

**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

**City Council Agenda**

Tuesday, March 15, 2016

6:00 p.m. – Study Session – Candidate Forum Policy Discussion

6:30 p.m. – Regular Meeting

1. Call to Order
2. Roll Call of Members
3. Pledge of Allegiance - SMA
4. Audience Participation Period (limit 5 minutes per speaker)
5. Consent Agenda
  - a. Approval of Minutes – March 1, 2016
  - b. Underwriter Engagement Agreement with Stifel, Nicolaus and Company
  - c. Ratification of Settlement Agreement and Full and Final Release by Mike Lee Cooper and the City of Cherry Hills Village
6. Items Removed From Consent Agenda
7. Unfinished Business
8. New Business
  - a. Public Hearing – Regarding a Request by Erik and Mollie Helen of 1530 East Oxford Lane for a Floodplain Development Permit
  - b. Contract for Services with Thoutt Brothers Concrete Contractors Inc. for the 2016 Street Improvement Concrete Replacement Project
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
    - (iii) Board and Commission Member Terms
  - e. City Attorney

\*\*\*Agenda Continues on Second Page\*\*\*

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.

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10. Executive Sessions pursuant to: C.R.S. Section 24-6-402(4)(b) for purposes of receiving specific legal advice regarding terms and conditions of a contract; C.R.S. Section 24-6-402(4)(a) for purposes of discussing the purchase, acquisition, or lease of real property for open space and other public purposes; and pursuant to C.R.S. Section 24-6-402(4)(e) for purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators concerning city manager position and the purchase, acquisition or lease of real property.
  
11. Possible motion to authorize the Interim City Manager to take action consistent with Council discussion following legal advice regarding the terms and conditions of a contract.
  
12. Adjournment

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ITEM: Study Session

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MEMORANDUM

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

**FROM:** CITY CLERK LAURA SMITH

**SUBJECT:** STUDY SESSION – CANDIDATE FORUM POLICY DISCUSSION

**DATE:** MARCH 15, 2016

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**Issue:**

Staff is seeking direction from Council to clarify the Candidate Forum Policy (Exhibit A).

**Background:**

At the October 7, 2014 Council meeting, Council discussed holding a candidate forum for the 2014 regular municipal election (see Exhibit B for minutes). At the April 21, 2015 Council meeting, Council approved the Candidate Forum Policy. The minutes from that meeting are not attached to this staff memorandum because the policy was not discussed prior to the motion for approval. The April 21, 2015 staff memorandum states:

Candidate Forum Policy – This policy replaced the existing Elections Issues Public Comment Policy. It was drafted to clarify the City's position that, in order to comply with State regulations regarding the use of public funds during elections, the City will not be involved with any campaign, debate, forum or other candidate activities.

The adopted Policy states:

Cherry Hills Village does not contribute, directly or indirectly, to any campaign involving the nomination, retention, or election of any person to any public office. The Village does not sponsor debates, forums, or other candidate activities that would require the payment of Village funds, expenditure of staff time, or use of Village facilities. Notwithstanding the foregoing, the Village will provide information to, and answer questions from, potential and announced candidates for office, and provide information to Village residents about the time, place, and manner of Village elections.

**Discussion:**

In January 2016 staff received a request from a branch of the Hillary Clinton campaign to reserve the Council Chambers after business hours for campaign activities. Based on the Candidate Forum Policy staff notified the campaign that they were not permitted to use City facilities.

This request prompted staff to review all current uses of City facilities by groups and individuals. Specifically, for several years House District 3 has met in the Council Chambers. The purpose of these meetings is stated on the reservation request form as “public meetings to discuss public policy matters” and in a recent email from the organizer as “public meetings in which constituents of House District 3 get a chance to talk with their representative about pending legislation and constituents have a chance to voice their concerns.” Staff is unclear as to how the Candidate Forum Policy would apply to groups such as House District 3.

Staff is seeking direction from Council to clarify the intent of the Candidate Forum Policy and suggests amending the Policy to add a definition of “candidate” and/or “campaign”. Staff suggests Council consideration of the definition under Section 2 of Article XXVIII of the Colorado Constitution (Fair Campaign Practices Act):

“Candidate” means any person who seeks nomination or election to any state or local public office that is to be voted on in this state at any primary election, general election, school district election, or municipal election. “Candidate” also includes a judge or justice of any court of record who seeks to be retained in office pursuant to the provisions of section 25 of article VI. A person is a candidate for election if the person has publicly announced an intention to seek election to public office or retention of a judicial office and thereafter has received a contribution or made an expenditure in support of the candidacy. A person is a candidate for purposes of this article so long as the candidate maintains a registered candidate committee. A person who maintains a candidate committee after an election cycle, but who has not publicly announced an intention to seek election to public office in the next or any subsequent election cycle is a candidate for purposes of this article.

**Attached:**

Exhibit A – Candidate Forum Policy

Exhibit B – October 7, 2014 City Council Meeting Minutes

City of Cherry Hills Village  
Policies and Procedures  
Adopted by City Council April 21, 2015

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**Candidate Forum Policy**

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**ADMINISTRATIVE POLICY**

Cherry Hills Village does not contribute, directly or indirectly, to any campaign involving the nomination, retention, or election of any person to any public office. The Village does not sponsor debates, forums, or other candidate activities that would require the payment of Village funds, expenditure of staff time, or use of Village facilities. Notwithstanding the foregoing, the Village will provide information to, and answer questions from, potential and announced candidates for office, and provide information to Village residents about the time, place, and manner of Village elections.

