ from the top of the creek bank • Double fencing not permitted in setbacks	• Domestic fences not permitted in required yards • Horse fences permitted on all property lines • Fences not permitted on slopes exceeding 20% • Fences in riparian corridors to be set back 20′ from the top of the creek bank • Double fencing not permitted in setbacks
Height	• 4′ in front yards • 6′ in side and rear yards • 4′ in side yards along streets	• 4′ for all horse fences • 4′ in front yards and 6′ in side and rear yards for domestic fences • 4′ in side yards along streets • 4′ when adjacent to public trails and paths	4′ for all horse fences
50% Opacity Limit	• Fences in front yards and fences in side yards along streets	• All horse fences • Fences in front yards • Fences adjacent to public trails and paths • Fences in side yards along streets	All horse fences

Opacity, continued:

- Fence members not to exceed a 6" width when viewed perpendicular to the plane of the fence for fences subject to an opacity limit.
- Retaining walls are exempt from opacity limits.

Color Reflectivity:

- Fence colors not to exceed 40% reflectivity, except for naturally weathered wood.

Horse Fence Standards:

- No more than three horizontal wood members, each not to exceed 6" in width or no more than four horizontal wood or wire members, each wood member not to exceed 4.5" in width.
- The cross sections of posts must not exceed 6" x 6"; such posts not to exceed 4' in height and generally spaced no closer than 5' apart.
- 6" x 6" wire mesh may be attached to a horse fence but shall not exceed the height of the horse fence.
- Opacity not to exceed 50%.
- Height not to exceed 4'.
- Gates attached to horse fences must conform to the height and opacity standards for horse fences and be of a similar design.

Entryway Features: Entryway features, including gates, must be setback one-half of the required front yard in districts requiring a minimum parcel area of 1 acre or more.

Permits and ASCC Review: Permits will be required for most fences. Permits will not be required when a fence is no more than 2 feet in height and 20 feet in total length.

Staff to review and act on most applications. ASCC to review applications and existing fences when:

(1) Referred from town planning staff;

(2) A property undergoes ASCC review and there is a substantial modification to an existing residence or site improvements of the property;

(3) The proposed fence cannot conform to the regulations given the conditions on the parcel; or,

(4) The fence will be located in the M-R or O-A districts. Specific requirements for these districts will be determined on a case-by-case basis with input from the Conservation Committee.

Repairs or Replacement to an Existing Fence: When a portion of a fence exceeding twenty five percent of the total length of fencing within required yards is damaged or voluntarily removed, any replacement fencing of that portion shall conform to the fence regulations pursuant to a fence permit.

ORDINANCE NO. 2005- 360

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY AMENDING TITLE 18 [ZONING] OF THE PORTOLA VALLEY MUNICIPAL CODE BY AMENDING CHAPTERS 18.04 [DEFINITIONS] AND SECTION 18.42.040 [EXCEPTIONS TO REQUIREMENTS – FENCES AND WALLS] OF CHAPTER 18.42 [ACCESSORY STRUCTURES], ADDING CHAPTER 18.43 [FENCES] AND REPEALING SECTION 18.54.020.C. [MEASUREMENT OF HEIGHT]

WHEREAS, the Town Council of the Town of Portola Valley wishes to revise its Zoning Ordinance to include new provisions for fences.

NOW, THEREFORE, the Town Council of the Town of Portola Valley ("Town") does **ORDAIN** as follows:

1. Amendment of Code. Chapter 18.04 [Definitions] of Title 18 [Zoning] of the Town's Municipal Code is hereby amended to add the following Sections:

18.04.075 Building envelope. "Building envelope" is the three-dimensional space on a parcel within which buildings and most other structures are required to be confined and which is defined by zoning ordinance regulations governing building setbacks and building heights.

18.04.129 Domestic fence. "Domestic fence" is a fence that is not a horse fence as defined in Section 18.04.215.

18.04.155 Fence. "Fence" is a structure made of wire, wood, metal, masonry or other man-made material, or combination thereof, including gates and posts, typically used as a screen, enclosure, retaining wall, or entryway feature, for a parcel of land or portion thereof.

18.04.156 Fence opacity. "Fence opacity" is the surface area of a fence that is impenetrable to light when viewed perpendicularly to the plane of the fence.

18.04.215 Horse fence. "Horse fence" is a fence that complies with the horse fence standards set forth in Section 18.43.060.

18.04.555 Yard, required. "Required yard" means an open space required by Subsections 18.52.010 A., B. or C. located between a parcel line and a building envelope.

2. Amendment of Code. Section 18.42.040 [Exceptions to Requirements – Fences and walls.] of Chapter 18.42 [Accessory Structures] of Title 18 [Zoning] of the Town of Portola Valley Municipal Code is hereby amended to read as follows:

18.42.040 Exceptions to Requirements — Fences. Fences may be located within required yard areas subject to the provisions set forth in Chapter 18.43.

3. Addition to Code. Chapter 18.43 [Fences] is hereby added to Title 18 [Zoning] of the Town of Portola Valley Municipal Code to read as follows:

CHAPTER 18.43
FENCES

Sections:

18.43.010 Purpose.
18.43.020 Location.
18.43.030 Height.
18.43.040 Fence opacity.
18.43.050 Color reflectivity and size.
18.43.060 Horse fences.
18.43.070 Entryway features.
18.43.080 Fence permits and administration.

18.43.010 Purpose. The purpose of the fence regulations is to ensure that fences in required yards in residential zoning districts conform to the following principles:

- Fences should be designed with consideration for the open space tradition of Portola Valley.
- Fences should be used sparingly in order to preserve a sense of the shared scenic resources of the community.
- Fences should be designed with respect for the movement of wildlife and the protection of views.
- Fence designs and materials should blend with the natural environment and maintain the natural and rural ambiance of the Town.

The above principles shall be followed by residents, Town Planning staff and the ASCC when designing or developing fences or considering fence permit applications.

18.43.020 Location.

A. In residential zoning districts fences may be erected in the following locations:

1. In districts requiring a minimum parcel area of less than one acre, domestic fences or fences consistent with the standards of a horse fence are allowed in required yards, including along property lines.

2. In districts requiring a minimum parcel area of one acre, domestic fences or horse fences are allowed in required yards, including along property lines, except that a domestic fence in a front yard must be set back at least twenty five feet from the front property line.

3. In districts requiring a minimum parcel area of two acres or more, only horse fences are allowed in required yards, including along property lines.

4. In addition to the above limitations, in districts requiring a minimum parcel area of one acre or more, domestic fences and horse fences in required yards shall be allowed only on slopes of twenty percent or less.

5. Along riparian corridors, fences shall be set back a minimum of twenty feet from the top of a creek bank The top of the creek bank shall be determined on a case-by-case basis by Town Planning staff or the ASCC based on physical inspection of site conditions.

6. Double fencing (where two or more fences are placed parallel to one another often for the purpose of deterring deer or other animals) must be located within the building envelope of a parcel.

18.43.030 Height.

A. The height of a fence is the vertical distance measured from the surface of the actual adjoining ground to the top of the fence. For the purpose of applying height regulations, the average height of the fence along any unbroken run may be used, provided the height at any point is not more than ten percent greater than that normally permitted.

B. Fences in residential zoning districts are subject to the following height limits:

1. Fence heights shall not exceed four feet in front yards, six feet in side and rear yards, and four feet in side yards along road rights-of-way.

2. Horse fences shall not exceed four feet in height.

3. Fences adjacent to public trails and paths in districts requiring a minimum parcel area of one acre or more shall not exceed four feet in height.

C. A fence of normally permitted height under this section shall not be placed on top of fill designed so as to effectively increase the elevation of the top of the fence.

D. The height of a retaining wall, or a retaining wall with a fence erected on top of it, is measured from the exposed bottom of the wall to the top of the wall/fence.

E. The height of a fence placed on top of a fill supported by a retaining wall is measured from the top of the natural grade directly below the wall to the top of the fence.

18.43.040 Opacity.

A. Fences are subject to the following fence opacity limits:

1. In districts requiring a minimum parcel area of less than one acre, fences in front yards shall not exceed fifty percent opacity.

2. In districts requiring a minimum parcel area of one acre, domestic fences in front yards shall not exceed fifty percent opacity.

3. Fences in side yards adjacent to road rights-of-way shall not exceed fifty percent opacity.

4. Horse fences shall not exceed fifty percent opacity.

5. Fences adjacent to public trails and paths in districts requiring a minimum parcel area of one acre or more shall not exceed fifty percent opacity.

6. Fence members shall not exceed a six inch width when viewed perpendicularly to the plane of the fence for fences subject to an opacity limit.

7. Retaining walls are exempt from opacity limits.

18.43.050 Color reflectivity.

A. The reflectivity value for colors used on fences shall not exceed forty percent, except that naturally weathered wood may exceed such limit.

18.43.060 Horse fences.

A. Horse fences shall conform to the following standards:

1. There shall be no more than three horizontal wood members, each not to exceed six inches in width or no more than four horizontal wood or wire members, each wood member not to exceed four and a half inches in width.

2. The cross sections of posts must not exceed six inches by six inches; such posts shall not exceed four feet in height and shall be spaced no closer than five feet apart.

3. Six inch by six inch wire mesh may be attached to a horse fence but shall not exceed the height of the horse fence. Nothing else shall be attached to a horse fence that would violate the standards set forth in Section 18.43.060A and/or alter the visual characteristics of the horse fence.

4. Horse fence opacity shall not exceed fifty percent. See Section 18.43.040A4.

5. Horse fences shall not exceed four feet in height. See Section 18.43.030B2.

B. Gates attached to horse fences are exempted from Section 18.43.060.A1-3, but shall conform to height and opacity standards for horse fences and be of a similar design as a horse fence.

C. Horse fences that are also used as corral and pasture fences, must, in addition, comply with special requirements as set forth in the Town stable ordinance (Ord. 1988-242 Section 2 (Ex. A) (part), 1988; Ord. 1967-80 Section 1 (6207.4), 1967; Ord. 2001-338 Section 3 (part), 2001).

18.43.070 Entryway features. Entryway features, including gates, must adhere to the setback requirements set forth in Section 18.42.016.

18.43.080 Fence permits and administration.

A. Fence permits are required for construction of all fences built within required yards, except as otherwise specified in this section. Fence permit applications shall be made on a form provided by the Town Planning staff and shall be accompanied by plans demonstrating the design and materials of the proposed fence, the location of the proposed fence and any associated landscaping. A fee shall be paid to cover the cost of review by Town Planning staff, or on referral, by the Town Planner. Prior to approving a fence permit, Town Planning staff shall give written notice to owners of adjoining properties of the permit application. Prior to acting on a permit, Town Planning staff shall review the proposed design and location in the field, review the plans for conformance with the zoning ordinance and Design Guidelines, and consider comments from owner(s) of adjoining properties. Town Planning staff may take action on a permit or refer it to the ASCC. Written notification shall be given to owner(s) of adjoining properties at least six days prior to action by Town Planning staff or the ASCC. Any Town Planning staff decision may be appealed by an applicant or an owner of adjacent property to the ASCC. Any ASCC decision may be appealed by the applicant or an owner of adjacent property to the Board of Adjustment.

B. Fences within required yards that are no more than two feet in height, and no more than twenty feet in total length shall be exempt from this section but shall meet all other provisions of this chapter except Section 18.43.040 regarding Opacity.

C. The ASCC shall have the authority to review existing fences and fence permit applications under the following conditions:

1. Upon referral from Town Planning staff, pursuant to Section 18.43.080.A.

2. When acting on architectural review and site development permits, the ASCC shall consider and may require modifications to existing fencing on a property if the ASCC determines that there is a substantial modification to an existing residence or the site improvements of the property. If, in these situations, the ASCC determines that the existing fencing is not in conformity with current fencing standards, the ASCC may require conformity with the fencing regulations. In requiring conformity, the ASCC shall make the finding that the modified or replacement fencing will not result in an adverse effect on neighboring properties and reasonably adheres to the purposes of this chapter.

3. When a fence permit application demonstrates that the proposed fence cannot conform to the regulations given the conditions on the parcel, the ASCC may grant relief from the fence regulations. In making such determination, the ASCC shall as much as reasonably possible ensure the proposed fence achieves the purpose and principles of this chapter set forth in Section 18.43.010.

4. When a fence permit application is submitted for a proposed fence in the Mountainous-Residential (M-R) or Open-Area (O-A) zoning districts, the ASCC shall, with input from the Conservation Committee, make a determination of compliance based on the purposes of this chapter and the Fence Design Guidelines adopted by the Town Council.

D. When a portion of a fence exceeding twenty five percent of the total length of fencing within required yards on a property is damaged or voluntarily removed, any replacement fencing of that portion shall conform to the fence regulations pursuant to a fence permit.

4. Amendment of Code. Subsection C. of Section 18.54.020 [Measurement of height] of Chapter 18.54 [Building Bulk] of Title 18 [Zoning] of the Town of Portola Valley Municipal Code is hereby amended to read as follows:

C. Fence height measurement is subject to the provisions set forth in Section 18.43.030.A.

5. Repeal of Code. Subsections A and B of Section 18.42.040 [Exceptions to Requirements – Fences and walls] of Chapter 18.42 [Accessory Structures] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby repealed.

6. Repeal of Code. Subsection C of Section 18.54.020 [Measurement of height] of Chapter 18.54 [Building Bulk] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby repealed.

7. Environmental Review. This Ordinance is categorically exempt (Class 3) under the California Environmental Quality Act.

8. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or the applicability of this ordinance to other situations.

9. Effective Date; Posting. This ordinance shall become effective thirty (30) days after the date of its adoption and shall be posted within the Town of Portola Valley in three (3) public places.

INTRODUCED:	October 26, 2005
PASSED:	November 9, 2005
AYES:	Mayor Davis, Vice Mayor Toben, Councilmember Driscoll, Councilmember Comstock and Councilmember Merk
NOES:	None
ABSTENTIONS:	None
ABSENT:	None

By: _____
Mayor

ATTEST

_____
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

Section 9.06 - Fencing Requirements in Residential Zoning Districts

A. A fence permit shall be required for any new fence construction or replacement of an existing fence.

B. All fences shall be kept in good repair and shall not create urban blight. Dilapidated fences shall be repaired or replaced in accordance with provisions of this Ordinance. Fences may be painted or stained with natural wood colors. No bright unnatural colors are allowed.

C. Fences shall be constructed of wood, ornamental metal, tubular steel, masonry, or live material. The Director of Community Development or his/her agent may consider alternative fencing material for residential-zoned properties on a case-by-case basis. Chain link fencing is prohibited in all zoning districts unless approved by the Zoning Board of Adjustment (ZBA) as a special exception. Existing chain link fences may be replaced with a permit. All new or replacement chain link fencing shall be vinyl clad in black or green. Chain link fencing may be allowed on a temporary basis for construction purposes or special events. *(Amended by Ord. No. 1515 on July 20, 2010)*

D. Fences for non-residential uses allowed in residential districts such as schools and churches shall be ornamental metal, tubular steel, masonry or a combination thereof. No wood or chain link fencing shall be allowed unless specifically approved on a site plan by the City Council.

E. Chain link fencing shall not be allowed for perimeter fencing and shall not be visible from the street. Chain link fencing may be allowed for fencing of dog runs, tennis courts, etc.

F. No barbed wire, chain link, or electrical fencing shall be allowed except as used for farm or ranching purposes on undeveloped land over two (2) acres in area.

G. The maximum height requirements, as measured from the grade of the property, shall be as follows:

1. Thirty-six inches (36") for front yard or in front of the main structure.

2. Five feet (5') for front yard or in front of the main structure in SF-LD zoning district if constructed of split rail, ornamental metal, tubular steel, or similar open face material. *(Amended by Ord. No. 1515 on July 20, 2010)*

3. Eight feet (8') for side or rear yards not adjacent to any street, park, or trail.

4. Six feet (6') for side or rear yards adjacent to any street, park, or trail.

H. The height of a fence adjacent or perpendicular to a screening wall shall not exceed the height of the subdivision's screening wall or any other fence constructed by the developer at the time of initial development.

I. All fences adjacent to parks, trails or open space areas shall be constructed of masonry, ornamental metal, tubular steel, or similar material. Wood fencing shall not be allowed behind the required open fencing. The DRC may approve cedar wood fencing adjacent to private trail connections or private open spaces within a development.

J. Allowable wood fences adjacent to streets, schools, parks, or other public spaces shall have the finished side facing the public space. All fence posts and structural components shall be placed on the interior of the lot.

K. All replacement wood fences adjacent to a thoroughfare, as shown on the Thoroughfare Plan, shall be constructed of Cedar material with metal posts and Cedar top and bottom caps. The fence shall be stained with Ready Seal or an equivalent wood sealant material. Any new wood fences permitted adjacent to thoroughfares shall comply with this provision (see Section 9.11 - Figure 22).

L. Corner lots or double frontage lots shall comply with the following requirements:

1. The location of fences for double frontage lots or corner lots adjacent to a street shall be in accordance with the building setback line as shown on the final plat. If a property is not platted, the location of fences shall comply with the building setback requirements of the zoning district that the property is located in. The distance may be reduced to eight feet (8') from the property line if the fence is constructed of ornamental metal, tubular steel, or similar material with live screening.

2. If a corner lot is adjacent to a subdivision's screening wall, a fence may be placed outside the required setback line. In such cases, the fence shall meet the above requirements.

3. In subdivisions where a fence has been legally permitted to be five feet (5') from the property line, the immediate adjacent lot may also construct the same type fencing to be flush with the existing fence.

M. Swimming Pool Fences

Swimming pool fences shall comply with the following requirements:

1. Swimming pools shall have a fence of a minimum of four feet (4') in height with self-closing, self-latching gates. Openings in the fence shall not allow passage of a 4-inch-diameter sphere.

2. A dwelling, accessory building, or apartment building may be used as part of a fence enclosure, provided that all entrances into the swimming pool area or court are equipped with gates as described herein, or doors with latches or locks.

3. The fence may be constructed of wood, ornamental metal, tubular steel, or other approved material. Chain link fencing shall not be allowed unless it is completely contained within the lot and is not visible from any street or adjacent property. *(Amended by Ord. No. 1515 on July 20, 2010)*

EXHIBIT R

Flower Mound, TX

Sec. 98-1143. - Perimeter and open space walls and fences.

(a) Subdivision perimeter fences and walls constructed adjacent and parallel to the rights-of-way of arterial and collector streets shall consist of masonry, stone, wrought-iron or tubular steel, or a combination of such materials. The fences and walls shall be a minimum of six feet in height and shall have masonry or stone columns measuring a minimum of 24 inches by 24 inches, with monolithic tops, placed a maximum of 40 feet apart on center. Vertical or horizontal spacing of members of wrought-iron or tubular steel fencing and their attachment to any column shall not allow passage of a four-inch sphere. Wrought-iron and tubular steel fencing shall be used in conjunction with, and further provide for, approved plantings from section 82-277 of this Code, "Screening plant selection list," placed three feet on center adjacent to all wrought-iron and tubular steel fencing. Such perimeter fencing shall be located within a three-foot wide fence easement dedicated to the mandatory homeowners' association for perpetual maintenance by such association. Parallel privacy fences of wood or other construction shall not be allowed between the perimeter fencing and parallel foundation lines on adjacent or contiguous lots. Notwithstanding the foregoing, wrought-iron or tubular steel fencing of a minimum of four feet in height may be allowed at the open end of cul-de-sacs and between parallel streets, provided that such fencing complies with all of the requirements contained in this section other than height.

(b) Fences constructed adjacent and parallel to dedicated park, trail, or open space areas shall consist of wrought-iron or tubular steel. Such fences shall be a minimum of four feet in height and shall be of consistent color throughout a development. Vertical or horizontal spacing of members of wrought-iron or tubular steel fencing shall not allow passage of a four-inch sphere. Parallel privacy screening of masonry construction, not exceeding 50 percent of the lot width, shall be allowed between the wrought-iron or tubular steel fencing and parallel foundation lines on abutting lots. Approved plantings from section 82-277, screening plant selection list, shall be placed three feet on center along the entire length of that side of the masonry screening facing the wrought-iron or tubular steel fencing. Such masonry screening shall be located a minimum distance of ten feet from the wrought-iron or tubular steel fencing. Fences of wood shall not be allowed between such perimeter fencing and parallel foundation lines on adjacent or contiguous lots.