## RECORD OF PROCEEDINGS

Mayor Pro Tem Stewart agreed with Councilor Roswell that the issue should be addressed by the new Council. He noted that even if all terms ended in May positions would still open up throughout the year as members resigned and new committees were formed.

Councilor Roswell moved, seconded by Councilor K. Brown to table Council Bill 7, Series 2014 and Resolution 18, Series 2014.

The motion carried unanimously.

Council Bill 8, Series 2014; Authorizing a Supplemental Appropriation to Reimburse the Western Golf Association for Major Event Permit Review Fees (first reading)

Director Proctor presented Council Bill 8, Series 2014 on first reading for Council's consideration. She explained that based on Council's decision at the July 15<sup>th</sup> meeting the City would reimburse the Western Golf Association \$20,000 of their major event permit fees for the 2014 BMW Golf Championship. She explained that because this expenditure was not included in the 2014 budget a supplemental appropriation was required.

Councilor K. Brown moved, seconded by Mayor Pro Tem Stewart to approve on first reading Council Bill 8, Series 2014; authorizing a supplemental appropriation in the amount of \$20,000 to reimburse the Western Golf Association for major event permit review fees.

The following votes were recorded:

Mark Griffin	yes
Russell Stewart	yes
Scott Roswell	yes
Klasina VanderWerf	yes
Alex Brown	yes
Katy Brown	yes

Vote on the Council Bill 8-2014: 6 ayes. 0 nays. The motion carried.

Candidate Forum Policy Discussion

City Clerk Smith asked Council for direction regarding a candidate forum for the 2014 election. She explained that staff had received requests from a candidate and an anonymous resident that the City host a candidate forum. She noted that staff had assisted with the 2012 candidate forum but that it had been hosted by Village residents. She explained that staff had found little indication in the City's historical records of the City hosting a candidate forum in the past. She noted that most other municipalities were not involved in candidate forums and that they were typically hosted by other organizations such as a chamber of commerce or the League of Women Voters. She explained that staff was concerned that expending public funds on a candidate forum could be interpreted to be in violation of the Fair Campaign Practices Act. She presented several options to Council as to how to move forward.

City Attorney Michow added that in reference to the Fair Campaign Practices Act the courts have interpreted expenditure of public funds to include in-kind contributions such as staff time. She advised being conservative in order to avoid being involved in a campaign violation complaint.

Mayor Tisdale asked City Attorney Michow if the proposed option to ask candidates to pay the City for staff time was a feasible work around to the FCPA issue.

City Attorney Michow replied that it was feasible.

Councilor A. Brown indicated it was his understanding that state statute emphasized that public entities should not be involved in election campaigns.

City Attorney Michow agreed and added that courts have interpreted urging and advocacy to mean informing the electorate.

Councilor Roswell agreed and indicated that this was a slippery slope and recommended the City take no action and allow other organizations to host a candidate forum if they so desired.

Mayor Pro Tem Stewart indicated that the City should formalize a strict policy that the City should never be involved in any candidate forum through expenditure of funds, staff time, City facilities, or the City website. He added that the candidate information currently on the City website could be interpreted as advocacy and should be removed. He volunteered to work with the City Attorney to write a policy.

Councilor Griffin agreed with Mayor Pro Tem Stewart that the City had no business being involved in a candidate forum and that the City should adopt a formal policy.

Councilor VanderWerf stated that she was disappointed no group had stepped forward to host a candidate forum and agreed that the responsibility for a candidate forum should not fall to the City.

Councilor K. Brown abstained from the discussion as a candidate.

Councilor Roswell agreed that the candidate information should not be on the website.

Mayor Tisdale asked if the City had posted candidate information on the website in the past.

City Clerk Smith replied that she was unsure.

Alice Abrams, 105 Meade Lane, asked City Clerk Smith about the 2012 candidate forum and if staff time was paid for by the City.

City Clerk Smith confirmed that staff time was spent on the 2012 candidate forum and that staff was paid for that time by the City.

Ms. Abrams concluded that there was therefore a precedent for expenditure of City funds on a candidate forum.

Mayor Tisdale noted that the staff memo identified the 2012 candidate forum and added that candidate forums had been held at the City in 2004 and 2002. He noted that Council's decision appeared to be to take no action.

Councilor Roswell clarified that the candidate information on the website should be removed and that staff should work with Mayor Pro Tem Stewart on a formal policy stating that the City should not be involved in candidate forums.

Mayor Tisdale directed the City Clerk and City Attorney to confer and determine the appropriate approach for the information on the website. He clarified that there was no issue with having the factual summary for the ballot question on the website.

Councilor A. Brown noted that the City's ability to produce a factual summary was expressly provided for in state statute.

City Attorney Michow verified that was correct.

Mayor Tisdale directed staff to take no action related to a candidate forum for the 2014 election.

## **REPORTS**

### **Members of City Council**

Councilor A. Brown suggested that the Quincy Farm Visioning Committee Final Report should not be constrained to a half hour study session but rather should be presented during the regular meeting at the October 21<sup>st</sup> meeting in order to allow Council sufficient time for discussion. He reported that the Utility Line Undergrounding Study Committee (ULUSC) was working on a draft report to present to Council and had decided to wait until after the November 4, 2014 election to finalize the report based on the outcome of the fiber optic ballot question. He further reported that based on a conversation with a resident from the Glenmoor subdivision he was interested in exploring a possible amendment to the allowed uses in the setback if Council had no objection. He noted that some accommodation of allowing expanded uses in the setback might be accomplished without conflicting with the intent and purpose of the setbacks.

Councilor VanderWerf reported that the City's newest loan of public art, *Colorado Loop #6* by Yoshi Saito, would be dedicated on October 14<sup>th</sup> at 11am at the southeast corner of University Boulevard and Quincy Avenue at a ceremony attended by the artist.

Councilor Roswell suggested that Councilor A. Brown work with P&Z on his proposed amendment to the setback regulations for the Glenmoor subdivision. He reported that Old Cherry Hill's Oktoberfest had been a success. He noted that he would attend the retirement party for South Metro Fire Rescue Authority Chief Qualman on November 13<sup>th</sup>. He stated that Chief Qualman had been a great friend to the Village and had been instrumental in advocating the Joint Public Safety Facility.

Councilor K. Brown reported that the Quincy Farm Visioning Committee had completed its final report and would present to PTRC on October 9<sup>th</sup> and to City Council on October 21<sup>st</sup>. She added that she joined staff and PTRC Chair Bill Lucas in reviewing proposals for the John Meade Park planning consultant and that they hoped to bring a contract to Council for consideration in October. She indicated that she would be open minded about Councilor A. Brown's possible proposed amendments to the Glenmoor setbacks but noted that the intent of setbacks was very important to maintain.

Councilor Griffin agreed with Councilor K. Brown in relation to Councilor A. Brown's exploration.

Mayor Pro Tem Stewart agreed with Councilor Griffin.

Minutes of the  
City Council of the City of Cherry Hills Village, Colorado  
Held on Tuesday, February 16, 2016 at 6:30 p.m.  
At the Village Center

The City Council held a Study Session regarding the Trail Inventory Project at 6:00 p.m.

Mayor Laura Christman called the meeting to order at 6:36 p.m.

**ROLL CALL**

Mayor Laura Christman, Councilors Mark Griffin, Earl Hoellen, Alex Brown, Mike Gallagher, Klasina VanderWerf, and Katy Brown were present on 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, Parks, Trails & Recreation Administrator Ryan Berninzoni and City Clerk Laura Smith.

Absent: none

**PLEDGE OF ALLEGIANCE**

Lincoln and Tyler Haynie from Troop 54, Denver Area Council, and their sisters Faith and Bethany Haynie led the Council in the pledge of allegiance.

**AUDIENCE PARTICIPATION PERIOD**

None

**CONSENT AGENDA**

Mayor Pro Tem A. Brown moved, seconded by Councilor Griffin to approve the following items on the Consent Agenda:

- a. Approval of Minutes – February 2, 2016

The motion passed unanimously.

**ITEMS REMOVED FROM CONSENT AGENDA**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS****Public Hearing – Request by Verizon Wireless for a Conditional Use Permit to Install a Roof-Mounted Wireless Communication Facility at 1400 East Hampden Avenue (Shoppes at Cherry Hills)**

Director Zuccaro presented a request by Verizon Wireless for a Conditional Use Permit to install roof-mounted wireless communication facilities at the Shoppes at Cherry Hills commercial center, located at 1400 E. Quincy Avenue. Surrounding properties to the north and west were located in the City of Englewood and included apartments, medical offices, and a mortuary. To the south and southeast across E. Hampden Avenue were R-1 zoned single family residences located in Cherry Hills Village. The subject property was zoned C-2, Limited Commercial District. Wireless Communication Facilities were a Conditional Use in the C-2 District, subject to review and approval of a Conditional Use Permit by the Planning and Zoning Commission (P&Z) and City Council. The proposal was to install wireless antennas on three corners of the roof (north, east and south corners) extending approximately 7 feet above the existing roof parapet height. The antennas would be surrounded by RF-transparent screen wall “towers” designed to match the architectural design, colors and textures of the existing building. Staff had independently verified the similarity of the proposed design and the current building. The screen walls would extend approximately 8 feet and 4 inches above the existing roof parapet height. The overall height of the structure with the screen walls would be approximately 23 feet and 4 inches above grade. A fourth screen wall would be constructed on the east side of the building to create a uniform design, but would not include any wireless infrastructure. Ground equipment surrounded by an 8-foot, 4-inch tall brick equipment enclosure was proposed southwest of the building and parking lot and would be screened with landscaping. P&Z had reviewed the proposal and held a public hearing on January 12, 2016. P&Z had voted unanimously for approval subject to the following conditions:

- Addition of design elements to the screen walls. The applicant added an additional architectural element to the screen wall design to meet this condition.
- Evaluation of the equipment enclosure impact on clear sight distance at the S. Lafayette Street and E. Hampden Avenue intersection. The City’s engineering consultant evaluated the clear sight distance and confirmed that the equipment enclosure would be outside of the sight triangle.

Staff has found that both P&Z conditions have been met. Conditional Use Permit procedures and review criteria were outlined in Article XVIII of the Zoning Ordinance. Specific review criteria were provided in Municipal Code Sections 16-18-10 and 16-16-130(c). Staff findings were outlined in the staff memorandum. Staff recommended approval of the proposal as submitted.

Mayor Christman asked if P&Z found the architectural detail provided by the applicant sufficient.

Director Zuccaro replied that staff had asked P&Z if they had wanted to specify the architectural detail but P&Z had declined to provide specifics.

Mayor Christman opened the public hearing at 6:47 p.m.

Kelly Harrison, representative of Verizon Wireless Real Estate, introduced herself and her colleague, technical engineer David Born. She noted that Verizon had met the two conditions specified by P&Z and offered to answer any questions Council might have.

Councilor Griffin asked about cell sites along University.

Director Zuccaro replied that there were several sites along University that were part of the small cell network.

Mr. Born agreed and added that these sites had lower power and generally lower height and were intended for neighborhood coverage.

Councilor Griffin asked if the proposed site would service Verizon Wireless only.