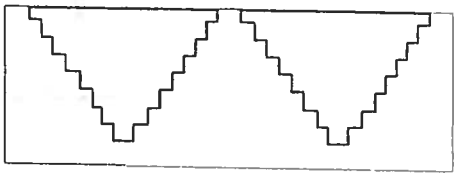
(Code 1989, ch. 12, § 5.06(a)—(e); Ord. No. 03-01, § 1, 1-4-2001; Ord. No. 06-12, § 38, 2-20-2012)

5.2 FENCES.

A. **FENCING REQUIREMENTS AND STANDARDS ALL DISTRICTS.**
The use of solid perimeter fences is not permitted except where indicated below. External orientation of the subdivision to the surrounding collector streets and adjacent subdivisions is encouraged and should limit the need for perimeter fences. A dense hedge row or other vegetative screening is preferred rather than the use of a fence when a commercial and or industrial subdivision is adjacent to a residential subdivision, unless a fence is required by this Ordinance.

1. PROHIBITED FENCES: No interlocking block system shall be permitted in any subdivision except as provided herein.

2. 4-INCH AND 6-INCH WIDE "INTERLOCKING BLOCKS": A 4" or 6" wide concrete masonry block designed in accordance with the approved Town of Queen Creek design specification are permitted for internal lot line and privacy fences.



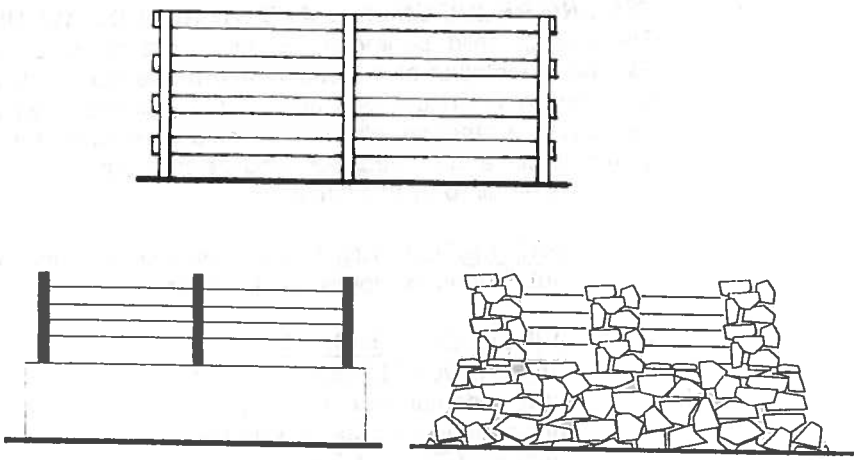
3. 6-INCH WIDE "NON- INTERLOCKING BLOCK": All perimeter subdivision fences adjacent to open space or arterial and collector rights-of-way shall be constructed of a 6" block provided the fence system is designed by an Arizona registered structural engineer and approved by the Town. An 8" block may be used but shall be designed and installed in accordance with the Town of Queen Creek design specification or an Arizona registered structural engineer.

4. 8-INCH WIDE "NON-INTERLOCKING BLOCK": 8" non-interlocking block is permitted in all areas of the subdivision provided it is designed and installed in accordance with the Town of Queen Creek design specification.

5. **ZONING DISTRICTS A-1, R1-190, R1-154, R1-108, R1-54 AND R1-43.**

a. Construction of solid fences shall be limited to the buildable area of the lot (within the building envelope). All fencing along the arterial streets and the perimeter of the subdivisions shall be view fencing (of an open style material). However, any fencing which is adjacent to an arterial or collector road, whether public or private, may be constructed in such a manner as to achieve at least 33% openness overall (4" solid – 2" view). Wire mesh or chain link, no higher than the top rail, may be used when in conjunction with a pipe rail or view fencing but not as a stand alone fencing material. The top of any view fence, if constructed of ornamental iron or a similar material, shall have a rail or horizontal member such that no portion of the view fence protrudes above the top rail or horizontal member. (Refer to **Figure 5A** at the end of Section 5.2 for example of R1-43 and Larger Fence Diagram.)

FIGURE 5.2-2 View Fence Illustration



b. Where solid view obscuring fences may be required, the fences shall be finished on all sides to match the residential product architectural style and design.

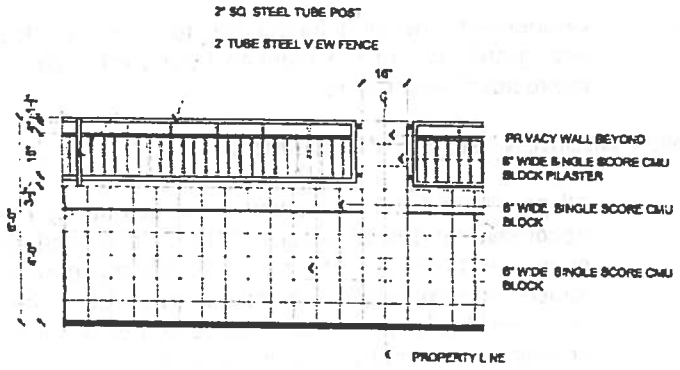
c. Connecting side yard fences are to be set back (minimum distance of one-quarter (1/4) of the required front yard) from the front face plane of the residential structure.

6. **ZONING DISTRICT R1-35, R1-18 and R1-15.**

a. Fences adjacent to streets may be solid fences, regardless of the landscape tract width separating the lots from the street. Openings in the perimeter wall are encouraged at the end of the abutting interior cul-de-sac streets. For use of solid fences – see Section 5.2.D Solid Perimeter Fence Standards.

b. Fences adjacent to a community open space system or trail located in tracts containing a minimum width of ten (10) feet shall be partial view fencing (4' solid – 2' view). The top of any view fence, if constructed of ornamental iron or a similar material, shall have a rail or horizontal member such that no portion of the view fence protrudes above the top rail or horizontal member.

FIGURE 5.2-3 Partial View Fence Illustration



c. Fences along side and rear property lines may be solid fences unless adjacent to a community open space or trail located in tracts containing a minimum width of ten (10) feet. (Refer to Figure 5B at the end of Section 5.2 for example when adjacent to trail system, transition area required open space, or street side yard.).

d. All perimeter fences shall be decoratively treated on all sides to match the residential product architectural style and design.

e. Connecting side yard fences are to be set back (minimum distance of one-quarter (¼) of the required front yard) from the front face plane of the residential structure.

7. **ZONING DISTRICTS R1-12, R1-9, R1-7, R1-8, R1-6, R-4, R-2 and TC (when developed as residential).**

a. Fences adjacent to streets may be solid fences, regardless of the landscape tract width separating the lots from the street. Openings in the perimeter wall are encouraged at the end of the abutting interior cul-de-sac streets. For use of solid fences – see Section 5.2.D Solid Perimeter Fence Standards.

b. Fences adjacent to a community open space system or trail located in tracts containing a minimum width of ten (10) feet shall be partial view fencing (4' solid – 2' view). The top of any view fence, If constructed of ornamental iron or a similar material, shall have a rail or horizontal member such that no portion of the view fence protrudes above the top rail or horizontal member.

c. Fences along side and rear property lines may be solid fences unless adjacent to a community open space or trail located in tracts containing a minimum width of ten (10) feet. (Refer to 5B at the end of Section 5.2 for

example when adjacent to trail system, transition area, required open space, or street side yard.)

d. All perimeter fences shall be decoratively treated on all sides to match the residential product architectural style and design.

e. Connecting side yard fences are to be set back (minimum distance of one-quarter (¼) of the required front yard) from the front face plane of the residential structure.

8. **NON-RESIDENTIAL ZONING DISTRICT.**

a. All perimeter fences adjacent to an arterial or major collector shall be decorative and undulating. A decorative variation shall be provided every one hundred (100) feet. Fences adjacent to the community open space system and/or perimeter trails shall be partial view fences provided that the perimeter fence is not a screen wall for an outside storage area. The top of any view fence shall have a rail or horizontal member such that no portion of the fence protrudes above the top rail or horizontal member.

b. All perimeter fences shall be finished on all sides to match the commercial and/or industrial product architectural style and design.

c. Trash and refuse collection locations shall be screened with a six (6) foot decorative masonry wall; except that a maximum of fifty percent (50%) of the required screening may be composed of live vegetation provided that the vegetation is view obscuring and a minimum of six (6) feet in height. Trash and refuse areas shall be located such that they are not the visual focal point of a driveway or parking area, or can not be viewed from a public street.

d. Outside storage areas shall be screened from the public street view and adjacent residences, office, and commercial uses to a height of at least six (6) feet. Materials shall not be stacked, piled, or stored in such a manner as to project above the screen wall when adjacent to residential areas.

e. Parking areas adjacent to the required front yard shall provide a decorative screen wall or landscape berm or combination thereof to a height not to exceed three (3) feet in order to adequately screen the undercarriages of the parked vehicles.

B. **FENCE STANDARDS**. Fences in all zoning districts shall comply with the following standards:

1. Fence materials shall be durable and consistent with abutting fences.

2. The site plan shall show the method of construction and anchoring the fence, posts, and gate.

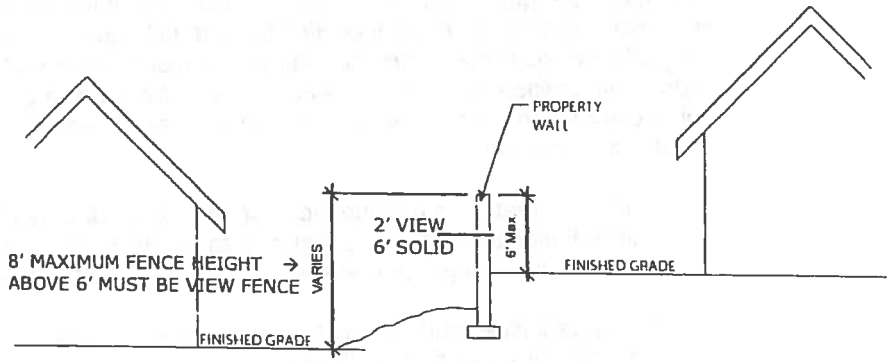
3. The site plan shall clearly show the distance between the fence and the abutting property lines and the distance to the sight line of a street right-of-way intersection. Adequate sight distance shall be maintained.

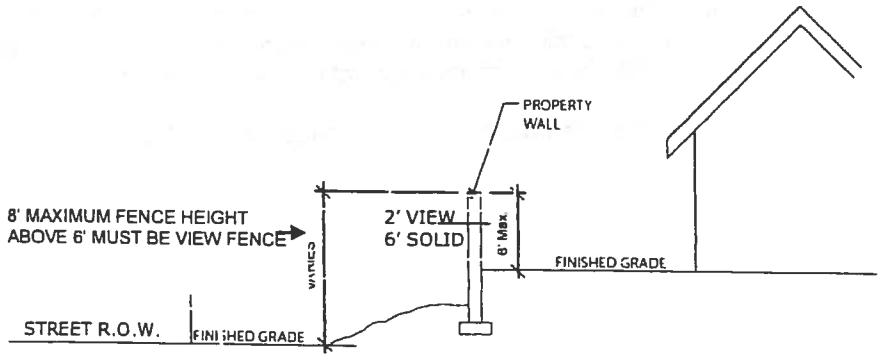
C. **RESIDENTIAL FENCE STANDARDS.** Fences in residential zones shall meet the following standards:

1. Except as otherwise provided in the district regulations, fences in the required front yard setback shall not exceed thirty six (36) inches in height. Such fences may be increased to forty-eight (48) inches maximum height if the fencing material extending above the thirty-six (36) inch height is an open material such as wrought iron or vinyl rail. Parcels that are zoned R1-43 and larger may construct fences up to six (6) feet in height, where the solid portion of the fence, if any, does not exceed thirty-six (36) inches and does not create any visibility conflicts that may be determined by the Town.

2. A fence constructed on a side or rear property line shall not exceed a height of six (6) feet from highest finished grade adjacent to the fence, nor more than eight (8) feet from the lowest grade adjacent to the fence. Any fence of more than six (6) feet height on the low side shall use berming, landscaping, fence offset(s) or similar enhancements to mask height differences, and in no case shall the fence height exceed eight (8) feet. Where the fence height exceeds six (6) feet on the lower side, a view fence shall be required for the portion above six (6) feet (6' solid – 2' view)

FIGURE 5.2-4 – FENCE HEIGHT DETERMINATION





3. On that part of the lot other than the required front yard setback area, fences may be erected to six (6) feet in height.

4. The height of fences shall be determined by measurement from the ground level at all points upon which the fence is located. An increase in height shall be allowed when spacing for drainage under the fence is needed.

5. When a corner lot abuts a key lot, the fence or freestanding wall over three (3) feet six (6) inches but not more than six (6) feet in height on the corner lot shall be set back from the street side property line not less than one-half (1/2) the depth of the required front yard.

6. The height and location requirements of this section may be modified as part of a subdivision, planned development, special use or conditional use approval. For fences on retaining walls, see definition of a retaining wall.

D. **SOLID PERIMETER FENCE STANDARDS**

Solid Fencing use along arterial and collector streets on the perimeter of residential projects addresses individual property concerns regarding noise, light, privacy and safety. Because solid fence use affects the image, character, safety and privacy of the community, design upgrades such as material choices and additional buffering to offset the reduction in project openness and reduce the impact of solid fencing is required.

Solid fence designs shall require use of a minimum of three (3) materials including stone, brick, block or textured block including treated, split-face, single-score or patterned integrally colored block or similar enhancement and may include changes in color or texture. In addition, to create greater variety and achieve the level of design enhancement required for use of solid fences, use of items in three (3) of the categories listed is also required.

1. Landscape materials may be increased in size and/or quantity to give a more mature "finished" look at initial presentation of the project. All trees shall be twenty-four (24) inch box size or larger and al shrubs shall be a minimum 5-gallon size.

2. Use of distinctive landscaping that integrates changes in grade, boulders, accent flowering shrubs and ground covers.

3. Design features may be employed to create additional visual interest and/or variety, such as additional pilasters or lighting, metal highlights including copper, tin or steel, or architectural details such as sculptural, decorative or water elements.

4. Offsets or undulations of solid fencing with a minimum of two (2) feet change to create additional variety. The length of the offset shall be the lesser of three lot widths or a minimum length of one hundred (100) feet; or

5. Buffer area width may be increased five (5) feet.

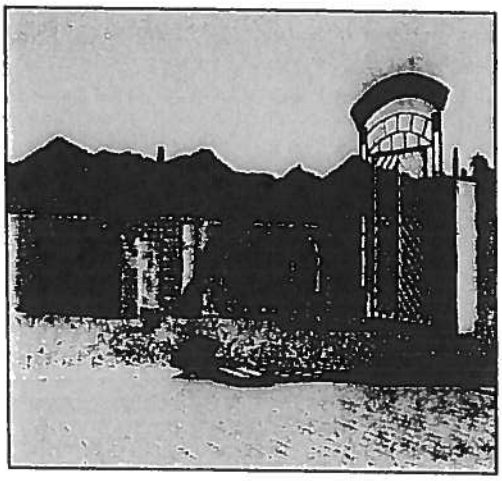


Figure 5.2-6

R1-43 Zoning (and Larger) Fence Diagram

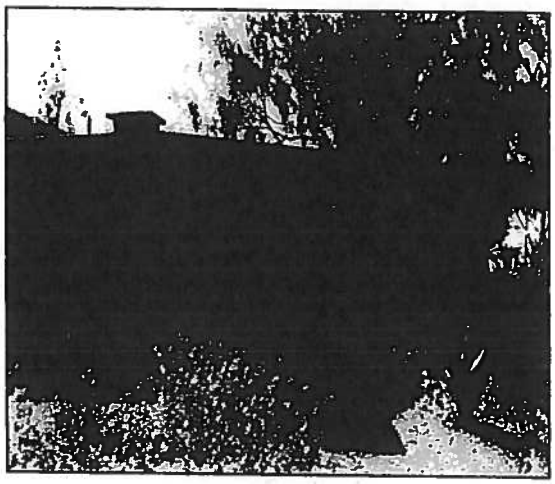
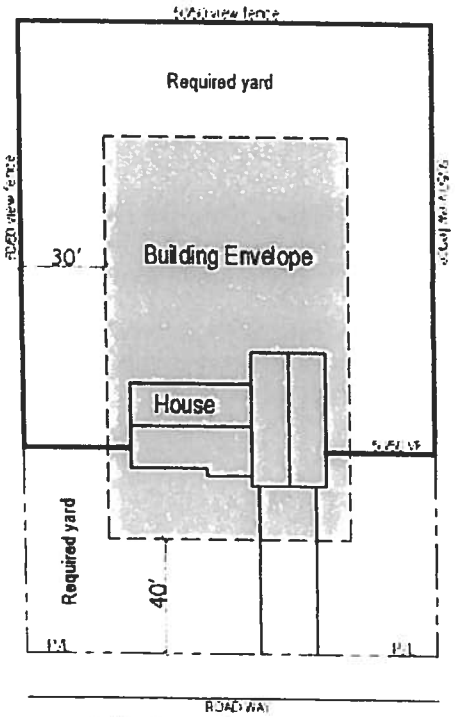
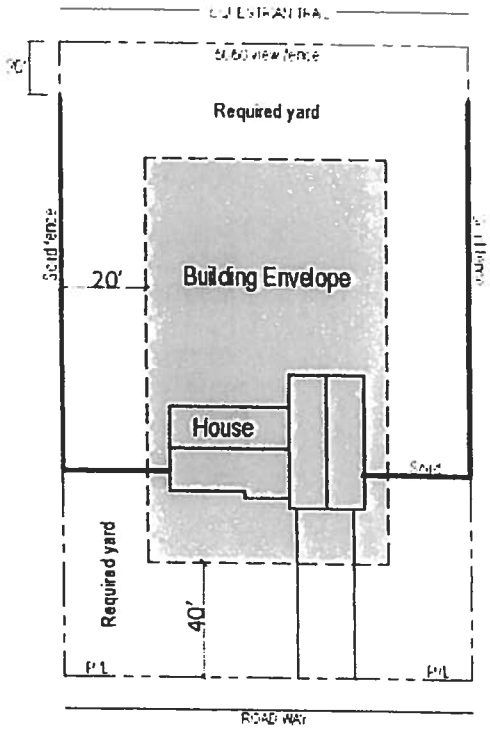


Figure 5.2-7

R1-35 Zoning Fence Diagram





CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: COMMUNITY DEVELOPMENT DEPARTMENT MONTH END REPORT FOR NOVEMBER 2015

DATE: DECEMBER 9, 2015

BUILDING PERMITS SUMMARY:

	November 2015	*YTD 2015*	*YTD 2014*	*YTD % Change*
Total Permits	67	847	909	-7%
Total Revenue	$117,280	$822,141	$1,015,254	-19%
New Home Permits	3	15	8	88%
New Home Revenue	$87,225	$441,455	$233,020	89%
Remodel/Addition Permits	11	108	128	-15%
Remodel/Addition Revenue	$9,664	$172,740	$218,346	-21%

PLANNING AND ZONING COMMISSION:

- November 10, 2015 Regular Meeting: The Commission made recommendations for amendments to the fencing code and overall building height allowance.

BOARD OF ADJUSTMENT AND APPEALS:

- November 5, 2015 Regular Meeting: The Board approved a setback variance request for 5871 E. Nassau Place to allow for an addition.