Mr. Born replied that was correct.

Hearing no further comments the public hearing was closed at 6:52 p.m.

Councilor Gallagher moved, seconded by Councilor K. Brown to approve the request by Verizon Wireless for Conditional Use Permit to install wireless communication facilities at 1400 E. Hampden Avenue as proposed, based on the findings outlined in the Staff Analysis section of the February 16, 2016 staff memorandum.

The motion passed unanimously.

#### Continuation of City Attorney Legal Services

City Attorney Michow explained that she was seeking Council approval to continue her legal contract with the City under her new firm name, Michow Cox & McAskin. She indicated that through a natural evolution of her current firm's partner situation the firm would be realigning amicably. The partners who worked primarily for Centennial would stay at the City of Centennial offices, while she and her colleagues who represented over 10 other municipal clients, Tim Cox, Marcus McKaskin, and Kathie Guckenberger would change their firm name and move to a new office. She noted that the realignment would allow her firm to provide better, more attentive service to their clients and to grow in a thoughtful way. She indicated that the proposed contract was identical to the one previously approved by Council aside from the new firm name. She indicated that her rates had changed once since becoming the City Attorney and those rates would not change with this new contract. She stated her appreciation and enjoyment working with Council and City staff.

Mayor Pro Tem A. Brown expressed concern with Section 11 regarding Arbitration. He suggested a price cap for mandatory arbitration.

Mayor Christman agreed.

Councilor Hoellen agreed and noted that should be a standard in all City contracts.

Mayor Pro Tem A. Brown suggested a \$25,000 threshold.

Councilor K. Brown moved, seconded by Councilor VanderWerf to approve the legal services agreement with Michow, Cox & McAskin LLP as amended to include a \$25,000 mandatory arbitration limit.

The motion passed unanimously.

## **REPORTS**

### **Mayor's Report**

Mayor Christman had no report.

### **Members of City Council**

Councilor Hoellen had no report.

Councilor K. Brown noted that she had attended the Colorado Municipal League's Legislative Workshop and while there had not been anything particularly relevant to the City it had been an interesting event. She reported that she had been approached by a resident asking for a left turn signal from south-bound Holly onto east-bound Belleview. She had informed the resident that Belleview was controlled by CDOT and added that the Mayor and Mayor Pro Tem A. Brown were actively engaged in discussions with CDOT about various intersections on Belleview, and had noted that it was unlikely the traffic backup on Holly would warrant a signal to CDOT.

Councilor VanderWerf reported that the Public Art Commission would be meeting on Wednesday February 24<sup>th</sup> and would start planning the dedication for *Charlo*, which she hoped all of Council would attend. She noted the dedication would probably be in May or June.

Mayor Pro Tem A. Brown reported that he and Mayor Christman had a follow-up meeting with CDOT Commissioner Gary Reiff. He noted that the Holly/Belleview intersection would be included in the City's traffic study.

Councilor K. Brown replied that she had mentioned the traffic study to the resident.

Mayor Pro Tem A. Brown reported that CDOT would be hiring a contractor for stormwater work on University, which contributed to the issues with repaving on that road. He noted that the stormwater issues on University also affected Greenwood Gulch. He added that CDOT's purview over storm drainage should be kept in mind as the City progressed on the John Meade Park/Allan Hutto Memorial Commons project.

Councilor Griffin noted that there was now lighting on *Charlo*.

Councilor VanderWerf noted that the current lighting was temporary but permanent lighting would be added in the near future.

Interim City Manager/Director Goldie added that the temporary lighting had been installed so that it could be incorporated into the permanent lighting.

Councilor Gallagher had no report.

### **Members of City Boards and Commissions**

None

### **City Manager & Staff**

Interim City Manager/Director Goldie indicated that the department monthly reports and unaudited financial statements were included in Council packets. He reported that staff had received seven proposals for the John Meade Park/Allan Hutto Memorial Commons consultant position and a panel consisting of Councilor Gallagher, Parks, Trails and Recreation Commission Chair Robert Eber, and various staff members would meet later this week to begin the process of narrowing down the applicants to four to be interviewed. He indicated that he had been contacted by Greenwood Village staff about the possibility of re-opening discussions between the two Councils regarding installation of a traffic light at Franklin and Bellevue. He noted that when this issue had been discussed in the past with previous Council members the concern was an increase in cut-through traffic on Franklin. He noted that staff believed the traffic on Franklin would warrant a traffic light but it was a discretionary matter for Council to consider.

Mayor Pro Tem A. Brown suggested staff's response be that Council wished to wait until after the traffic study in order to work through that data and discuss the issue with the City's consultants.

Mayor Christman added that staff should talk to the neighborhood for their opinion.

Councilor Hoellen agreed with Mayor Pro Tem A. Brown. He asked about the mail theft issues in the City and the recent arrest by Greenwood Village Police of a suspect in possession of Cherry Hills Village mail.

Commander Weathers replied that the arrest had been helpful to the Police Department and they were still working through a lot of follow-up as a result, but explained that the suspect was not in charge of the operation and the Police Department was working with the United States Post Office to find the leaders of the operation. He added that criminal charges were filed against the suspect.

**City Attorney**

City Attorney Michow had no report.

**ADJOURNMENT**

Mayor Christman noted that the March 1<sup>st</sup> meeting was cancelled as it was Caucus Night.

The meeting adjourned at 7:14 p.m.