ATTACHMENTS:

Exhibit A: Planning Project Activity List
Exhibit B: Year-to-Date Permit Activity Graphs
Exhibit C: Permit Summary Table
Exhibit D: Issued Permit Report

EXHIBIT A

Planning Project Activity List

Community Development Department

Report Date: December 3, 2015

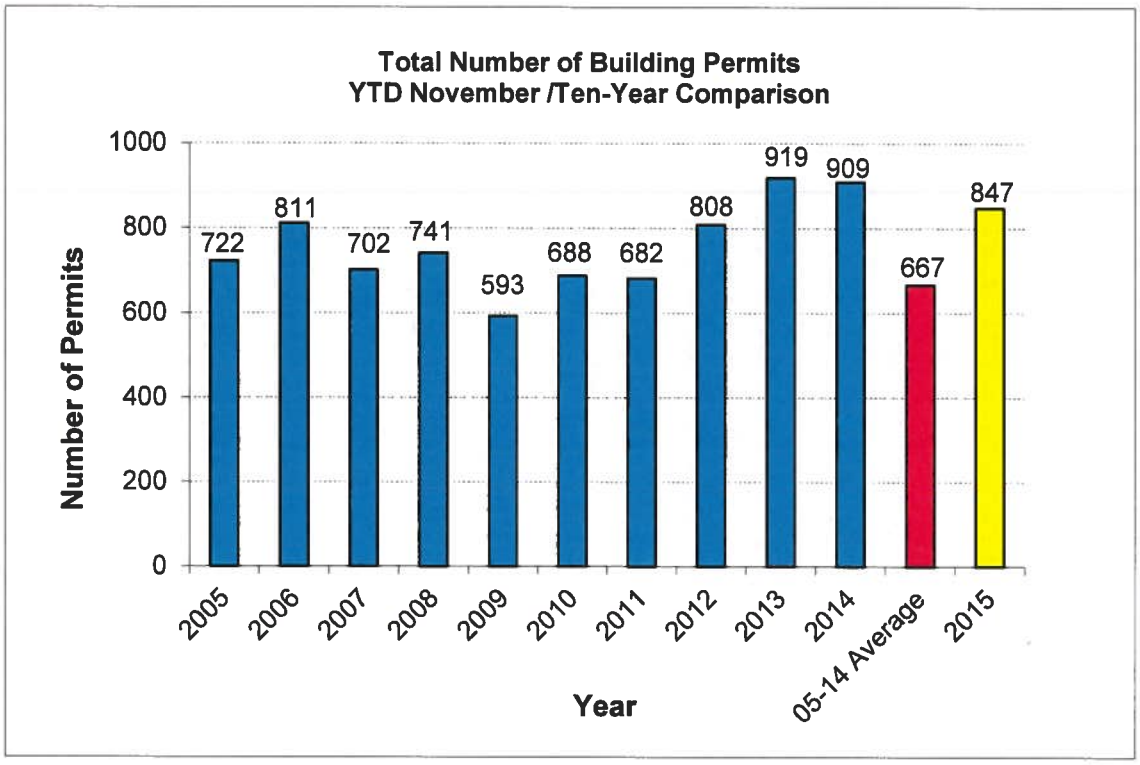
City Council and Planning and Zoning Commission Members are advised to avoid discussing quasi-judicial land use matters with any person outside of the public hearing process. The restriction on discussion of quasi-judicial matters is generally considered to take effect when a formal application has been filed with the City. The following list includes only those matters for which the City has received a formal application. City Council and Planning and Zoning Commission Members are nevertheless advised to use caution in discussing any land use matter that may become quasi-judicial, even before the filing of a formal application.

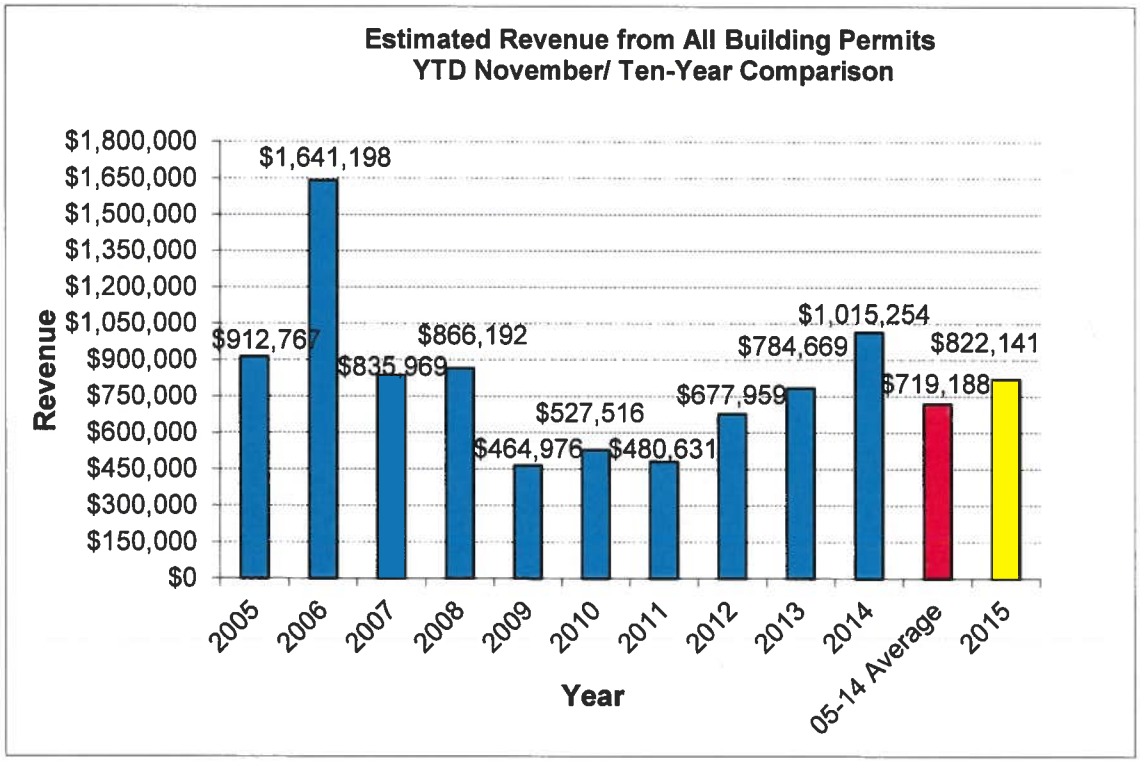
Quasi-Judicial Cases					
Applicant	*Address*	*Description*	*PTRC Review*	*P&Z Review*	*Council Review*
Helen	1530 E. Oxford Lane	Floodplain Development Permit and Boundary Amendment for New Home	n/a	10/13 01/12/16	Pending
Maven Properties, LLC	2 Tenaya Ln/5050 Quincy Ave	Minor Subdivision Amendment, Cantitoe – Vacation and Relocation of Trail Easement	Pending	Pending	Pending
Centre Point Properties	1400 E. Hampden	Conditional Use Permit for Roof-Mounted Wireless Facility	n/a	Pending	Pending
Glenmoor Country Club/HOA	110 Glenmoor Drive	Amendment to Subdivision Agreement Prohibition on Water Wells	n/a	Pending	Pending
Non Quasi-Judicial Cases and Ordinance Amendments					
Applicant	*Address*	*Description*	*PTRC Review*	*P&Z Review*	*Council Review*
City Council Initiated	n/a	Fencing Code Amendments	06/09 09/10 10/21	06/09 08/25 10/21	12/09
P&Z Initiated	n/a	Amendments to Sec. 16-16-50 – Clarify Recreational Use Lighting Code for Residences and Expanded Use Applications	n/a	01/12/16	Pending
City Council Initiated	n/a	Cat Anderson Property Zoning Category	Pending	Pending	Pending
Cherry Hills Farm HOA	n/a	Amendment to Sec. 16-1-10 and 16-18-20 – Amend Guardhouse Review Process for Public Roads	n/a	1/13	2/3 Tabled Indefinitely

Board of Adjustment and Appeals Cases			
Applicant	*Address*	*Description*	*BOAA Review*

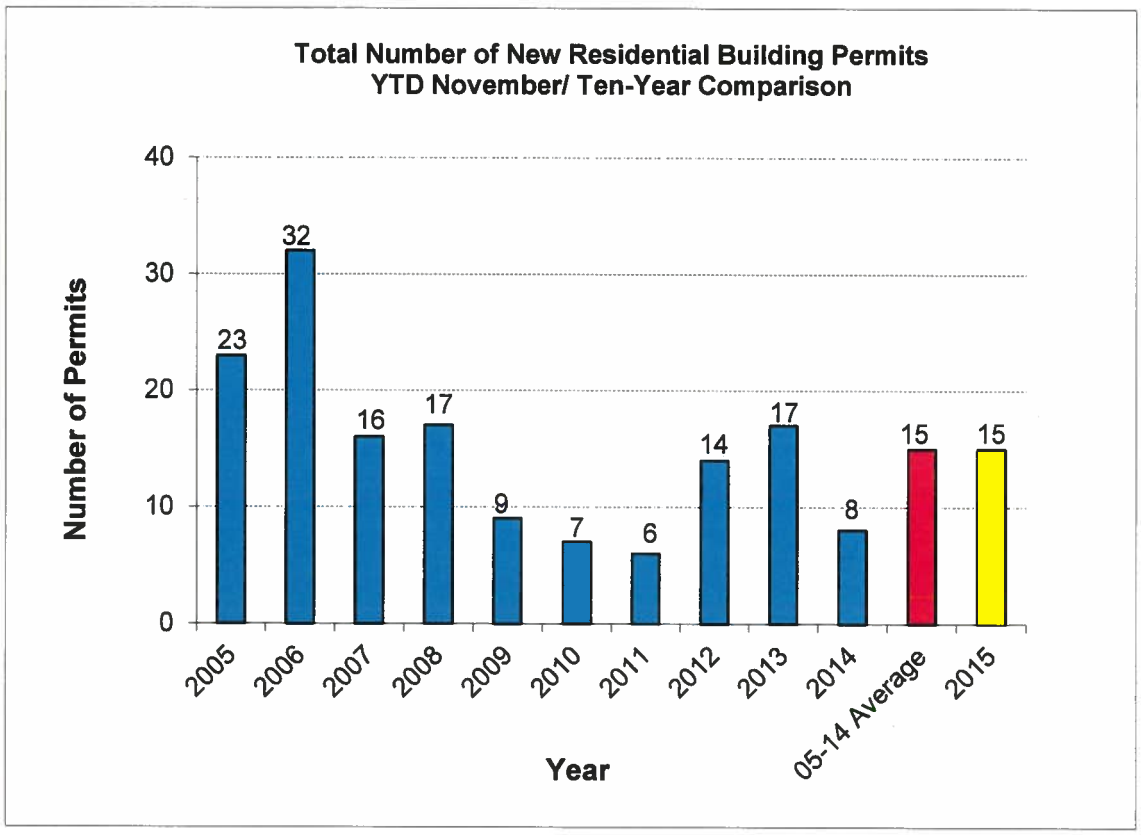
EXHIBIT B

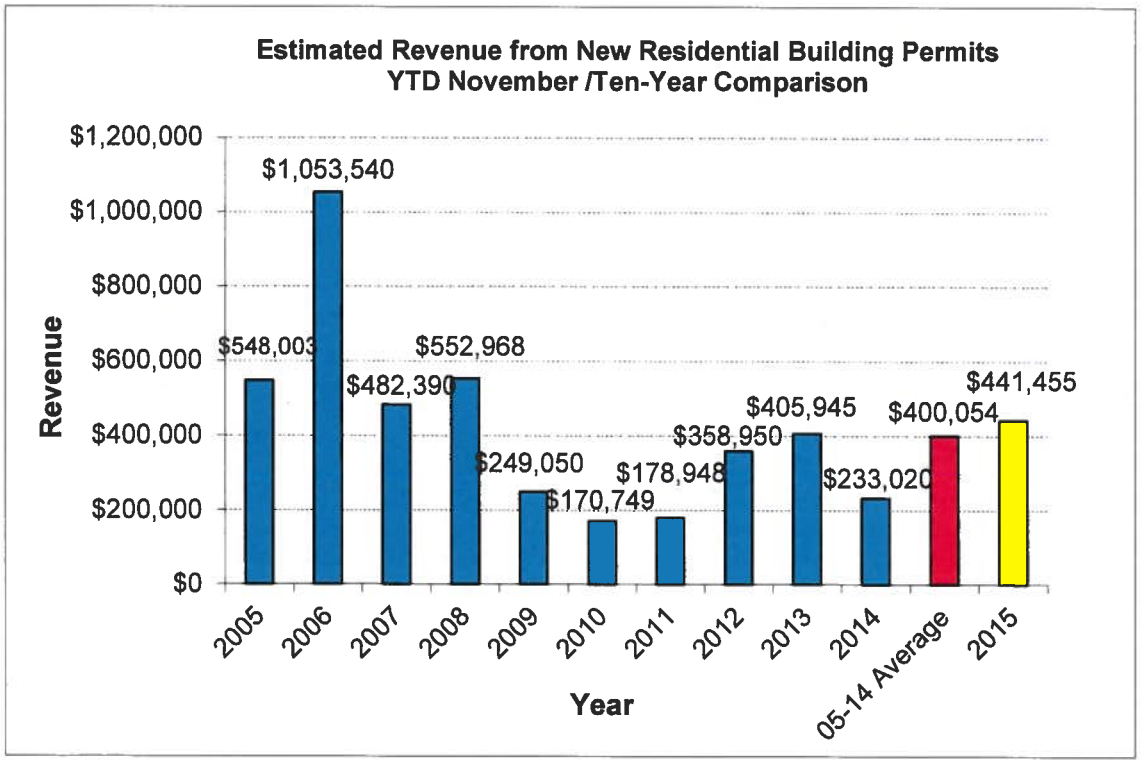
TOTAL PERMITS
YTD THROUGH NOVEMBER
10 YEAR COMPARISON



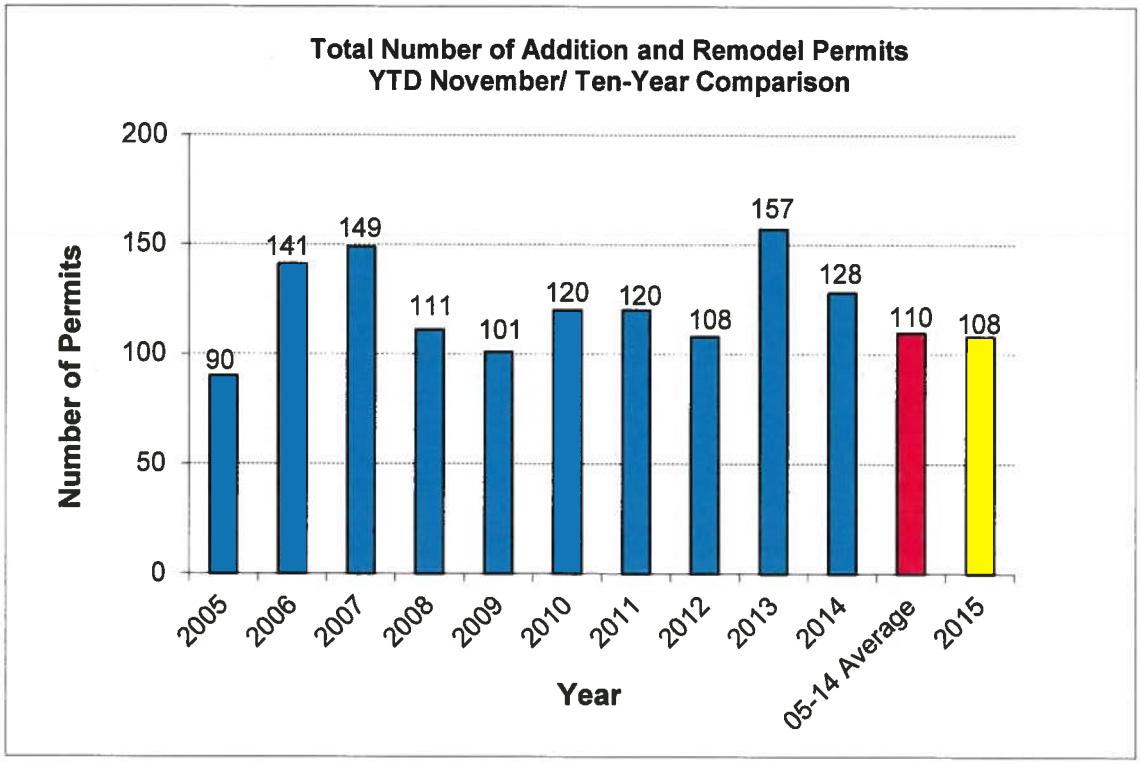


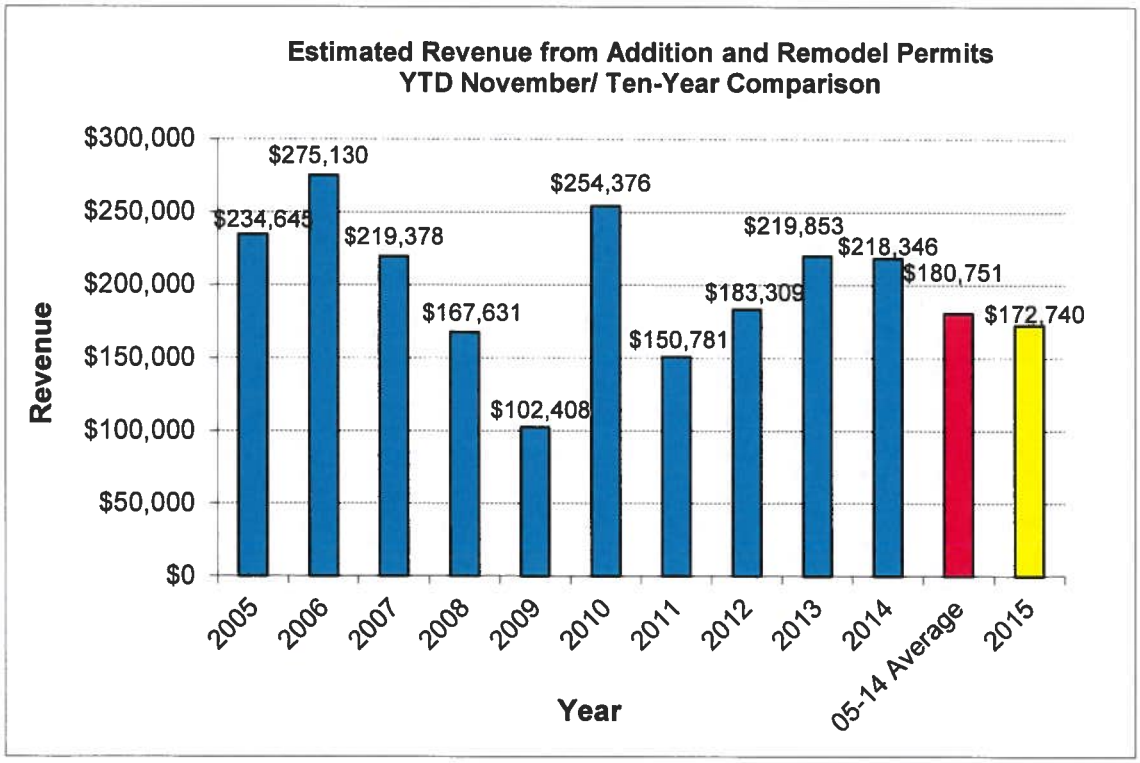
NEW RESIDENCES
YTD THROUGH NOVEMBER
10 YEAR COMPARISON





ADDITIONS & REMODELS
YTD THROUGH NOVEMBER
10 YEAR COMPARISON





CITY OF CHERRY HILLS VILLAGE BUILDING DEPARTMENT
MONTHLY REPORT FOR
NOVEMBER 1-30, 2015

		2015 YTD	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
I	**Residences**													
	Number Issued	15	0	1	1	2	2	1	2	1	1	1	3	
	Project Valuation	$26,289,885.00	$0.00	$816,385.00	$6,273,500.00	$1,620,000.00	$2,700,000.00	$4,000,000.00	$1,530,000.00	$1,100,000.00	$1,300,000.00	$1,400,000.00	$5,550,000.00	
	Bldg. Permits	$262,898.00	$0.00	$8,163.00	$62,735.00	$16,200.00	$27,000.00	$40,000.00	$15,300.00	$11,000.00	$13,000.00	$14,000.00	$55,500.00	
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
	Plan Check Fee	$44,137.50	$0.00	$3,300.00	$5,475.00	$5,400.00	$5,400.00	$3,300.00	$5,775.00	$3,675.00	$2,400.00	$2,325.00	$7,087.50	
	Service Exp. Fee	$134,419.20	$0.00	$7,016.20	$17,744.70	$13,020.30	$18,052.70	$11,998.90	$15,742.50	$7,015.50	$10,464.00	$8,726.20	$24,638.20	
II	**Additions & Remodels/Alterations**													
	Number Issued	108	12	11	7	15	11	11	7	7	8	8	11	
	Project Valuation	$11,406,455.13	$1,074,721.13	$774,500.00	$1,914,217.00	$1,301,445.00	$1,265,256.00	$503,000.00	$185,500.00	$1,305,000.00	$1,404,250.00	$1,261,800.00	$416,766.00	
	Bldg. Permits	$114,509.25	$10,747.22	$7,745.00	$19,142.17	$13,014.45	$12,707.25	$5,030.00	$1,855.00	$13,335.00	$14,047.50	$12,618.00	$4,267.66	
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
	Plan Check Fee	$40,650.00	$4,050.00	$3,600.00	$3,450.00	$5,550.00	$4,500.00	$3,300.00	$2,100.00	$3,000.00	$3,000.00	$3,600.00	$4,500.00	
	Service Exp. Fee	$17,581.20	$1,458.40	$1,070.10	$545.10	$2,383.20	$2,509.80	$23.00	$0.00	$3,430.50	$2,455.70	$2,809.40	$896.00	
III	**Accessory & Recreational**													
	Number Issued	2	2	4	3	7	8	8	3	0	10	10	4	
	Project Valuation	$3,283,952.00	$132,100.00	$184,250.00	$234,795.00	$194,000.00	$320,000.00	$346,500.00	$179,212.00	$0.00	$432,895.00	$684,200.00	$576,000.00	
	Bldg. Permits	$33,053.16	$1,321.10	$1,842.50	$2,347.95	$1,940.00	$3,200.00	$3,565.43	$1,792.12	$0.00	$4,382.06	$6,902.00	$5,760.00	
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
	Plan Check Fee	$19,950.00	$600.00	$1,350.00	$900.00	$2,250.00	$2,400.00	$2,550.00	$900.00	$0.00	$3,000.00	$2,700.00	$3,300.00	
	Service Exp. Fee	$8,375.60	$435.20	$0.00	$698.40	$340.00	$977.60	$1,339.20	$348.00	$0.00	$710.00	$438.40	$3,088.80	
IV	**Other Bldgs, Structures, & Misc.**													
	Number Issued	477	31	31	43	44	30	52	78	50	40	40	38	
	Project Valuation	$9,899,653.06	$812,123.37	$804,870.00	$711,100.13	$2,075,480.01	$457,162.06	$789,919.00	$1,363,577.00	$1,111,286.35	$534,702.00	$620,735.14	$618,698.00	
	Bldg. Permits	$94,655.61	$7,847.96	$8,018.56	$6,533.88	$20,337.39	$4,505.12	$7,757.17	$12,109.64	$10,788.87	$4,689.02	$6,198.62	$5,869.38	
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
	Plan Check Fee	$15,619.98	$900.00	$780.50	$1,700.00	$2,400.00	$2,500.00	$600.00	$2,378.42	$1,961.42	$957.99	$841.65	$600.00	
	Service Exp. Fee	$1,216.80	$0.00	$0.00	$1,216.80	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
V	**Electrical**													
	Number Issued	188	16	11	15	22	17	22	29	10	13	22	11	
	Project Valuation	$1,532,149.17	$151,464.00	$70,600.00	$40,085.00	$122,380.00	$75,128.00	$322,140.00	$286,973.00	$36,270.00	$67,473.00	$298,325.00	$61,311.17	
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	
	Bldg. Permits	$34,474.50	$3,506.00	$1,667.00	$1,169.50	$3,046.25	$1,686.25	$7,054.50	$6,085.00	$737.00	$1,472.75	$6,577.75	$1,472.50	
	Plan Check Fee	$600.00	$0.00	$300.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$300.00	
VI	**Totals**													
	Number Issued	847	61	58	69	90	68	94	119	68	72	81	67	0
	Project Valuation	$52,412,094.36	$2,170,408.50	$2,650,605.00	$9,173,697.13	$5,313,305.01	$4,817,546.06	$5,961,559.00	$3,545,262.00	$3,552,556.35	$3,739,320.00	$4,265,060.14	$7,222,775.17	$0.00
	Bldg. Permits	$539,590.52	$23,422.28	$27,436.06	$91,928.50	$54,538.09	$49,098.62	$63,407.10	$37,141.76	$35,860.87	$37,591.33	$46,296.37	$72,869.54	$0.00
	Reinspection/Investigation Fee	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
	Plan Check Fee	$120,957.48	$5,550.00	$9,330.50	$11,525.00	$15,600.00	$14,800.00	$9,750.00	$11,153.42	$8,636.42	$9,357.99	$9,466.65	$15,787.50	$0.00
	Service Exp. Fee	$161,592.80	$1,893.60	$8,086.30	$20,205.00	$15,743.50	$21,540.10	$13,361.10	$16,090.50	$10,446.00	$13,629.70	$11,974.00	$28,623.00	$

EXHIBIT C

Grouped By:	Sorted By:	Parameters:
Permit Type (Asc)	Work Start (Asc)	Date Issued Is between 11/1/2015 and 11/30/2015

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Accessory Structure				
76757 1715 Accessory Structure 10/22/15 11/6/15	6304 E STANFORD AVE ENGLEWOOD, CO 80111-1161	R-4	KULICH, PATTY / KULICH, PATTY / MOSAIC / 720-774-1561	8,500 / 395.63 11/6/15 / 5/7/17 Active
Description of Work: REPLACE EXISTING DECK				
76619 848 Accessory Structure 8/27/15 11/17/15	4001 E QUINCY AVE ENGLEWOOD, CO 80113-4915	R-1	CLEARVIEW FARM LLC / CLEARVIEW FARM LLC / CHARACTER BUILDERS COLORADO / 303-8	500,000 / 11,263.80 11/17/15 / 5/1/17 Active
Description of Work: ACCESSORY BUILDING				
76806 712 Accessory Structure 11/9/15 11/24/15	79 SEDGWICK PL ENGLEWOOD, CO 80113-4106	R-2	GUARDO & HALL, PAMELA & BRYAN / 203-4 GUARDO & HALL, PAMELA & BRYAN / 203-4 THE LANDSCAPING COMPANY INC / 303-92.	37,500 / 871.88 11/24/15 / 5/25/17 Active
Description of Work: PATIO, GAS GRILL, PERGOLA. FIRE PIT				
76809 795 Accessory Structure 11/9/15 11/24/15	51 SUNSET DR ENGLEWOOD, CO 80113-4030	R-1	AKRAMI, AHMAD & SOPHIA S / AKRAMI, AHMAD & SOPHIA S / FOUR SEASONS DESIGNS / 303-434-7754	30,000 / 637.50 11/24/15 / 5/25/17 Active
Description of Work: REPLACE PATIO WITH PAVERS AND ADD FIREPIT AND GRILL				

Total Permits Issued (**Accessory Structure**) : 4 **Total Cost:** 576,000.00 **Total Fees:** 13,168.81

EXHIBIT D

Phone : (303) 789-2541
Fax : (303) 761-9386

Cherry Hills Village, CO
2450 E. Quincy Avenue
Phone : (303) 789-2541
Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Building Permit - Other				
76788 494 Building Permit - Other 11/2/15 11/2/15	4660 S COLUMBINE CT ENGLEWOOD, CO 80113-7107	R-3 Council District 1 Chry Hls Farm Flng 1	SATURN DEVELOPMENT CORP / SATURN DEVELOPMENT CORP / PIPEX / 303-520-4802	3,500 / 39.38 11/2/15 / 5/17/17 Complete
Description of Work: SEWER SERVICE REPAIR				
76789 576 Building Permit - Other 11/2/15 11/2/15	4 CHERRY HILLS FARM DR ENGLEWOOD, CO 80113-7162	R-3 Council District 1 Chry Hls Farm Flng 1	KINTZELE, GREG / KINTZELE, GREG / BLACKSTOCK CONSTRUCTION INC / 303-78	36,500 / 410.63 11/2/15 / 5/2/17 Active
Description of Work: REMOVE AND REPLACE EXISTING WINDOWS, NO CHANGE OF OPENINGS				
76793 998 Building Permit - Other 11/3/15 11/4/15	5469 E OXFORD AVE ENGLEWOOD, CO 80113-5120	R-4 Council District 6	LUBECK, ROB / LUBECK, ROB / MASTER PLUMBING AND SUPPLY /	500 / 20.00 11/4/15 / 5/5/17 Active
Description of Work: ADDING GAS LINE FOR GAS GRILL 3/4'.				
76797 1610 Building Permit - Other 11/4/15 11/4/15	5780 E NASSAU PL ENGLEWOOD, CO 80111-1022	R-4 Chry Hls Farm Flng 2	METCALF, KEN / 803-378-8986 METCALF, KEN / 803-378-8986 PELLA WINDOWS & DOORS / 303-253-0150	7,669 / 86.28 11/4/15 / 5/5/17 Active
Description of Work: REPLACING ONE DOOR LIKE FOR LIKE				
76801 698 Building Permit - Other 11/4/15 11/4/15	37 SEDGWICK DR ENGLEWOOD, CO 80113-4109	R-2	FISHER, JANICE K / FISHER, JANICE K / APPLEWOOD PLUMBING & HEATING CO / 3	16,724 / 188.15 11/4/15 / 5/4/17 Active
Description of Work: REPLACE 2 WATERS HEATERS WITH 240 GALLON, 40K BTU UNITS. REPLACE 2 FURNACES WITH 80 PERCENT 80 K BTU UNI				
76786 358 Building Permit - Other 10/30/15 11/5/15	85 MEADE LN ENGLEWOOD, CO 80113-6030	R-1	DIECIDUE, RICHARD / 303-358-1001 DIECIDUE, RICHARD / 303-358-1001 BLUE SKY PLUMBING & HEATING / 303-421-	8,300 / 93.38 11/5/15 / 5/6/17 Active
Description of Work: REPLACING FURNACE IN ATTIC				
76804 566 Building Permit - Other 11/6/15 11/6/15	3238 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6010	R-3 Council District 1 Chryridge	DATWYLER, STEVE / DATWYLER, STEVE / COOPER HEATING & COOLING / 303-466-42	8,329 / 93.70 11/6/15 / 5/7/17 Active
Description of Work: REPLACEMENT FURNACE AND AC UNIT				
76807 795 Building Permit - Other 11/9/15 11/9/15	51 SUNSET DR ENGLEWOOD, CO 80113-4030	R-1	AKRAMI, AHMAD & SOPHIA S / AKRAMI, AHMAD & SOPHIA S / FOUR SEASONS DESIGNS / 303-434-7754	15,000 / 168.75 11/9/15 / 5/10/17 Active
Description of Work: REPLACE OLD WOODWORK WITH STONE TO MATCH THE REST OF THE HOUSE.				

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76813 619 Building Permit - Other 11/10/15 11/10/15	9 LYNN RD ENGLEWOOD, CO 80113-4901	R-1	KING, MARK / 303-668-9777 KING, MARK / 303-668-9777 APPLEWOOD PLUMBING & HEATING CO / 3	5,477 / 61.62 11/10/15 / 5/11/17 Active
Description of Work: REPLACE WATER HEATER WITH 75 GAL 76K BTU UNIT				
76814 2022 Building Permit - Other 11/10/15 11/10/15	64 GLENMOOR DR ENGLEWOOD, CO 80113-7116	R-3A	SHANER, HANNA M / SHANER, HANNA M / THE HEAT DEPOT / 719-532-9000	4,500 / 50.63 11/10/15 / 5/11/17 Complete
Description of Work: INSTALL 80% EFFICIENT FURNACE				
76816 459 Building Permit - Other 11/11/15 11/11/15	60 GLENMOOR CIR ENGLEWOOD, CO 80113-7121	R-3	STEINBERG, CAROL / STEINBERG, CAROL / HORIZON MECHANICAL / 303-346-3466	4,873 / 54.82 11/11/15 / 5/12/17 Complete
Description of Work: FURNACE REPLACEMENT 80K BTU SINGLE STAGE IN ATTIC				
76766 1671 Building Permit - Other 10/27/15 11/12/15	54 CHARLOU CIR ENGLEWOOD, CO 80111-1103	R-3	SUBBARAO, VIJAY / 303-472-5451 SUBBARAO, VIJAY / 303-472-5451 NUBILT RESTORATION AND CONSTRUCTIOI	24,870 / 579.79 11/12/15 / 5/13/17 Complete
Description of Work: REMOVE EXISTING WINDOWS AND WINDOW WELLS REPLACE WITH EGRESS WINDOWS. INSTALL PERIMETER DRAIN AND				
76827 1483 Building Permit - Other 11/17/15 11/17/15	5730 E PRINCETON AVE ENGLEWOOD, CO 80111-1027	R-4 Council District 5	BURGAYNE, NICK / 415-939-0684 BURGAYNE, NICK / 415-939-0684 STONE AND CONCRETE / 720-450-7819	2,600 / 29.25 11/17/15 / 5/18/17 Complete
Description of Work: FULL SEWER LINE REPLACEMENT TO EASMENT BEHIND PROPERTY. IN PROPERTY PORTION IS 100' LONG AND 10' DEEP.				
76831 349 Building Permit - Other 11/18/15 11/19/15	1501 E QUINCY AVE ENGLEWOOD, CO 80113-4808		RIESE, ARTHUR C & LAURA J / RIESE, ARTHUR C & LAURA J / GRAMS MASONRY INC / 303-810-2944	3,500 / 39.38 11/19/15 / 5/20/17 Active
Description of Work: CONSTRUCT NEW MASONRY MAILBOX POST AT EXISTING MAILBOX LOCATION.				
76835 1876 Building Permit - Other 11/19/15 11/19/15	6170 E QUINCY AVE ENGLEWOOD, CO 80111-1002	R-1	HORAN, ANDREA S / HORAN, ANDREA S / CLIMATE ENGINEERING / 303-725-2638	250 / 20.00 11/19/15 / 5/20/17 Complete
Description of Work: PRESSURE TEST				
76836 560 Building Permit - Other 11/19/15 11/19/15	4500 S VINE WAY ENGLEWOOD, CO 80113-6028	R-1 Chrymoor South	MORLAND, ROBERT / 303-525-1612 MORLAND, ROBERT / 303-525-1612 PELLA WINDOWS & DOORS / 303-253-0150	30,220 / 339.98 11/19/15 / 5/20/17 Active
Description of Work: REPLACING 2 DOORS LIKE FOR LIKE U FACTOR .26				

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76841 106 Building Permit - Other 11/20/15 11/20/15	17 VIKING DR ENGLEWOOD, CO 80113-7054		PATE, LORI / PATE, LORI / KEVIN EVANS / 720-724-7100	1,000 / 20.00 11/20/15 / 5/21/17 Active
Description of Work: MOVE SERVICE LINE				
76815 431 Building Permit - Other 11/10/15 11/24/15	4945 S GAYLORD ST ENGLEWOOD, CO 80113-7131	R-3 Council District 3	MAHRE, KELLY / 925-699-5737 MAHRE, KELLY / 925-699-5737 GAS CONNECTION / 303-466-4206	2,000 / 322.50 11/24/15 / 5/25/17 Active
Description of Work: CONVERT WOOD FIRE PLACE TO GAS LOGS				
76844 457 Building Permit - Other 11/23/15 11/24/15	48 GLENMOOR CIR ENGLEWOOD, CO 80113-7121	R-3 Council District 3	DONOVAN, JEFF / DONOVAN, JEFF / WATERMARK LANDSCAPE AND DESIGN / 7	20,000 / 225.00 11/24/15 / 5/25/17 Active
Description of Work: NEW PATIO				
76848 899 Building Permit - Other 11/25/15 11/25/15	3940 S HUDSON WAY ENGLEWOOD, CO 80113-5112	R-4	STRIPE, JOHN / STRIPE, JOHN / TRENCH RIGHT / 303-287-9009	13,400 / 150.75 11/25/15 / 5/26/17 Complete
Description of Work: 10' REPAIR ON SANITARY SEWER LINE IN FRONT YARD AND INSTALL CLEANOUTS.				
76849 617 Building Permit - Other 11/30/15 11/30/15	1 RANDOM RD ENGLEWOOD, CO 80113-6105	R-1 Council District 1 White's	WELIVER, MARCIA MOORE / WELIVER, MARCIA MOORE / BELL PLUMBING & HEATING / 303-757-5661	1,500 / 20.00 11/30/15 / 6/1/17 Active
Description of Work: INSTALL 50 GAL BTU OF 40K GAS WATER HEATER				

Total Permits Issued (**Building Permit - Other**) : 21 **Total Cost:** 210,712.00 **Total Fees:** 3,013.99

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Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Demo					
76800 Demo 11/4/15	709 11/4/15	29 SEDGWICK DR ENGLEWOOD, CO 80113-4109	R-2	WITTOW, SANDRA R / WITTOW, SANDRA R / CHAMBERS CONSTRUCTION / 303-591-1039	3,500 / 20.00 11/4/15 / 5/5/17 Active
Description of Work: DEMO FROM FIRE DAMAGE					
76803 Demo 11/5/15	1671 11/5/15	54 CHARLOU CIR ENGLEWOOD, CO 80111-1103	R-3	SUBBARAO, VIJAY / 303-472-5451 SUBBARAO, VIJAY / 303-472-5451 NUBILT RESTORATION AND CONSTRUCTIOI	10,000 / 20.00 11/5/15 / 5/6/17 Complete
Description of Work: DEMO					
76808 Demo 11/9/15	795 11/9/15	51 SUNSET DR ENGLEWOOD, CO 80113-4030	R-1	AKRAMI, AHMAD & SOPHIA S / AKRAMI, AHMAD & SOPHIA S / FOUR SEASONS DESIGNS / 303-434-7754	1,000 / 20.00 11/9/15 / 5/10/17 Active
Description of Work: DEMO OLD CONCRETE					
76818 Demo 11/12/15	938 11/12/15	4031 S HUDSON WAY ENGLEWOOD, CO 80113-5113	R-4	WOODARD, JAMES M JR, TRUSTEE / WOODARD, JAMES M JR, TRUSTEE / NUBILT RESTORATION AND CONSTRUCTIOI	5,000 / 20.00 11/12/15 / 5/13/17 Active
Description of Work: DEMO DRYWALL IN BASEMENT AND MAIN LEVEL. PREVIOUS WATER DAMAGE AND REMODELING.					