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Laura Christman, Mayor

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Laura Smith, City Clerk

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Item: 5b

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**MEMORANDUM**

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

**FROM:** KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION

**SUBJECT:** UNDERWRITER ENGAGEMENT AGREEMENT WITH STIFEL, NICOLAUS & COMPANY, INC.

**DATE:** MARCH 15, 2016

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**DISCUSSION:**

As the City continues to work on moving Public Works offsite and building a new building, an important step in the process is to work with an underwriter for the Certificates of Participation (COP's) to finance the project. The underwriters should be involved in the process as soon as possible to ensure the project can be financed with COP's and all the necessary steps and timelines are followed.

The City of Cherry Hills Village has worked with Stifel, Nicolaus & Company for many years. In addition, Staff has met recently on several occasions with David Bell, Managing Director of Stifel, Nicolaus & Company as we have begun to work on this project. Stifel Public Finance has submitted an Underwriter Engagement Agreement which is attached. The attached agreement, which is being presented to the Council for consideration and approval, has been reviewed and approved by the City Attorney. Staff recommends approval.

**RECOMMENDED MOTION:**

"I move to approve the Underwriter Engagement Agreement by and among the City of Cherry Hills Village and Stifel, Nicolaus & Company, Inc."

**ATTACHMENT:**

Underwriter Engagement Agreement by and among the City of Cherry Hills Village and Stifel, Nicolaus & Company, Inc.

**UNDERWRITER ENGAGEMENT AGREEMENT**

THIS AGREEMENT is made and entered into this 15<sup>th</sup> day of March, 2016, by and among the City of Cherry Hills Village, Colorado (the "Issuer") and Stifel, Nicolaus & Company, Incorporated, (the "Underwriter" or "Stifel"), with reference to the following facts:

**RECITALS**

WHEREAS, the Issuer plans to issue Certificate of Participation, Series 2016 (the "Certificates") to finance a new public works facility (the "Project"); and

WHEREAS, the Issuer desires and is authorized by law to retain the services of the Underwriter in connection with the issuance of the Certificates; and

WHEREAS, the Underwriter agrees to be retained by the Issuer and to provide to the Issuer the services described herein; and

WHEREAS, Stifel agrees to act as underwriter, subject to the conditions set forth herein;

NOW therefore, for and in consideration of the mutual promises, covenants, and conditions herein contained, the parties hereto agree as follows:

***Scope of Services***

The Issuer has engaged the Underwriter to perform various services related to the issuance of the Certificates, which are to be performed within the framework of all relevant rules and regulations. All services are provided on an arm's length, commercial basis and may or may not be provided in conjunction with services provided by advisors to the Issuer, such as, but not limited to, a financial advisor or a municipal advisor.

With this understanding, the Underwriter may provide the following services and perform the following functions with respect to the Certificates:

**A. Structuring the Financing**

1. The Underwriter will work with the Issuer, its bond counsel, financial advisor, disclosure counsel, and other members of the Issuer's financing team in evaluating specific terms and conditions affecting the Certificates with the purposes of meeting the Issuer's financing objectives and assuring appropriate credit quality;
2. The Underwriter will work with the Issuer to create a feasible and efficient structure for the Certificates in order to enhance the Certificates' marketability;
3. In cooperation with Issuer, the Underwriter will assist in the preparation of and/or review of all documents necessary to implement the issuance of the Certificates, including, but not limited to, authorizing resolutions, certificate purchase agreement, and preliminary and final official statements distributed to potential investors, as required;

## **B. Marketing the Securities**

1. The Underwriter will provide information and material as needed to support presentations for rating agencies and/or bond insurance companies; if requested;
2. The Underwriter will coordinate printing and distribution of the preliminary and final official statements;
3. Together with the Issuer and other appropriate parties, the Underwriter will provide market information on the timing of the sale of the Certificates in relation to the market conditions and financing needs;
4. The Underwriter will arrange for distribution of the final official statements in accordance with Section 240.15c2-12 of Title 17 of the Code of Federal Regulations; and
5. The Underwriter will serve as sole managing underwriter of the Certificates, which obligation is conditioned upon the execution of a mutually satisfactory certificate purchase agreement and other customary documentation, and coordinate with all parties so as to consummate the sale and delivery of the Certificates in a timely manner.

### ***Regulatory Disclosure***

Issuer is aware of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the Securities and Exchange Commission's adopted rule commonly known as the "Municipal Advisor Rule" (SEC Rule 15Ba1-1 to 15Ba1-8 -"the Rule") and the underwriter exclusion from the definition of "municipal advisor" for a firm serving as an underwriter for a particular issuance of municipal securities. Some of the services that Stifel will be called upon to perform, such as providing advice with respect to the sizing, structure, timing and terms of the Certificate issuance, are services that are also commonly provided by financial advisory firms.

However, in providing such services for the Certificates, the parties understand and agree that Stifel is serving as an underwriter for this transaction and is permitted to give advice and recommendations under the "underwriter exclusion" provision of the Rule. Issuer agrees that Stifel will not be serving as the Issuer's financial advisor or acting as an agent or fiduciary for the Issuer and that the Issuer will be consulting with its own legal, financial and other advisors. This Agreement and relationship shall be either executed, approved or acknowledged by the governing board of Issuer (the "Governing Board").

### ***Disclosures Required by MSRB Rule G-17 Concerning the Role of the Underwriter***

1. Municipal Securities Rulemaking Board ("MSRB") Rule G-17 requires an underwriter to deal fairly at all times with both municipal issuers and investors.
2. The underwriter's primary role is to purchase securities with a view to distribution in an arm's-length commercial transaction with the Issuer. The underwriter has financial and other interests that differ from those of the issuer.
3. The underwriter does not have a fiduciary duty to the issuer under the federal securities laws and is, therefore, not required by federal law to act in the best interests of the issuer without regard to its own financial or other interests.
4. The underwriter has a duty to purchase the securities from the issuer at a fair and reasonable price, but must balance that duty with its duty to sell the securities to investors at prices that are fair and reasonable.

5. The underwriter will review the official statement for the securities in accordance with, and as part of, its respective responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of this transaction.

***Disclosures Concerning the Underwriter Compensation***

The underwriter will be compensated by a fee and/or an underwriting discount outlined below and that will be set forth in the certificate purchase agreement to be negotiated and entered into in connection with the issuance of the securities. Payment or receipt of the underwriting fee or discount will be contingent on the closing of the transaction and the amount of the fee or discount may be based, in whole or in part, on a percentage of the principal amount of the securities. While this form of compensation is customary in the municipal securities market, it presents a conflict of interest since the underwriter may have an incentive to recommend to the Issuer a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.

***Conflicts of Interest Disclosures***

Stifel has not identified any additional potential or actual material conflicts that require disclosure.

While Stifel does not believe that the following represents a potential or actual material conflict of interest, we note that:

***Disclosures Relating to Complex Municipal Securities Financing***

Since Stifel has not recommended a “complex municipal securities financing” to the Issuer, additional disclosures regarding the financing structure for the Issue are not required under MSRB Rule G-17.

However, if Stifel recommends, or if the Issue is ultimately structured in a manner considered a “complex municipal securities financing” to the Issuer, this letter will be supplemented to provide disclosure of the material financial characteristics of that financing structure as well as the material financial risks of the financing that are known to us and are reasonably foreseeable at that time.

***Limitation of Duties***

The Issuer acknowledges and agrees that Stifel is not making a commitment to extend credit, make a loan or otherwise fund the Project beyond the obligations contained in a mutually satisfactory certificate purchase agreement. The Issuer acknowledges that the services provided under this Agreement involve professional judgment by Stifel and that the results cannot be, and are not, guaranteed.

As addressed above, among the services that Stifel will perform under this Agreement is assistance in preparation of, and/or review of the preliminary and final official statements for the Certificates. We note, however, that under federal securities law, an issuer of securities has the primary responsibility for disclosure to investors. Our assistance with respect to, and/or review of the official statement will be solely for purposes of satisfying our obligations as underwriter under the federal securities laws and such assistance and/or review should not be construed by the Issuer as a guarantee of the accuracy or completeness of the information in the official statement.

***Expenses***

The Issuer, from the Certificate proceeds, will pay the Underwriter's costs incurred in the performance of this Agreement, including costs of its legal counsel, if any, communication, preparation of the official statements, and overhead expenses.

The Issuer, from the Certificate proceeds or other lawfully available funds, will pay for legal fees, including disclosure counsel; rating agency and credit enhancement fees including all related travel (if any); the cost of appraisal, fiscal consultant, statistical, computer, and graphics services (if any), cost of printing and distribution of the official statements and expense of publication, advertising, and informational meetings; and the costs of fiscal agent or bond trustee and registrar.

***Compensation***

The Underwriter agrees to prepare and coordinate all aspects of the sale of the Certificates. Stifel will be paid only when the Certificates are sold. The fee for Stifel's preparation and coordination of the sale of the Certificates shall be 6.50 per \$1,000.00 of Certificates sold. The underwriting fee is contingent on a successful sale of the Certificates and is payable from the proceeds of the Certificates.

***Term of Agreement***

This Agreement is to continue until the Project is financed or until the Governing Board formally abandons the Project, unless previously terminated by mutual written consent of the parties hereto.

This Agreement may be terminated at any time by the Issuer, upon five business days' prior notice to such effect to the Underwriter, or by the Underwriter upon five business days' prior notice to such effect to the Issuer. Any such termination, however, shall not affect the obligations of the Issuer under the Expenses section hereof.

***Severability of Provisions***

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby if such remainder would then continue to conform to the terms and requirements of applicable law.

***Governing Law***

This Agreement, and the rights and obligations of the parties hereto, shall be construed, interpreted and enforced pursuant to the laws of the state of Colorado, and exclusive venue in any and all actions existing under this Agreement shall be laid in the action or proceeding which Issuer or Underwriter may be required to prosecute to enforce its respective rights within this Agreement. The unsuccessful party therein agrees to pay all costs incurred by the prevailing party therein, including reasonable interest and attorney's fees, to be fixed by court, and said costs, interest, and attorneys' fees shall be made a part of the judgment in said action. Prior to the commencement of any litigation concerning this Agreement, the Issuer and the Underwriter agree to first submit any disagreements to mediation. This mediation requirement is intended to reduce the costs of dispute resolution for both parties.

***Subcontractors***

The Underwriter shall, with the prior written approval of the Issuer, use such subcontractors as are necessary in the fulfillment of this Agreement.

***Miscellaneous***

Nothing contained herein shall preclude the Underwriter from carrying on its customary and usual business activities. The Underwriter specifically reserves the right, but is not obligated, to bid for and maintain secondary markets on any Issuer outstanding certificates subject to appropriate information barriers. Services provided by the Underwriter in connection with this Agreement shall not limit the Underwriter from providing services for the Issuer in conjunction with other services requested by the Issuer except as limited by rule of law or regulation.

In connection with services agreed to herein, it is understood that the Underwriter will render professional services as an independent contractor. Neither the Underwriter nor any of its agents or employees shall be deemed an employee of the Issuer for any purpose.

The Underwriter shall not assign or otherwise transfer any interest in this Agreement without the prior written consent of the Issuer.

The Issuer acknowledges and recognizes Stifel as Underwriter with respect to the municipal securities referenced for purposes of MSRB Rule G-23 and Securities and Exchange Commission Rule 17 CFR (Registration of Municipal Advisors) and acknowledges receipt of the G-17 disclosures included herein.