Total Permits Issued (**Demo**) : 4 **Total Cost:** 19,500.00 **Total Fees:** 80.00

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Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Electrical					
76787 Electrical 11/2/15	1114 11/2/15	3770 S ALBION ST ENGLEWOOD, CO 80113-4207	R-2	FANALE, CHRISTOPHER / 303-489-0550 FANALE, CHRISTOPHER / 303-489-0550 ROMERO ELECTRIC /	1,000 / 55.00 11/2/15 / 5/2/17 Complete
Description of Work: TEMPORARY POWER FOR CONSTRUCTION					
76790 Electrical 11/3/15	722 11/3/15	4150 S UNIVERSITY BLVD ENGLEWOOD, CO 80113-4905	R-1 Council District 2 Chry Hls Sub	MCNICHOLAS, MARY C / MCNICHOLAS, MARY C / ACCEL ELECTRIC LLC / 303-437-2403	500 / 55.00 11/3/15 / 5/4/17 Active
Description of Work: RAISE SWITCHES AND RECEPTACLES DUE TO FLOOR BEING REFINISHED					
76798 Electrical 11/4/15	 11/4/15	13 CHERRY LANE DR ENGLEWOOD, CO 80113		HAMILTON, FERRIS / HAMILTON, FERRIS / KOOPMAN ELECTRIC / 303-359-2110	38,000 / 1,126.50 11/4/15 / 5/5/17 Active
Description of Work: ELECTRICAL FOR NEW HOME					
76799 Electrical 11/4/15	679 11/4/15	11 VILLAGE RD ENGLEWOOD, CO 80113-4907	R-1 Council District 2 Village Hts Addn	LEVINE, RONALD R II / 303-781-1570 LEVINE, RONALD R II / 303-781-1570 MAXIMUM ELECTRIC / 303-564-6924	550 / 55.00 11/4/15 / 5/5/17 Complete
Description of Work: RECONNECT FURNACE AND INSTALL NEW CIRCUIT FOR STEAM HUMIDIFIER					
76805 Electrical 11/6/15	749 11/6/15	14 LYNN RD ENGLEWOOD, CO 80113-4902	R-1 Council District 2 Chry Hls Sub	SCOTT, SARAH / SCOTT, SARAH / PICUCCI ELECTRIC / 303-628-7576	450 / 55.00 11/6/15 / 5/7/15 Active
Description of Work: WIRE GATE OPERATOR AND INSTALL RECEPTACLE IN MASONRY PEDESTAL. USE EXISTING 20 A CIRCUIT.					
76810 Electrical 11/9/15	677 11/9/15	4 TAMARAC LN ENGLEWOOD, CO 80113-4920	R-1 Council District 2	MCCLINTOCK, RICH / 303-298-1111 MCCLINTOCK, RICH / 303-298-1111 BRANT ELECTRIC / 720-641-2189	2,000 / 55.00 11/9/15 / 5/10/17 Active
Description of Work: WIRE FOR FLOOR OUTLETS AND SEPTIC SYSTEM					
76752 Electrical 10/21/15	1303 11/12/15	7 PARKWAY DR ENGLEWOOD, CO 80113-4200	R-2 Council District 2	KARSHNER, HUD / 303-322-8888 KARSHNER, HUD / 303-322-8888 NAMASTE SOLAR / 919-622-3772	5,000 / 0.00 11/12/15 / 5/13/17 Active
Description of Work: ELECTRICAL FOR PV SYSTEM					
76840 Electrical 11/20/15	1136 11/20/15	4740 E OXFORD AVE ENGLEWOOD, CO 80113-5118	R-4	SANDS, CRAIG / 303-507-5346 SANDS, CRAIG / 303-507-5346 LET THERE BE LIGHT ELECTRIC / 303-359-3	3,689 / 87.00 11/20/15 / 5/21/17 Active
Description of Work: REWIRE NEW OUTLETS AND CIRCUITE DAMAGED BY SEWER BACKUP					

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
76842 1982 Electrical 11/23/15 11/23/15	1400 E HAMPDEN AVE ENGLEWOOD, CO 80113-3116	C-2	MANION, TUCKER / 970-227-7854 MANION, TUCKER / 970-227-7854 DVD ELECTRIC LLC / 719-229-5154	8,000 / 174.00 11/23/15 / 5/24/17 Active
Description of Work: ELECTRICAL FOR SUSHI BAR				
76843 511 Electrical 11/23/15 11/23/15	3 CHERRY HILLS FARM DR ENGLEWOOD, CO 80113-7168	R-3 Council District 1 Chry Hls Farm Flng 1	NADJI, BEHROUZ GHAZVINI & / NADJI, BEHROUZ GHAZVINI & / CAREFREE ELECTRIC / 303-748-8420	1,550 / 55.00 11/23/15 / 5/24/17 Active
Description of Work: INSTALLATION OF 12 RECESSED CANS ON DECK.				
76850 1401 Electrical 11/30/15 11/30/15	1450 E OXFORD LN ENGLEWOOD, CO 80113-4834		YOUNGER, MARIBETH & CHRIS / YOUNGER, MARIBETH & CHRIS / ELEVATION ELECTRIC / 303-921-0787	572 / 55.00 11/30/15 / 6/1/17 Active
Description of Work: RUN NEW 50A 240V CIRCUIT IN GARAGE FOR E.V. CHARGING OUTLET				

Total Permits Issued (**Electrical**) : 11 **Total Cost:** 61,311.17 **Total Fees:** 1,772.50

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Fence/Wall/Gate				
76802 2280 Fence/Wall/Gate 11/5/15 11/5/15	5 BUELL MANSION PKY ENGLEWOOD, CO 80113-4100	R-3A Council District 2 Buell Mansion	MARSICO, JONATHAN / MARSICO, JONATHAN / SPLIT RAIL FENCE CO / 303-548-7585	8,450 / 95.06 11/5/15 / 5/6/17 Active

Description of Work: INSTALL 6 FOOT ORNAMENTAL IRON FENCE. INSTALL 4 FOOT CEDAR AC SCREEN FENCE

Total Permits Issued (**Fence/Wall/Gate**) : 1 **Total Cost:** 8,450.00 **Total Fees:** 95.06

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Interior Remodel				
76747 1136 Interior Remodel 10/20/15 11/2/15	4740 E OXFORD AVE ENGLEWOOD, CO 80113-5118	R-4	SANDS, CRAIG / 303-507-5346 SANDS, CRAIG / 303-507-5346 CRAIG SANDS / 303-507-5346	50,000 / 862.50 11/2/15 / 5/3/17 Active
Description of Work: RESTORING FINISHED BASEMENT TO CONDITION PRIOR TO FLOOD				
76759 798 Interior Remodel 10/23/15 11/6/15	880 E KENYON AVE ENGLEWOOD, CO 80113-7504	R-3	HANSON, DAVID / 303-885-7166 HANSON, DAVID / 303-885-7166 HOM SOLUTIONS / 720-841-7831	11,266 / 426.74 11/6/15 / 5/7/17 Active
Description of Work: BATH REMODEL				
76783 1485 Interior Remodel 10/30/15 11/6/15	4081 S HOLLY ST ENGLEWOOD, CO 80111-1014	R-4	SEGALE, JEREMY / 720-232-4550 SEGALE, JEREMY / 720-232-4550 JEREMY SEGALE / 720-232-4550	15,000 / 468.75 11/6/15 / 5/7/17 Active
Description of Work: REMOVE 1 INTERIOR, NON-WEIGHT BEARING WALL & RAISING CEILING 24' (NO ROOF CHANGE)				
76755 1982 Interior Remodel 10/22/15 11/17/15	1400 E HAMPDEN AVE ENGLEWOOD, CO 80113-3116	C-2	MANION, TUCKER / 970-227-7854 MANION, TUCKER / 970-227-7854 L SQUARED CONSTRUCTION, LTD / 720-48(	70,000 / 1,387.50 11/17/15 / 5/18/17 Active
Description of Work: NEW RESTAURANT IN EXISTING BUILDING				
76791 1676 Interior Remodel 11/3/15 11/17/15	6400 PLATEAU DR ENGLEWOOD, CO 80111-1135	R-1	VISCIANO, LORI / 303-694-3307 VISCIANO, LORI / 303-694-3307 DENVER EGRESS WINDOW / 720-838-0008	8,000 / 390.00 11/17/15 / 5/18/17 Active
Description of Work: EGRESS WINDOW				
76794 1534 Interior Remodel 11/3/15 11/17/15	6198 E PRINCETON CIR ENGLEWOOD, CO 80111-1041	R-4 Council District 1	DE HOYA, RICARDO / 720-600-8754 DE HOYA, RICARDO / 720-600-8754 1-EAP CO / 720-301-8406	10,000 / 412.50 11/17/15 / 5/18/17 Active
Description of Work: REMOVE POCKET DOOR AND ADD SHOWER TO HOME OFFICE				
76820 1442 Interior Remodel 11/12/15 11/24/15	39 MARTIN LN ENGLEWOOD, CO 80113-4826	R-3	STEWART, STEPHANIE / STEWART, STEPHANIE / LUMEN HOMES / 408-317-8488	0 / 412.50 11/24/15 / 5/25/17 Active
Description of Work: DEMO BASEMENT WALL, ADD NEW WALL, MAKE MEDIA ROOM BIGGER, BEDROOM SMALLER. COSMETIC WORK IN BATHRO				
76822 402 Interior Remodel 11/12/15 11/24/15	2801 E STANFORD DR ENGLEWOOD, CO 80113-6026	R-3 Council District 1 Chryridge	WILKINSON, BRIAN / WILKINSON, BRIAN / FINISHED BASEMENT CO / 720-443-9886	62,500 / 1,003.13 11/24/15 / 5/25/17 Active
Description of Work: BASEMENT REMODEL				

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Total Permits Issued (**Interior Remodel**) : 8 **Total Cost:** 226,766.00 **Total Fees:** 5,363.62

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Minor Addition				
76756 1076 Minor Addition 10/22/15 11/20/15	4919 E OXFORD AVE ENGLEWOOD, CO 80113-5116	R-4	SCOTT, THEODORE W / 303-522-9019 SCOTT, THEODORE W / 303-522-9019 AAA HOME IMPROVEMENTS INC / 720-981-4	65,000 / 1,506.75 11/20/15 / 5/21/17 Active
Description of Work: KITCHEN RENOVATION AND BREAKFAST ROOM ADDITION				
76767 1301 Minor Addition 10/27/15 11/20/15	3955 S CHERRY ST ENGLEWOOD, CO 80113-5033	R-5	EVERETT, DARREN / EVERETT, DARREN / POWERS CONSTRUCTION / 303-915-9860	105,000 / 2,412.65 11/20/15 / 5/21/17 Active
Description of Work: MASTER AND GARAGE ADDITION				
76795 2421 Minor Addition 11/4/15 11/24/15	4271 S HUDSON PKY ENGLEWOOD, CO 80113-5053	R-4	BOND, JEFFREY C & TORY G / 303-809-4509 BOND, JEFFREY C & TORY G / 303-809-4509 CONCEPT BUILDERS COLORADO / 720-278-	20,000 / 914.10 11/24/15 / 5/25/17 Active
Description of Work: ADDITION ON SIDE OF HOUSE				

Total Permits Issued (**Minor Addition**) : 3 **Total Cost:** 190,000.00 **Total Fees:** 4,833.50

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Permit Nbr / Parcel Permit Type Applied for / Approved		Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Roof					
76792 Roof 11/3/15	1745 11/3/15	6451 E RADCLIFF AVE ENGLEWOOD, CO 80111-1160	R-5	NIEDERMAN, GERALD A & SOLOW, / NIEDERMAN, GERALD A & SOLOW, / HOMEGUARD RESTORATION / 720-708-412	25,000 / 281.25 11/3/15 / 5/4/17 Active
Description of Work: REROOF WITH TILE.STRUCTURAL LETTER RECEIVED.					
76796 Roof 11/4/15	1483 11/4/15	5730 E PRINCETON AVE ENGLEWOOD, CO 80111-1027	R-4 Council District 5	BURGAYNE, NICK / 415-939-0684 BURGAYNE, NICK / 415-939-0684 REITZ ROOFING INC / 303-466-0161	17,777 / 199.99 11/4/15 / 5/5/17 Active
Description of Work: REROOF. NO WEIGHT INCREASE.					
76811 Roof 11/9/15	1495 11/9/15	5801 S HAPPY CANYON DR ENGLEWOOD, CO 80111-1006	R-4 Council District 3	WIEBER, THOMAS / WIEBER, THOMAS / GREENPOINT ROOFING LLC / 970-379-8853	6,669 / 75.03 11/9/15 / 5/10/17 Active
Description of Work: REROOF. NO WEIGHT INCREASE					
76812 Roof 11/10/15	1833 11/10/15	4975 S ALBION ST LITTLETON, CO 80121-2003	R-2 Council District 3 East Belleview	SHIPPERT, RONALD D & / SHIPPERT, RONALD D & / PEAK TO PEAK ROOFING / 720-532-5346	31,150 / 350.44 11/10/15 / 5/11/17 Active
Description of Work: REMOVE SHAKE INSTALL 89 SQ OF TILE. STRUCTURAL LETTER RECEIVED.					
76819 Roof 11/12/15	374 11/12/15	3120 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6057	R-3 Council District 1 Chryridge	MCDERMOTT, JOHN V & PAMELA K / MCDERMOTT, JOHN V & PAMELA K / SCHAFER ROOFING INC / 720-333-3819	26,835 / 301.89 11/12/15 / 5/12/17 Active
Description of Work: REMOVE AND REPLACE ROOF W/GAF ARMORSHIELD SHINGLES. 59 SQ. 5/12 PITCH					
76821 Roof 11/12/15	582 11/12/15	2655 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6006	R-3 Council District 1 Chryridge	SNIDER, KATHY & GARY / 303-885-3335 SNIDER, KATHY & GARY / 303-885-3335 WHITE ROOFING /	21,100 / 237.38 11/12/15 / 5/13/17 Active
Description of Work: REROOF. WEIGHT NOT INCREASING.					
76825 Roof 11/16/15	1315 11/16/15	4021 S CLERMONT ST ENGLEWOOD, CO 80113-5084	R-5	HORNSTEIN, JOE & ERIN / 303-962-9547 HORNSTEIN, JOE & ERIN / 303-962-9547 1ST PRIORITY ROOFING / 303-910-5371	11,000 / 123.75 11/16/15 / 5/17/17 Active
Description of Work: REROOF. NO INCREASE IN WEIGHT					
76830 Roof 11/18/15	664 11/18/15	3 SEDGWICK DR ENGLEWOOD, CO 80113-4104	R-2 Devonshire Heights Amnd	GROENE INVESTMENT / GROENE INVESTMENT / GBS ENTERPRISES INC / 303-660-9394	41,925 / 471.66 11/18/15 / 5/19/17 Active
Description of Work: REROOF WITH CONCRETE TILE- STRUCTURAL LETTER RECEIVED.					

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76832 1108 Roof 11/18/15 11/18/15	3711 S ALBION ST ENGLEWOOD, CO 80113-4206	R-3 Council District 2 Camenish Gardens	WEISS, PETER & EILEEN / WEISS, PETER & EILEEN / WHITE ROOFING /	17,970 / 202.16 11/18/15 / 5/19/17 Active
Description of Work: REROOF. NO WEIGHT INCREASE.				
76846 1363 Roof 11/24/15 11/24/15	3901 S BIRCH ST ENGLEWOOD, CO 80113-5031	R-5	AKIYAMA, DEAN M & JOAN M / AKIYAMA, DEAN M & JOAN M / TOP THAT ROOFING / 720-404-1647	5,600 / 63.00 11/24/15 / 5/25/17 Active
Description of Work: REROOF. NO WEIGHT INCREASE.				
76851 1904 Roof 11/30/15 11/30/15	7 SUNRISE DR ENGLEWOOD, CO 80113-4107	R-1	KELLEY, BRUCE A & SHARI L / KELLEY, BRUCE A & SHARI L / FOREST HILLS RESTORATION / 720-201-639	100,000 / 1,125.00 11/30/15 / 6/1/17 Active
Description of Work: REROOF. NO WEIGHT INCREASE.				

Total Permits Issued (**Roof**) : 11 **Total Cost:** 305,026.00 **Total Fees:** 3,431.55

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Cherry Hills Village, CO

2450 E. Quincy Avenue

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Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Single Family Residence				
76223 265 Single Family Residence 4/16/15 11/2/15 **Description of Work:** SINGLE FAMILY RESIDENCE	825 E TUFTS AVE ENGLEWOOD, CO 80113-5928	R-3	ELKUS, REID / ELKUS, REID / CHARACTER BUILDERS COLORADO / 303-8	1,200,000 / 22,341.30 11/2/15 / 5/2/17 Active
76640 702 Single Family Residence 9/4/15 11/13/15 **Description of Work:** NEW SINGLE FAMILY RESIDENCE	5 SUNSET DR ENGLEWOOD, CO 80113-4034	R-1	EZZELL, DONALD / EZZELL, DONALD / JK BARNETT LTD / 303-619-5230	3,250,000 / 49,247.30 11/13/15 / 5/14/17 Active

Total Permits Issued (**Single Family Residence**) : 2 **Total Cost:** 4,450,000.00 **Total Fees:** 71,588.60

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Solar PV				
76751 1303 Solar PV 10/21/15 11/12/15	7 PARKWAY DR ENGLEWOOD, CO 80113-4200	R-2 Council District 2	KARSHNER, HUD / 303-322-8888 KARSHNER, HUD / 303-322-8888 NAMASTE SOLAR / 919-622-3772	75,000 / 500.00 11/12/15 / 5/13/17 Active

Description of Work: SOLAR PV FLUSH MOUNTED TO ROOF

Total Permits Issued (**Solar PV**) : 1 **Total Cost:** 75,000.00 **Total Fees:** 500.00

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Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status

Total Permits Issued : 66

Total Cost: 6,122,765.17

Total Fees: 103,847.63

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Village Center
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FAX 303-761-9386

ITEM: 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: MICHELLE TOVREA, POLICE CHIEF

SUBJECT: NOVEMBER REPORT

DATE: DECEMBER 9, 2015

In November, I was honored to be invited to participate in a panel discussion and mentoring session for the International Association of Chiefs of Police Women's Leadership Institute Course at the Cheyenne Mountain Resort. Over 50 participants from Colorado and surrounding states received a week of some top notch training in areas such as leading high performing individuals, understanding followership, leading high performance teams, transactional and transformation leadership, and the art and science of effective communication. Sergeant Paula Balafas was one of the participants and I received several positive comments about her leadership skills from the staff and students.

In-service training in the area of arrest control was conducted for half of the staff this month. In addition, Officer Bob Burnett completed the Critical Incident Training at Denver PD. Bob is the 7th officer trained in CIT this year.

The Department was heavily involved with the funeral for Colorado State Trooper Jaimie Jursevics on Monday, November 23rd. Commander Weathers did his usual amazing job coordinating with CSP and several other agencies to ensure the event was safe. I received several complements from local law enforcement thanking CHVPD for our assistance.

Lastly, on behalf of the entire Police Department I want to thank each of you for your support. You have a have a department dedicated and committed to service, communication and accountability. I am grateful and honored to be your Chief of Police.