This Agreement constitutes the entire agreement between the parties relating to the subject matter thereof and supersedes any prior understandings or representations. The Agreement may be amended or modified only by a writing signed by both parties. It is solely for the benefit of the Issuer and Stifel, and no other person.

This Agreement is submitted in duplicate originals. The acceptance of this Agreement by the Issuer will occur upon the return of one original executed by an authorized Issuer representative, and the Issuer hereby represents that the signatory below is so authorized.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

Stifel, Nicolaus & Company, Incorporated

By  \_\_\_\_\_

Name: David Bell

Title: Managing Director

Date: March 15, 2016



**ACCEPTANCE**

**City of Cherry Hills Village, Colorado**

By \_\_\_\_\_

Name: Karen Proctor

Title: Finance Director

Date \_\_\_\_\_



**PLACEMENT AGENT/UNDERWRITER G-23 DISCLOSURE**

Stifel, Nicolaus & Company, Incorporated (“Stifel”) is providing information for discussion purposes and is declaring that it has done so within the regulatory framework of MSRB Rule G-23 as an underwriter (by definition also including the role of placement agent) and not financial advisor, as defined therein, to the issuer for this proposed issuance of municipal securities. The primary role of Stifel, as an underwriter, is to purchase securities for resale to investors in an arm’s- length commercial transaction. Serving in the role of underwriter Stifel has financial and other interests that differ from those of the issuer. The issuer should consult with its financial and/or municipal, legal, accounting, tax and other advisors, as applicable, to the extent it deems appropriate.

**Text of the Notice and the revised rule can be found at:**

**[www.msrb.org/rules-and-interpretations](http://www.msrb.org/rules-and-interpretations)**

Stifel, Nicolaus & Company, Inc., 501 N. Broadway, St. Louis, MO 63102

## SETTLEMENT AGREEMENT AND FULL AND FINAL RELEASE

THIS SETTLEMENT AGREEMENT AND FULL AND FINAL RELEASE ("Agreement") is made this 7<sup>th</sup> day of March, 2016, by MIKE LEE COOPER ("Cooper") and THE CITY OF CHERRY HILLS VILLAGE, COLORADO ("City") (collectively, "the Parties").

WHEREAS, Cooper has owned real property located at 10 Viking Drive, Cherry Hills Village, Colorado (the "Property") since approximately 1993 and resided there full time from 1993 to 2009; and

WHEREAS, the Property is located within the City of Cherry Hills Village, Colorado, a home rule municipality located in Arapahoe County, Colorado; and

WHEREAS, the Property, located within the R-3, 1 Acre Residential zone district of the City, contains a single family residence ("Residential Structure"); and

WHEREAS, beginning in mid-2009, Cooper decided to lease the Property on a short term basis to groups and individuals; and

WHEREAS, various disputes have arisen between the Parties since Cooper began using the Property for short term rentals, resulting in three separate municipal court prosecutions against Cooper; and

WHEREAS, Cooper filed a civil action entitled *Mike Lee Cooper v. City of Cherry Hills Village*, Arapahoe County District Court, Case No. 2014 CV 31143 ("Civil Action") against the City, seeking judgment on the issues of whether: (a) he has a valid non-conforming use allowing ongoing rentals of the Property of one week or greater to single families; (b) the City can require him to apply for non-conforming use status as required by its current Municipal Code; and (c) short term tenants of the Property can hold special events on the Property in violation of the City's current Municipal Code; and

WHEREAS, the City filed a counterclaim in the Civil Action, seeking a declaration that Cooper's use of the Property for short term rentals is not lawful and does not entitle Cooper to lawful non-conforming use status; and

WHEREAS, the Parties desire to settle all claims asserted or that could have been asserted against each other in the Civil Action in accordance with the provisions and upon the terms and conditions hereinafter set forth;

FOR good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby promise and agree as follows:

## A. Release.

1. Cooper does hereby release, acquit and forever discharge the City and the City of Cherry Hills Village's former and current council members, former and current employees, former and current employers, former and current agents, former and current insurers, former and current attorneys, former and current subcontractors, former and current servants and former and current assignees, (collectively referred to as "Releasees") of and from any and all liabilities, claims, demands, rights, controversies, agreements, damages, actions, causes of action, subrogated interests, liens, or other derivative claims, administrative actions, expenses, fees, interest, compensation, judgment, and any and all consequential and punitive damages, of whatsoever kind and nature, either in law or in equity, contractual or extra-contractual, whether pled or unpled, which exist or might exist, whether known or unknown, related to or arising from the alleged claims or litigation identified as the Civil Action and the events that gave rise to the Civil Action, including, but not limited to, the application and enforcement of any and all City ordinances and building codes. This release is further intended to and does release, acquit and forever discharge any and all claims for attorneys' fees or other litigation expenses that might exist with regard to the Civil Action.

2. Cooper acknowledges that a portion of the consideration given for the Settlement Agreement is being given for the full and final release of any and all unknown losses, claims, injuries, costs, expenses, and damages which may have occurred in the past and are not yet known arising from the Civil Action. Cooper agrees voluntarily and knowingly to assume the risk of any mistake of fact or law, either mutual or unilateral, with respect to said losses, claims, injuries, costs, expenses and damages, directly arising from the Civil Action.