Investigations Case Summary:

There were 3 theft reports in the month of November:

- In the first, the victim stated that someone stole numerous sports memorabilia from a basement storage room while the house was under renovation. The value of the stolen items is currently unknown. **This case remains under investigation.**
- In the second, the victim stated that several gutter extensions were removed from his barn. The value of the stolen items is estimated at $200.00. **This case is inactive – no new leads.**
- In the third, the victim stated that someone stole her Apple Mac desktop computer valued at approximately $2,500.00. **This case appears to the civil in nature and remains under investigation.**

There was 1 assault (domestic) report in the month of November:

- The reporting party stated that she saw a male individual argue with a female individual and the argument became physical. Officers contacted and jailed the male individual on multiple criminal charges. **This case is closed by arrest.**

There were 2 criminal trespass reports in the month of November:

- In the first, the victim stated that someone gained access to her vehicle by breaking the rear passenger side window. The unknown individual stole the victim's driver's license, a credit card and 25 dollars in cash. The damage to repair the broken window is estimated at $800.00. **This case is inactive – no new leads.**
- In the second, the victim stated someone used a rock to break the rear passenger window while she was walking along the Highline Canal. The unknown individual stole her purse containing her wallet and her Samsung cellphone. The victim also stated that someone already used her credit card for fraudulent purchases at local metro area businesses for an amount of $256.00. The damage to the vehicle was estimated at $620.00 and the value of the stolen items is approximately $260.00. **This case remains under investigation.**

There was 1 automobile theft report in the month of November:

- The victim stated that he was warming up his vehicle while it was parked on his driveway and when he went inside to grab his jacket, someone stole the vehicle. Officers were notified by the Sheridan Police Department two days later that they had recovered the stolen vehicle. **This case is closed – vehicle recovered and returned to owner.**

There were 2 reports of mail theft in the month of November:

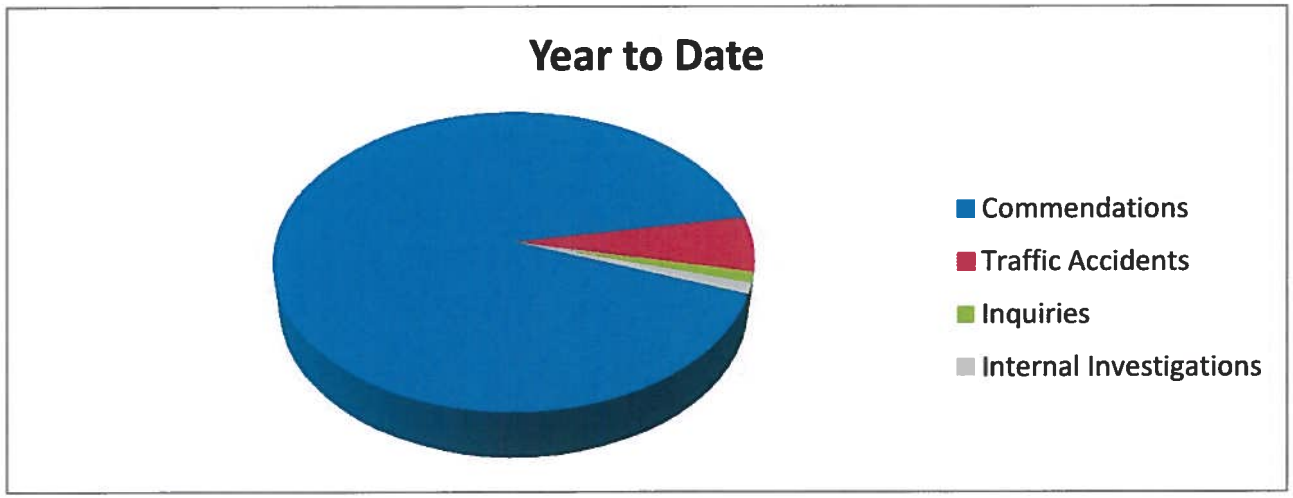
- In the first, the victim stated that she placed three packages on her front porch to be picked up by the United States Postal Service and after reviewing her surveillance footage, she noticed a male individual taking the packages from the porch. The value of the items in the packages is estimated at $450.00.**This case is inactive – no new leads.**
- In the second, the victim stated she observed a male individual driving the vehicle matching the description provided in the crime prevention bulletin take mail from her mailbox. The victim believes her mail has been stolen on several occasions due to the fact she was notified by her credit monitoring company LifeLock that someone tried to fraudulently open several credit card accounts using her personal information. According to the victim, the unknown individual was able to open a bank account with Capital one using her personal information. **This case is inactive – no new leads.**

There was 1 burglary report in the month of November:

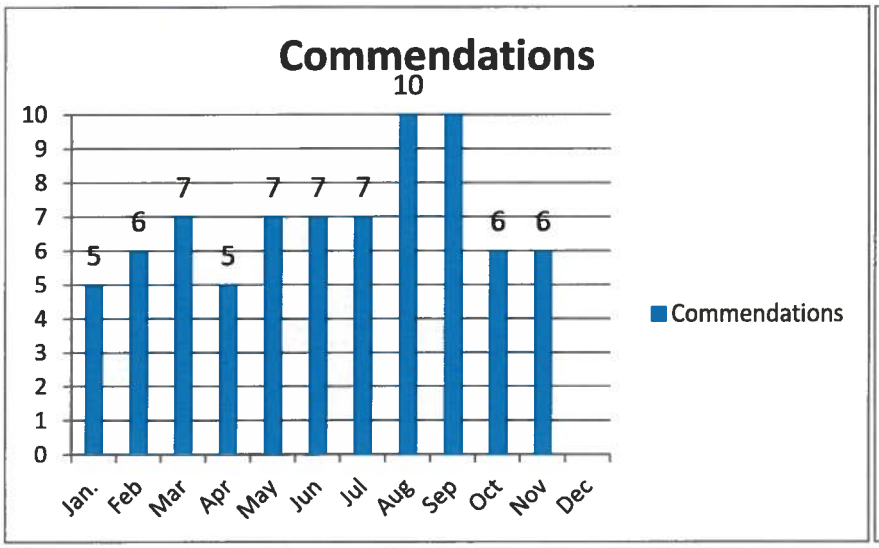
- The victim stated that someone gained access to her residence through an unlocked sliding glass door and the individual ransacked several areas on the first floor. The unknown individual stole several items, including the victim's purse and other miscellaneous items. Officers discovered several items belonging to the victims in the vicinity of their residence. The items were returned to the victims. The value of the remaining stolen items is currently unknown. **A possible suspect has been identified and the case remains under investigation.**

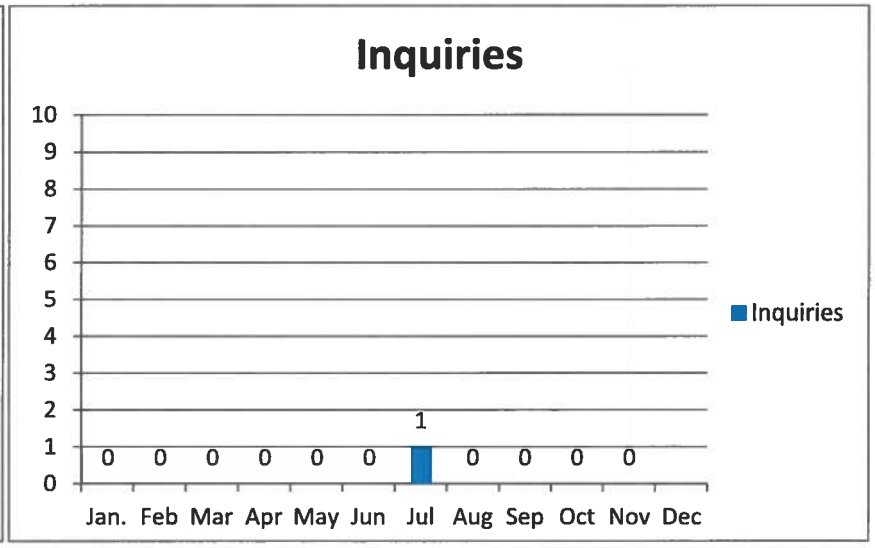
Cherry Hills Village Police
Personnel Summary Report 2015

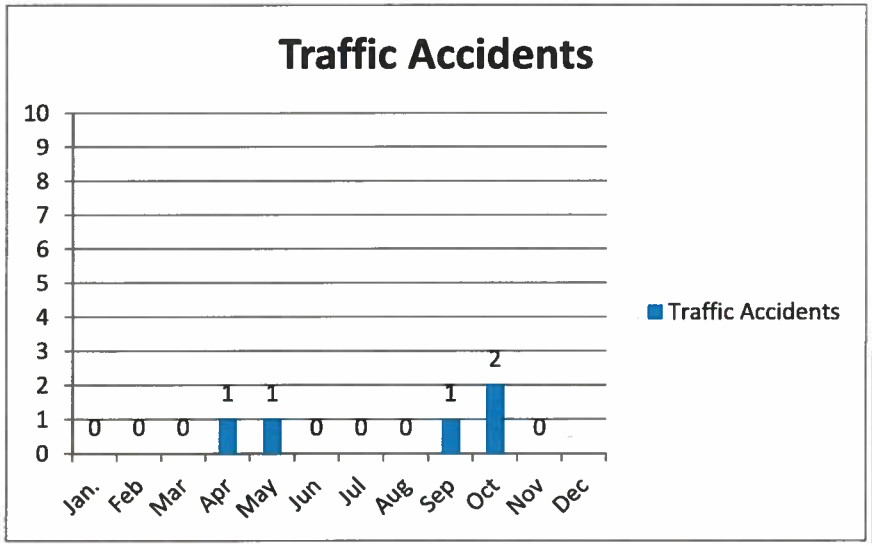
Month	Commendations	Traffic Accidents	Inquiries	Internal Investigations
Jan.	5	0	0	0
Feb	6	0	0	1
Mar	7	0	0	0
Apr	5	1	0	0
May	7	1	0	0
Jun	7	0	0	0
Jul	7	0	1	0
Aug	10	0	0	0
Sep	12	1	0	0
Oct	6	2	0	0
Nov	6	0	0	0
Dec				
Year to Date	78	5	1	1

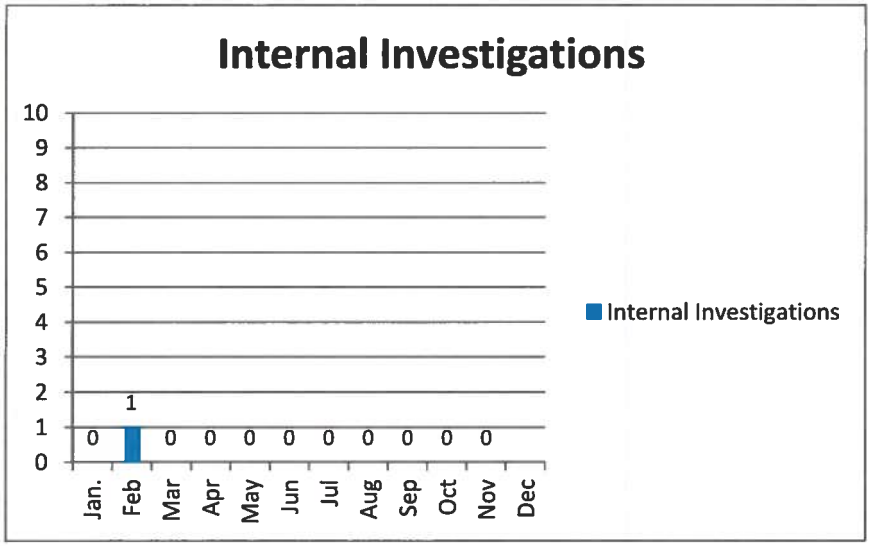


Cherry Hills Village Police
Personnel Summary Report 2015



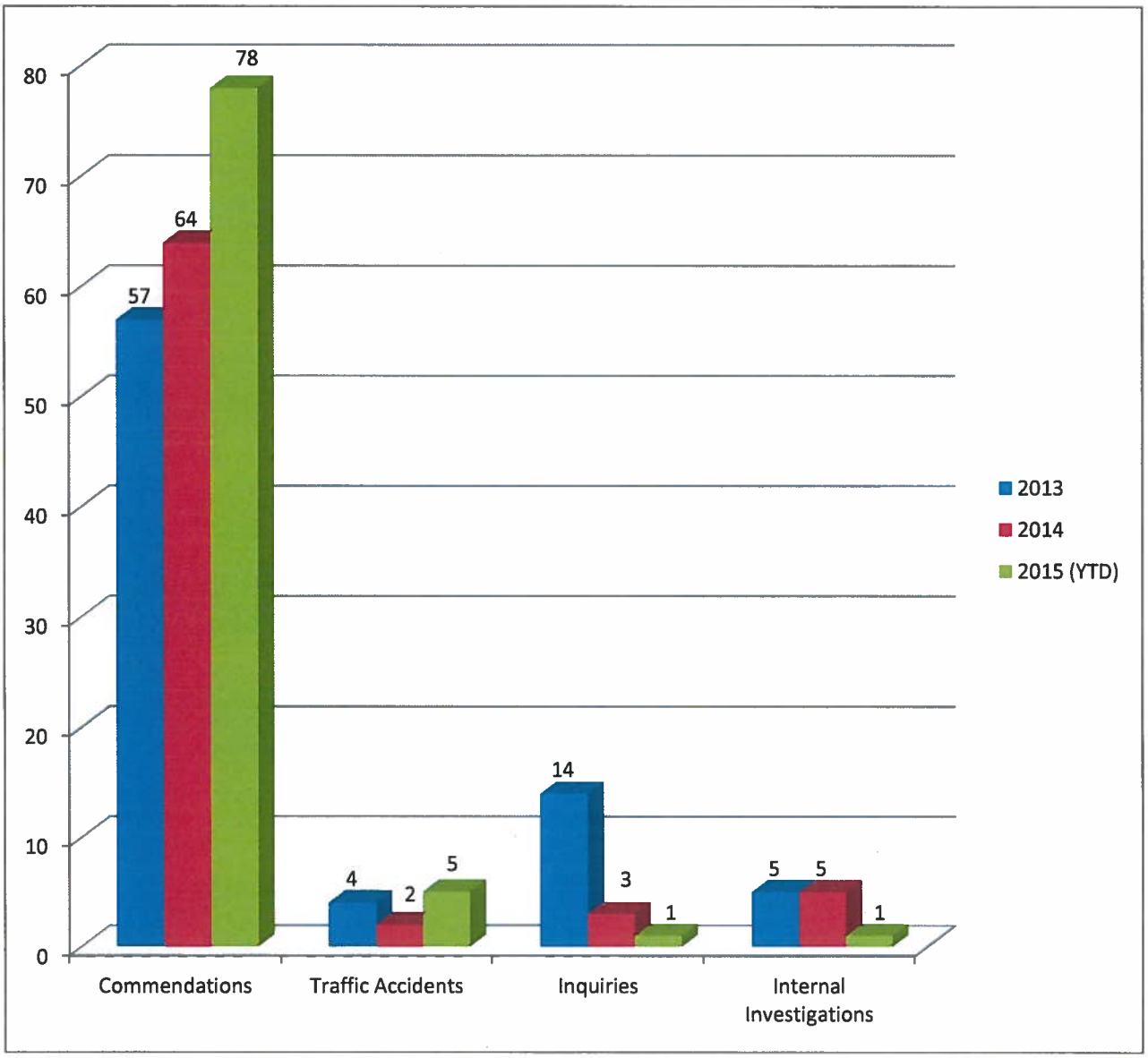






Cherry Hills Village Police
Personnel Summary Comparison

Year	Commendations	Traffic Accidents	Inquiries	Internal Investigations
2013	57	4	14	5
2014	64	2	3	5
2015 (YTD)	78	5	1	1

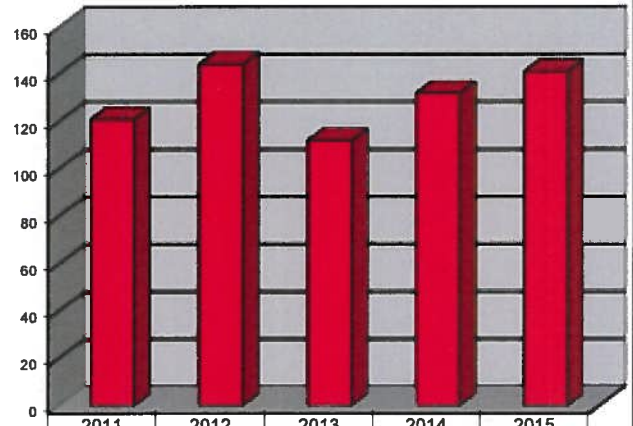


CHERRY HILLS POLICE DEPARTMENT STATISTICS

	Nov 2015	YEAR TO DATE 2015	YEAR TO DATE 2014	PERCENT CHANGE
TRAFFIC ACCIDENT	32	232	256	-9%
ALL CITATIONS	235	2470	2448	1%
PARKING TICKETS	12	127	46	176%
TRAFFIC WARNINGS	129	1217	1749	-30%
DUI ARRESTS	4	35	58	-40%
DUS ARRESTS	4	88	116	-24%
# CRIME REPORTS	10	141	132	7%
# ALARMS	43	426	434	-2%
# ARRESTS (INCLUDES DUI'S & DUS's)	11	156	228	-32%
CITIZEN ASSISTS	13	133	179	-26%
ASSIST TO OTHER AGENCY	14	179	211	-15%
PROPERTY CHECKS (HW&BLDG)	1656	15228	16699	-9%
CRIME PREVENTION NOTICES	44	592	411	44%
FIELD INTERVIEW CARDS	5	85	114	-25%

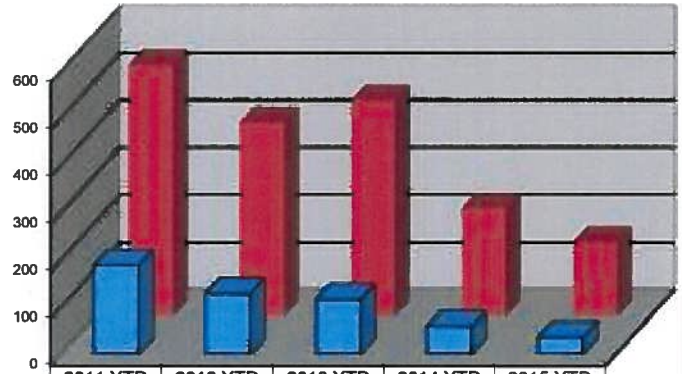
CHERRY HILLS VILLAGE / YEAR-TO-DATE THROUGH NOVEMBER (2011-2015)

CRIME REPORTS



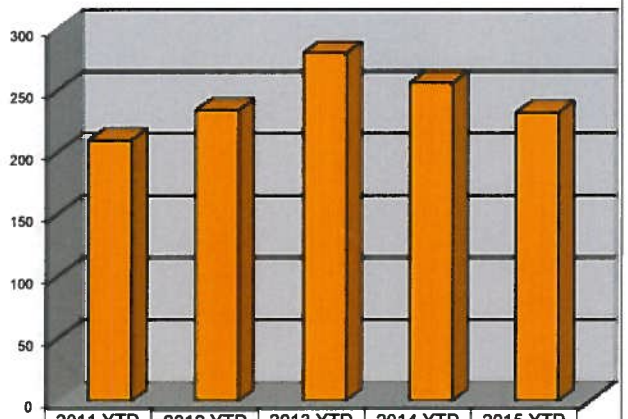
	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
# CRIME REPORTS	121	144	112	132	141

ARRESTS



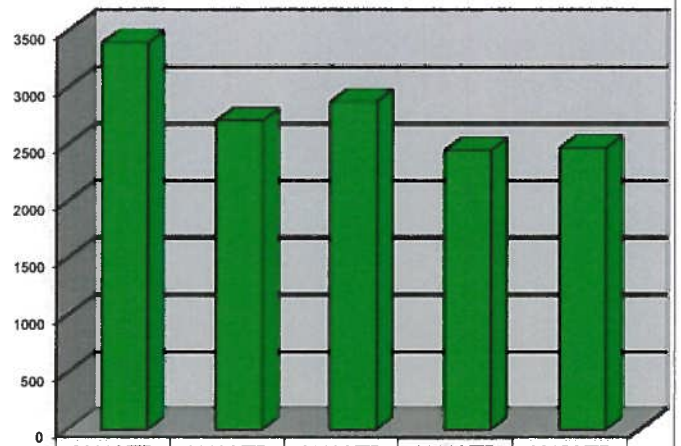
	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
DUI ARRESTS	189	128	116	58	35
ALL ARRESTS	531	410	456	228	156

TRAFFIC ACCIDENTS



	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
TRAFFIC ACCIDENT	210	234	280	256	232

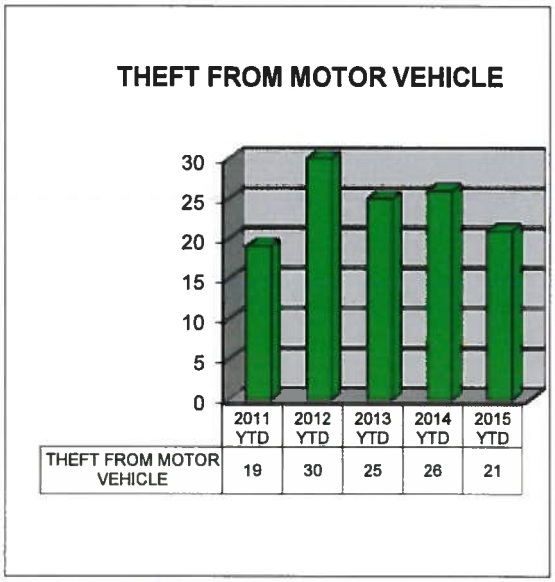
CITATIONS

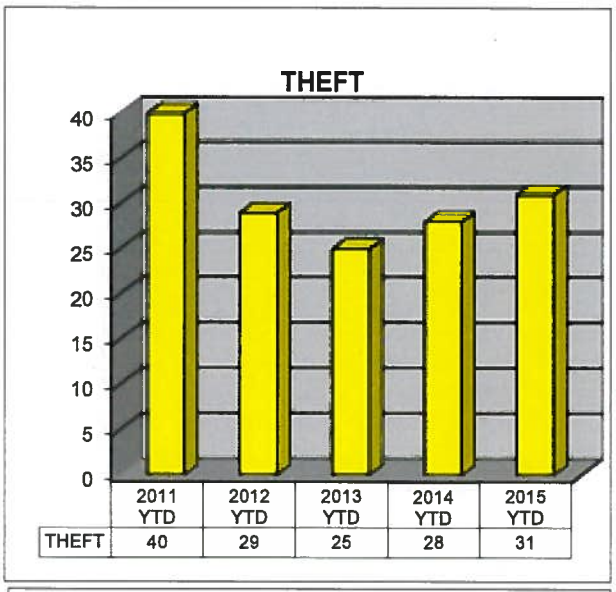


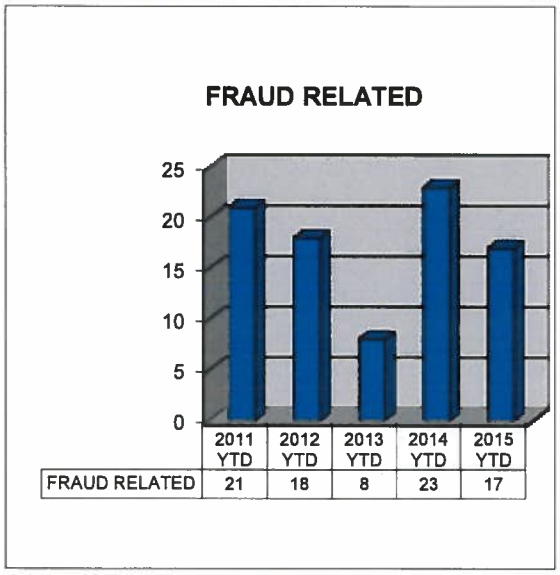
	2011 YTD	2012 YTD	2013 YTD	2014 YTD	2015 YTD
ALL CITATIONS	3389	2708	2875	2448	2470

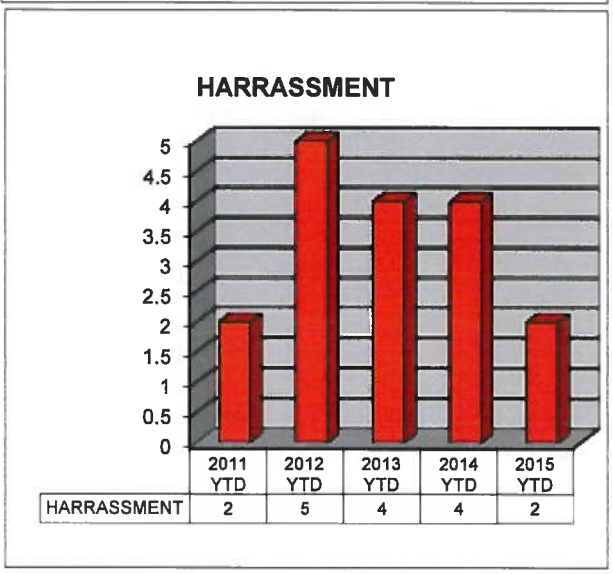
Cherry Hills Village Crime Statistics

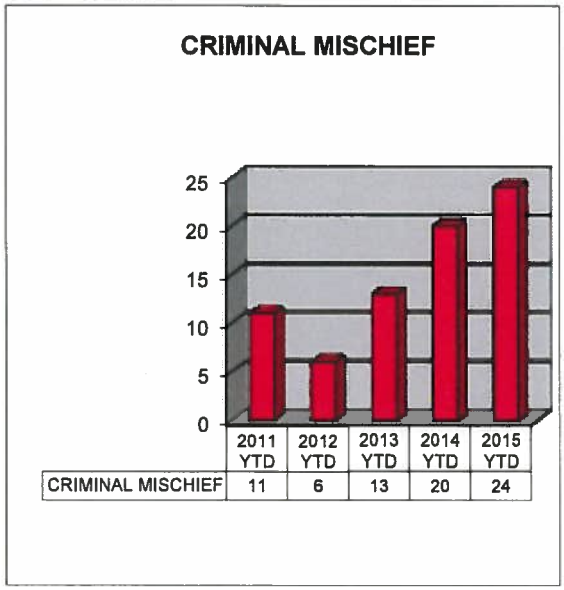
YEAR-TO-DATE THROUGH NOVEMBER (2011-2015)

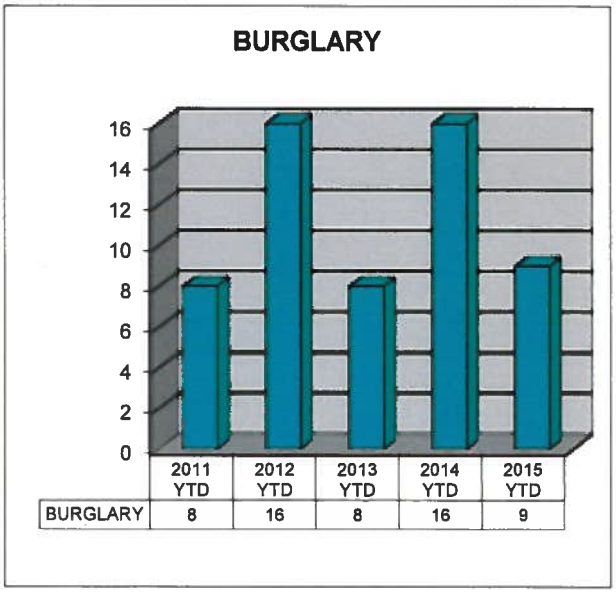






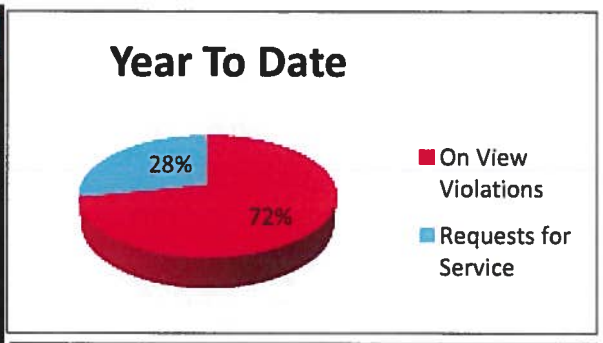


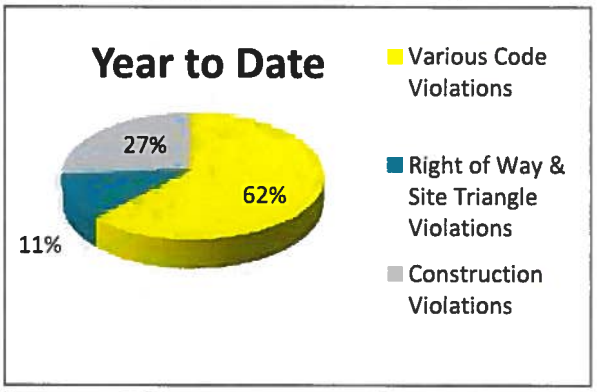


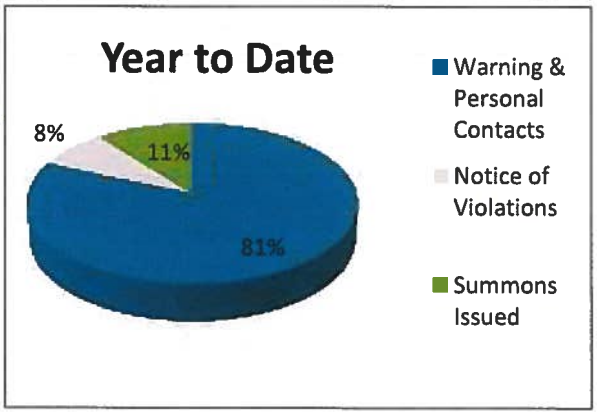


Cherry Hills Village
Code Enforcement Statistics
November 2015

Code Enforcement Issues	Month	YTD
On View Violations	47	562
Requests for Service	8	256
Sight Triangle Violations	0	18
Construction Site Violations	27	305
Permit Violations	2	46
Stop Work Orders Served	0	28
Fence Violations	0	9
Weed Violations	0	143
Trash, Debris and Junk	0	8
Trees/Bushes Violations	0	61
Zoning Violations	4	29
Right of Way Violations	11	145
Roll-offs/Port-a-let Violations	0	21
Sign Violations	38	321
Warnings/Personal Contacts	40	465
Letters/Posted Notices	7	87
Summons Issued	4	61
Notice of Violations	6	45
Misc. Code Violations	18	295

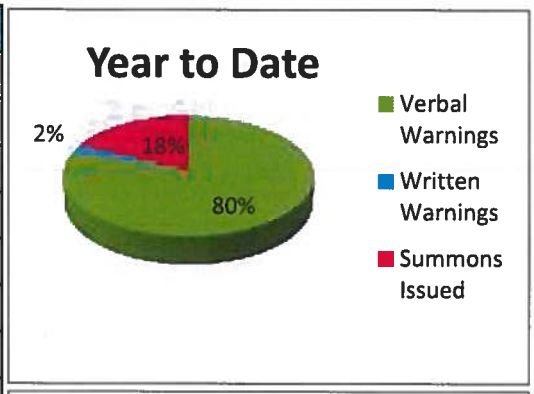


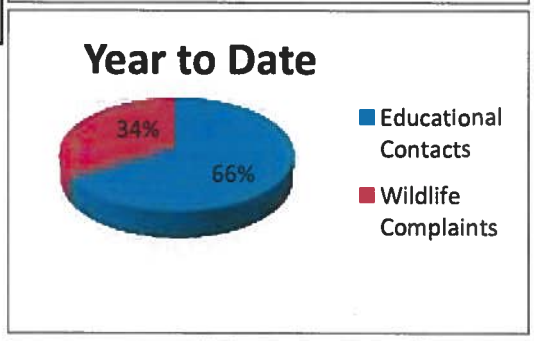


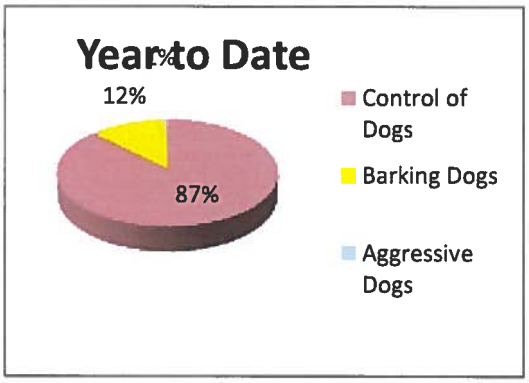


Cherry Hills Village
Animal Control Statistics
November 2015

Animal Control Issues	Month	YTD
Educational Contacts	3	165
Control of Dogs	30	200
Barking Dogs	5	28
Aggressive Dogs	0	1
Wildlife Complaints	3	84
Verbal Warnings	30	201
Written Warnings	2	6
Summons Issued	8	45







CHERRY HILLS VILLAGE
COLORADO

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Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: TERRI LITTLEFORD, COURT CLERK

SUBJECT: MUNICIPAL COURT MONTH END REPORT FOR OCTOBER 2015

DATE: DECEMBER 9, 2015

DISCUSSION
Municipal Court Statistics

Monthly Totals	2015	2014	Difference
Citations filed	212	121	75%
Court appearances/guilty to original	114	81	41%
Plea by mail letters sent	143	65	120%
Revenue	$21,615.00	$16,486.00	$5,129.00

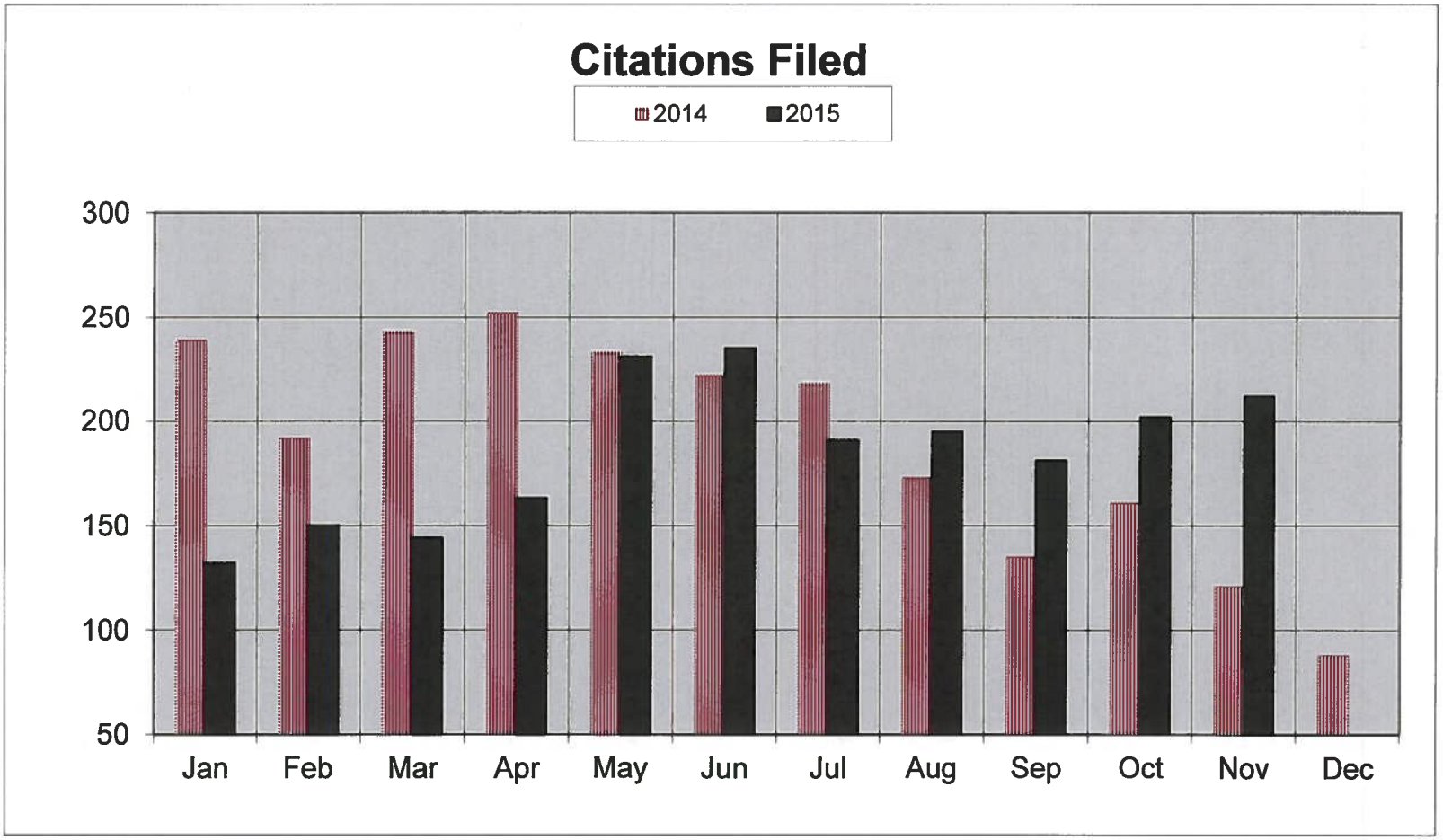
BUDGET IMPACT STATEMENT
Through November 2015, the Municipal Court has collected 79% of the total budgeted revenue amount.

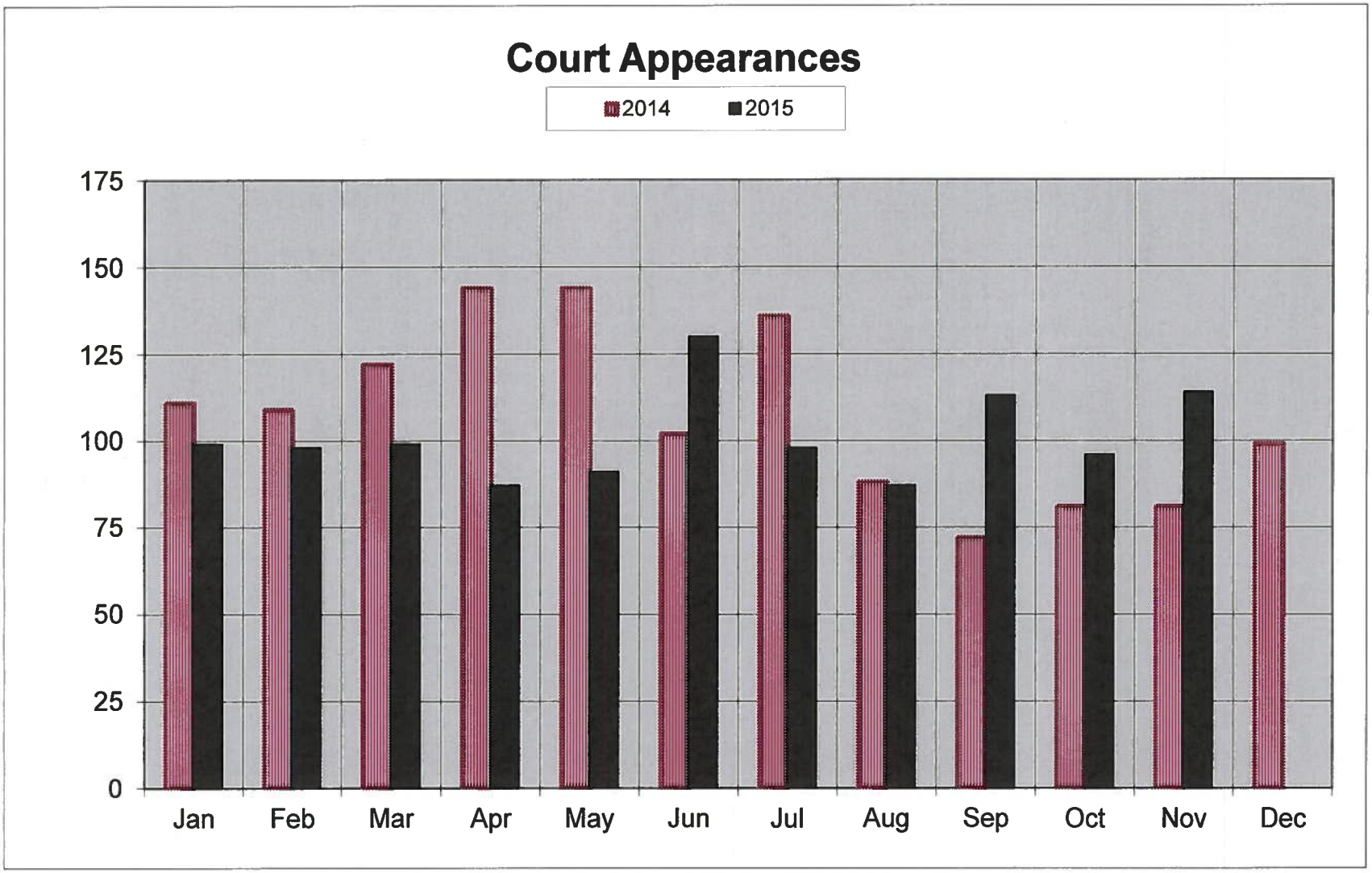
ATTACHMENTS
Exhibit A: Municipal Court Monthly Activity and Graphs

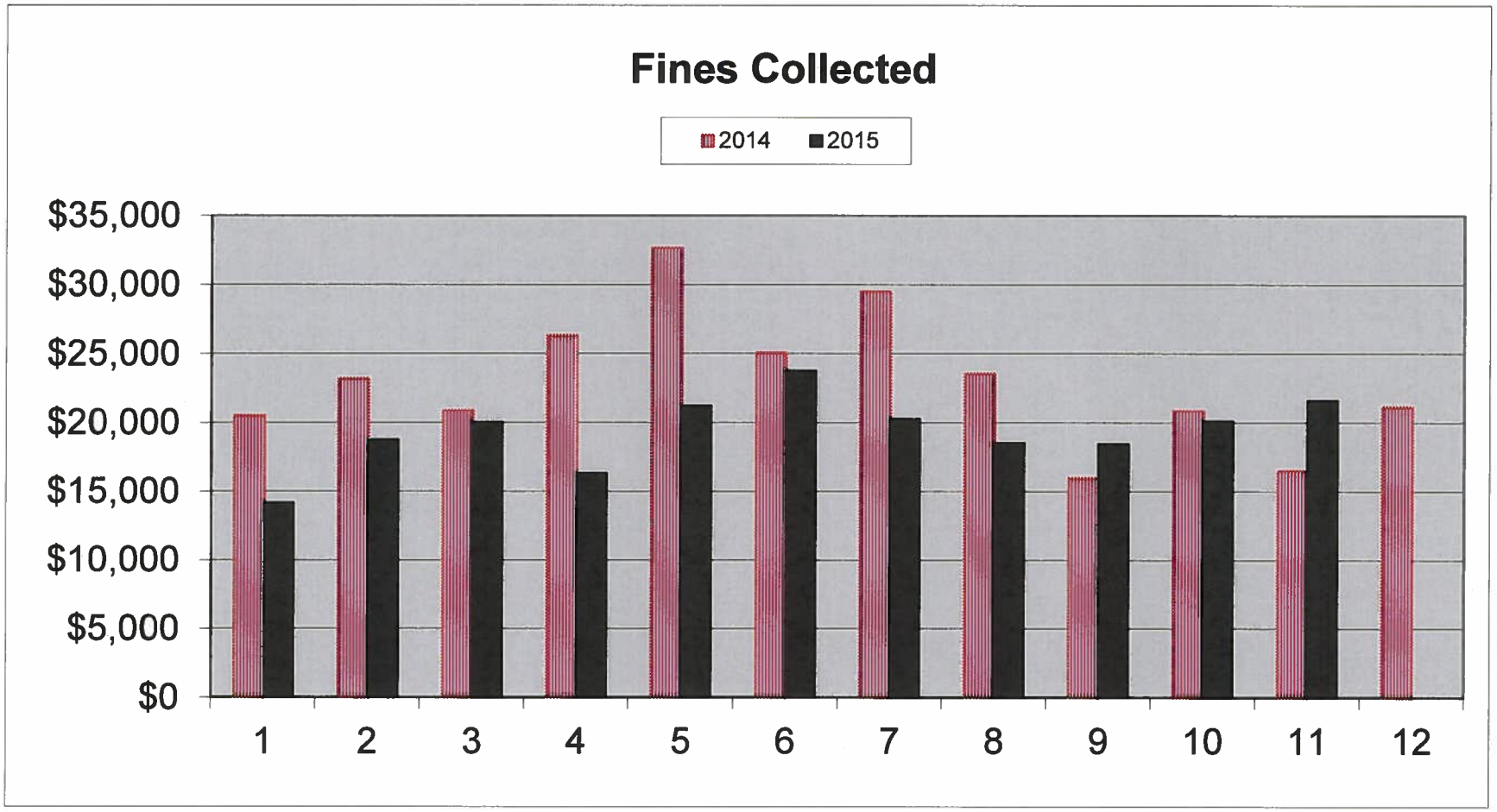
EXHIBIT A

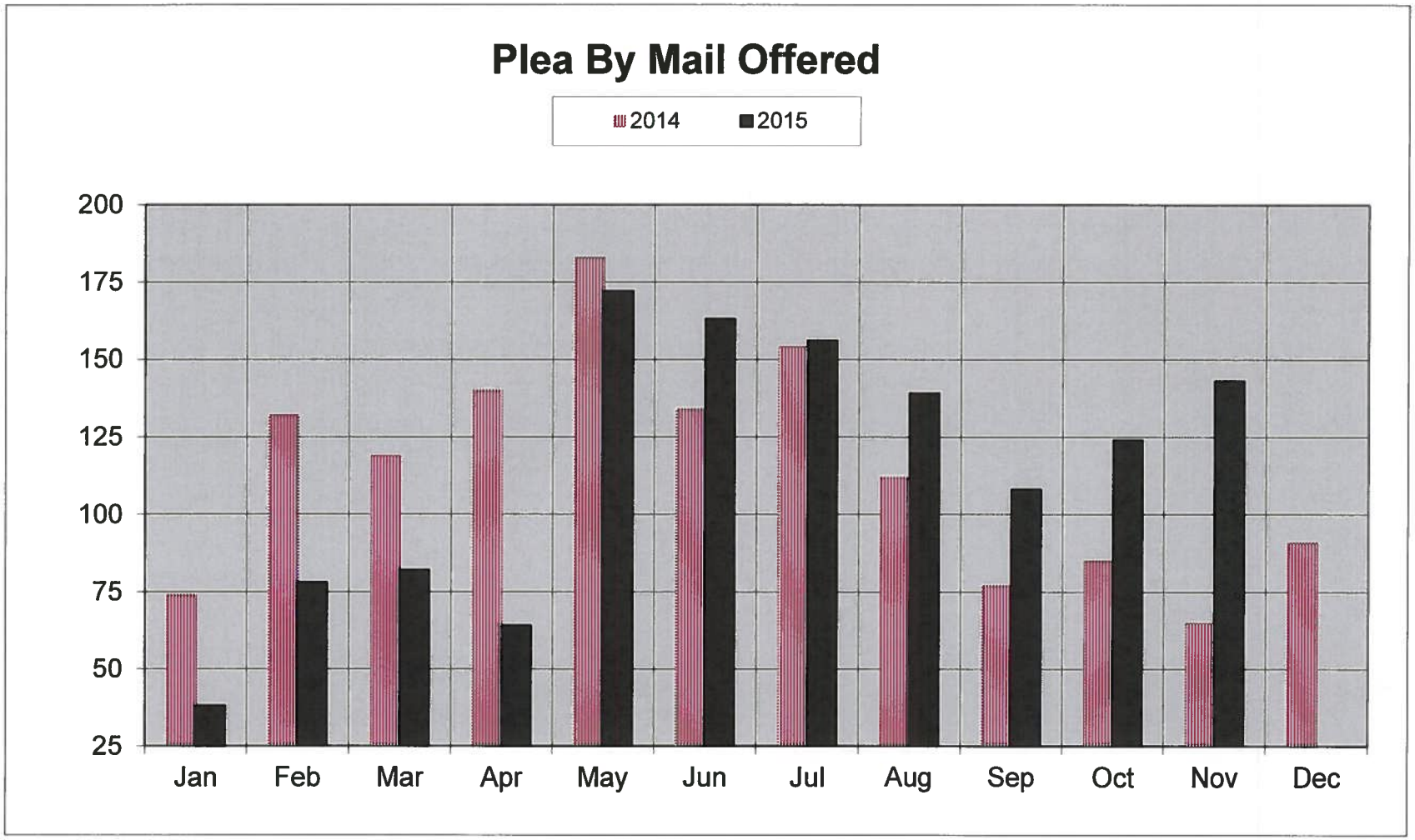
CHERRY HILLS VILLAGE MUNICIPAL COURT
MONTHLY ACTIVITY
November-15

	MONTH	YTD	PRIOR YTD
COMPLAINTS FILED			
TRAFFIC	183	1,721	2,060
PARKING	15	140	46
DOG	8	47	23
OTHER	6	128	77
TOTAL	**212**	**2,036**	**2,206**
CLOSED BY CLERK			
CLOSED BY CLERK	12	246	144
TOTAL	**12**	**246**	**144**
PLEA BY MAIL			
GLTY PLEA BY MAIL	131	1,089	1,129
TOTAL	**131**	**1,089**	**1,129**
COURT ACTIVITY			
GLTY TO ORIG	34	233	282
GUILTY TO AMENDED	38	521	455
DEFERRED JUDGMENTS	15	92	88
NOT GUILTY (set to trial)	2	9	14
NOT GUILTY (set to jury)	0	0	0
DISMISSED (proof of ins provided)	23	200	215
DISMISSED	2	10	30
SHOW CAUSE HEARINGS	0	1	2
TRIAL TO COURT			
CONVICTIONS	0	1	3
AQUITTALS	0	0	0
DISMISSED	0	1	0
TRIAL TO JURY			
CONVICTIONS	0	0	0
ACQUITTALS	0	0	0
DISMISSED	0	0	0
MISTRIALS	0	0	0
NUMBER OF PEOPLE IN COURT	**114**	**1,068**	**1,089**
TOTAL MONEY COLLECTED	$21,615.00	$213,216.00	


Citations Filed
2014
2015
300
250
200
150
100
50
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec


Court Appearances
2014
2015
175
150
125
100
75
50
25
0
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec


Fines Collected
2014
2015
$35,000
$30,000
$25,000
$20,000
$15,000
$10,000
$5,000
$0
1
2
3
4
5
6
7
8
9
10
11
12


Plea By Mail Offered
2014
2015
200
175
150
125
100
75
50
25
Jan
Feb
Mar
Apr
May
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Jul
Aug
Sep
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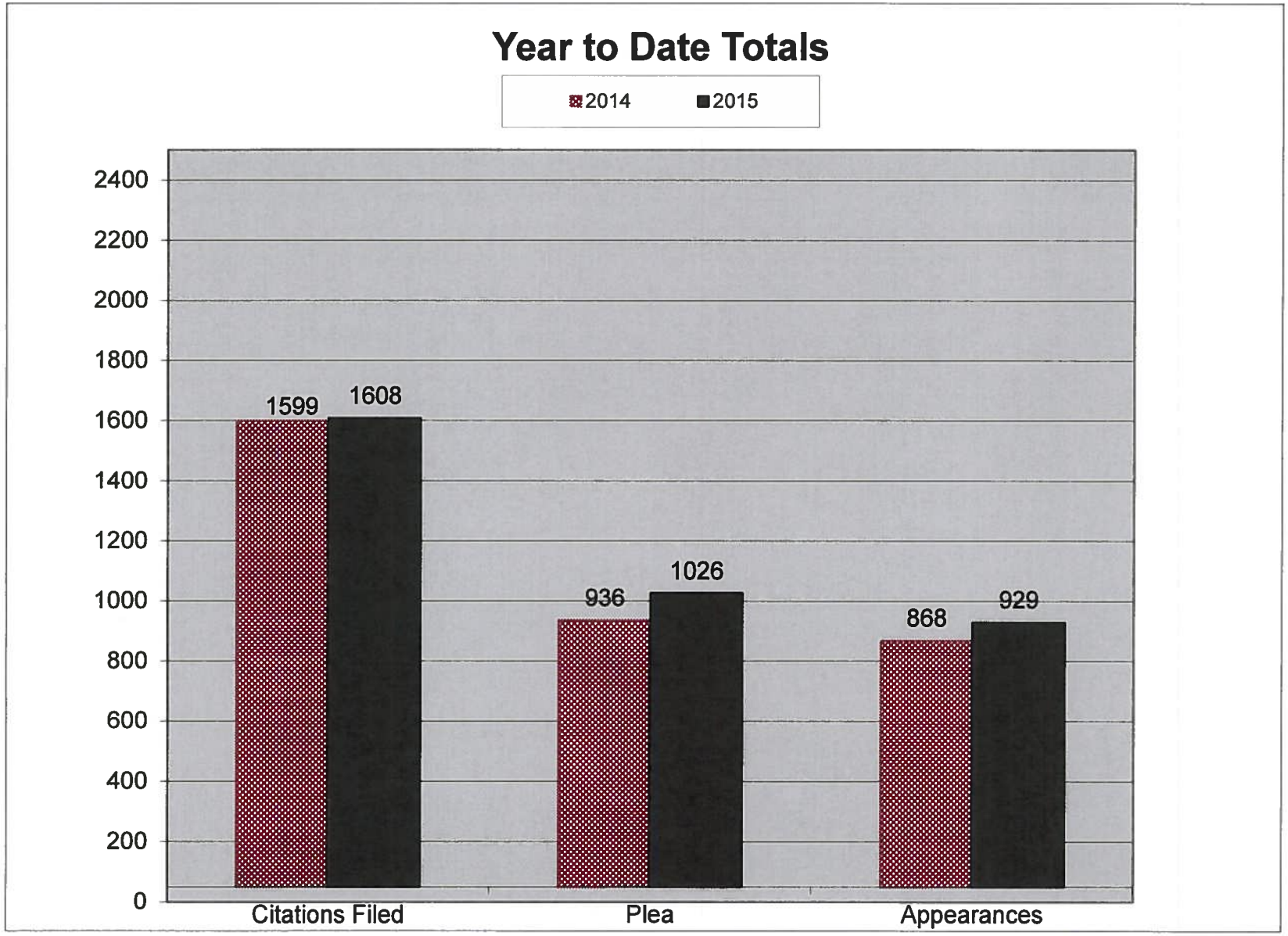
Nov
Dec


Year to Date Totals
2014
2015
2400
2200
2000
1800
1600
1400
1200
1000
800
600
400
200
0
1599
1608
936
1026
868
929
Citations Filed
Plea
Appearances

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
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Village Center
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ITEM: 9d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: JAY GOLDIE, INTERIM CITY MANAGER/DIRECTOR OF PUBLIC WORKS

SUBJECT: PUBLIC WORKS NOVEMBER 2015-MONTH END REPORT

DATE: DECEMBER 9, 2015

The Streets crew spent several days in November sanding and snow plowing after recent snow storms. The streets crew performed the preparation for the Dahlia Street paving project and oversaw the paving operations. Upon completion the crew did shouldering work using approximately 20 tons of roadbase. Crews also used approximately 70 tons of roadbase for gravel road maintenance on Lynn Road and Parkway. Crews started retro reflectivity inspection repairs after the annual inspections were completed in October. The crew started work on fabricating plow rests/stands that will be used for the large snow plows. Crews conduct ongoing maintenance of snow plows and vehicles to prepare for future storms.

The Parks Crew spent multiple hours performing a variety of maintenance tasks including snow removal operations, City wide trash pick-up, sweeping paved trails, mowing operations within the parks, trails and open space, weed eradication throughout the City, miscellaneous shop work, vehicle and equipment maintenance, fence repair, trail repair and City wide tree trimming. Staff began work on holiday decorations in preparation of the Mayor's Tree Lighting event scheduled for December 11, 2015.

The City issued 12 right-of-way permits in November totaling 156 permits so far this year. Mr. Ralph Mason, Right-of-Way Project Manager, has developed working relationships with Denver Water, Xcel and Comcast as they continually work in the City's right-of-way. Mr. Mason continues to monitor and hold the utility companies accountable for safety concerns and restoration of the City's infrastructure. Private contractors working in the City are also monitored by Mr. Mason in coordination with Code Enforcement. Mr. Mason makes contact with almost every permit holder to determine the scope of work and the restoration timeframes. This act has improved the level of restoration to maintain the City's streets. Inspections are performed continuously throughout the project and Mr. Mason does a final inspection before the two year bond expires to provide contractors the opportunity to make any necessary repairs.

ATTACHMENTS
November 2015 Public Works logs

NOVEMBER 2015 STREETS RECORD LOG SHEET

		Week 44	Week 45	Week 46	Week 47	Week	TOTALS
ad - Administrative Office Work		25	20	22	17		84
as - Asphalt patching operations							0
bm - Building Maintenance							0
cn - Concrete repairs			4				4
cp - Overseeing contractor operations							0
cr - Sealing Operation							0
dr - Drainage Work							0
fn - Fence repairs							0
gm - General Maintenance							0
gv - Gravel road maintenance		4	27				31
hl-d - Loads to dump				4	17		21
hl-po - Materials hauled to shop							0
hl-r - Loads to recycle plant							0
hl-s - Loads to shop		6		6			12
ir - Irrigation repairs							0
ln - Landscape Repairs							0
Misc		10	8	2	8		28
mw-p - Mowing parks							0
mw-r - Mowing Rights of Ways							0
mw-t - Mowing Trails							0
pm - Preventative Maintenance		25			2		27
po - Purchasing materials				12			12
pt - Street Painting							0
sg - Sign Work			10		10		20
sh - Shouldering work for Asphalt		15	35				50
shp - Shop Work				14	3		17
sn - Snow removal operations		15	76	92	30.5		213.5
sw - Sweeper operations & cleanup		40	25	26	20		111
tr - Training & Conferences		20		33			53
ts - Trash (cans and loose)							0
tt - Tree Trimming					6		6
wd-p - Weed cutting parks							0
wd-r - Weed cutting rights of ways							0
wd-s - Weed Spray							0
wd-t - Weed cutting trails							0
pto - Paid time off		40	1		17		58
to-c - Time off comp							0
to-w - Time off workers comp							0
Hol - Holiday							0
TOTALS	0	200	206	211	130.5	0	747.5
MATERIALS							
as-in - Asphalt (Shop-Laid)	tons						0
as-out - Asphalt (demo)	tons						0
rb - Road base	tons	55	91	45			191
cn - Concrete (Demo)	tons						0
cn - Concrete	yards						0
ts - Topsoil	tons						0
Mulch	yards						0
tb - Tree Branches	loads						0
cf - Crusher Fines	tons						0
ss - Salt/Sand	tons						0
ms - Misc.	loads						0
sw-dump - Sweepings	tons			18	36		54
sw-shop - Sweepings	tons	12	24	32	24		92
Ditch Dirt	loads						0
Rock	tons						0
water, mag							0
Trash	loads						0
Construction Debris	tons						0

NOVEMBER 2015 PARKS RECORD LOG SHEET

	Week 44	Week 45	Week 46	Week 47	Week	TOTALS
ad - Administrative Office Work	13	2	9	7		31
bm - Building Maintenance						0
cn - Concrete						0
cp - Overseeing contractor project						0
cr - Crackseal						0
fn - Fence repairs	8					8
ft - Fertilizing Trees	34					34
gm - Gen. Maint to trails, parks, ROW	48	24	19	20		111
gps - GPS and Mapping						0
hl-d - Loads to dump	10			64		74
hl-po - Materials to shop						0
hl-r - Loads to recycle shop						0
hl-s - Loads to shop						0
ir - Irrigation repairs						0
ln - Landscape Repairs						0
Misc - Miscellaneous		3.5				3.5
mw-p - Mowing Parks						0
mw-r - Mowing rights of ways						0
mw-t - Mowing Trails						0
pl - Planting						0
pm - Preventative maint/repair on equip		2				2
po - Purchase materials all operations	7	3	2			12
se - Special Events						0
sg - Sign repair						0
shp - Shop Work		54	69	29		152
sn - Snow	18	28	45.5	11.5		103
spw - Spray Weeds						0
sw-t - Sweeping trails		10	6			16
tr - Training & Conf/including safety						0
ts - Trash both cans and loose trash	4	4	3	4		15
tt - Trimming trees & maint & wrapping	18	11				29
wa - Watering						0
wd-m - Weed cutting mains						0
wd-p - Weed cutting parks						0
wd-r - Weed cutting rights of ways						0
wd-t - Weed cutting trails						0
pto - Paid Time Off		20	10	20		50
hol - Holiday Pay						0
to-c - Time off comp						0
to-w - Time off for workers comp						0
TOTAL HOURS	160	161.5	163.5	155.5	0	640.5
MATERIALS						
mu - Mulch						0
ts - Top soil						0
sr-r - Split rail - Rails						0
sr-p - Split rail - Posts						0
tb - Tree branches						0
Sod						0
ms - Misc materials						0
rb - Road Base						0
Bollards						0
Rock						0
Construction Materials						0
Clippings						0
Trash (loads)	4					4
Planters Mix						0
TOTALS	4	0	0	0	0	4

2015 RIGHT-OF-WAY PERMITS
MONTHLY REPORT

JANUARY 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
7	3	4	3		17
FEBRUARY 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
10	2	3	2		17
MARCH 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
4	1	1			6
APRIL 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
14	7	3	1		25
MAY 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
8	1	1	1		11
JUNE 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
7	1	2			10
JULY 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
7	1	2			10
AUGUST 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
4	10	2			16
SEPTEMBER 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
7	7	1	2		17
OCTOBER 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
10	2	2	1		15

2015 RIGHT-OF-WAY PERMITS
MONTHLY REPORT CONTINUED

NOVEMBER 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
10	1		1		12
DECEMBER 2015					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
					0

2015 RIGHT-OF-WAY PERMITS YEAR-END REPORT					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	**TOTAL PERMITS**
88	36	21	11	0	**156**

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ITEM: 9d(ii)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION

SUBJECT: FINANCIAL UPDATE – NOVEMBER 2015

DATE: DECEMBER 9, 2015

Staff has not received all the information necessary to complete the November financial statements and therefore was not able to complete them on time for the packets. Staff will work to have the financial statements available on the dais Wednesday evening for your review.