3. To the extent permitted by law, the City, for itself and its agents, employees, legal representatives, successors, assigns, insurers, and sureties, hereby releases, remises, acquits, and forever discharges Cooper, his agents, employees, legal representatives, successors, assigns, insurers, and sureties, of and from any and all liabilities, claims, demands, rights, controversies, agreements, damages, actions, causes of action, subrogated interests, liens, or other derivative claims, administrative actions, expenses, fees, interest, compensation, judgment, and any and all consequential and punitive damages, of whatsoever kind and nature, either in law or in equity, contractual or extra-contractual, whether pled or unpled, which exist or might exist, whether known or unknown, specifically related to and arising from the alleged claims or litigation identified as the Civil Action and the events that gave rise to the Civil Action. Nothing herein shall waive the City's full right and authority to exercise its police powers or enforce any and all applicable provisions of the Municipal Code as it relates to any conduct, events, activities or uses of the Property occurring after the Effective Date of this Agreement. This release is further intended to and does release, acquit and forever

discharge any and all claims for attorneys' fees or other litigation expenses that exist with regard to the Civil Action.

4. The City acknowledges that a portion of the consideration given for the Settlement Agreement is being given for the full and final release of any and all unknown losses, claims, injuries, costs, expenses, and damages which may have occurred in the past and are not yet known, directly arising from the Civil Action. The City agrees voluntarily and knowingly to assume the risk of any mistake of fact or law, either mutual or unilateral, with respect to said losses, claims, injuries, costs, expenses and damages directly arising from the Civil Action.

5. The "Effective Date" of this Agreement shall be February 28, 2016.

**B. Waiver of Right to Appeal and Dismissal of Civil Action.** The City does hereby waive its right to appeal the District Court's ruling issued on December 30, 2015 on Cooper's Partial Motion for Summary Judgment in the Civil Action. Further, contemporaneously with the execution of this Settlement Agreement, and as part consideration thereof, Cooper agrees that he shall direct his attorney promptly to execute and file with the court a Stipulation for Dismissal with Prejudice of the Civil Action. As a term of the Stipulation for Dismissal with Prejudice, and of this Settlement Agreement, the Parties shall pay their own costs and attorney fees. Additionally, said stipulation shall state that all claims that were brought or could have been brought by any Party in relation to the Civil Action shall be dismissed and released. Cooper agrees that this provision shall not preclude the City's ability to enforce all ordinances and building codes applicable to the Property in the future, including any necessary legal action, as the need may arise except to the extent that such enforcement is inconsistent with the terms of this Agreement.

**C. Nonconforming Use Status.** Subject to and in conformance with this Agreement, the Parties agree that Cooper has a legal non-conforming use of 10 Viking Drive and that Cooper is entitled to a limited and terminable non-conforming use certification allowing Cooper to rent out the Property to single families as defined by the Cherry Hills Village Municipal Code for periods of one week or longer for a period of 10 years from the Effective Date of this Agreement subject to and in conformance with the non-conforming use certificate ("Limited and Terminable Non-Conforming Use Certificate") for the Property in the form set forth as Exhibit A, attached. The Parties acknowledge and agree that the Limited and Terminable Non-Conforming Use Certificate is separate and distinct from the terms of this Agreement, shall be recorded against the Property, and shall run with the Property until terminated in accordance with the terms thereof.

**D. Application and Enforcement of Municipal Code and Ordinance No. 4, Series 2015.** Cooper agrees the Property shall be in conformity with all provisions of Ordinance No. 4, Series of 2015 ("2015 Ordinance"), as codified in Chapter 16 of Article XIV of the

Code except as provided herein. Cooper acknowledges and agrees that the 2015 Ordinance is a lawful, valid and legally enforceable regulation and that he shall comply with all requirements under the 2015 Ordinance, immediately upon the Effective Date of this Agreement, except as to the following limited modifications:

1. **Issuance of Certification.** The process for non-conforming use certification required pursuant to Sections 16-14-10(d) and 16-14-90(b) of the Code is hereby fulfilled through this Agreement such that Cooper is not required to submit evidence of non-conforming use. The City shall issue and record against the Property the Limited And Terminable Non-Conforming Use Certificate for the Property, in the form set forth as Exhibit A to this Agreement, contemporaneously with execution of this Agreement by the Parties.

2. **Building Code Improvements.** In order to comply with Section 16-14-90(c)(4) of the Code, Cooper shall comply with all items enumerated in items #1-23 in the building inspection report prepared by Colorado Code Consulting, LLC dated January 21, 2016 ("Report"), a copy of which is attached hereto as Exhibit B, and shall construct all improvements or modifications identified in the Report, inclusive of any future improvement or modification to the swimming pool cover (item #23), in order to bring the Property and Residential Structure into compliance for Residential Group R-3 Boarding House occupancy under the International Building Code adopted by the City as of the Effective Date of this Agreement (collectively, the "Improvements"). Pursuant to Section 104.10, *Modifications*, of the International Building Code, 2012 Edition, the City building official hereby authorizes an alternate design to the sprinkler requirement to allow Cooper to install a National Fire Protection Association 13D sprinkler system appropriate for single family structures as inspected and approved by the City building official and appropriate fire official. Nothing herein shall obligate the City or its representatives to approve other modifications or variances requested by Cooper under the International Building Code, 2012 Edition, or any other Code regulation or requirement of the City.

3. **Completion of Improvements.** Notwithstanding the 180 day time frame set forth in Section 16-14-90(c), Cooper shall have until December 31, 2016 with no further extensions to complete all of the Improvements. Cooper shall comply with the City's building permit application requirements. The Improvements shall be considered complete when Cooper obtains all building permits required by the City and South Metro Fire Rescue for the Improvements, complies with all conditions of such permits, and passes all inspections marked on the building permit inspection record issued with each building permit. The City shall perform any requested inspection within two business days of receipt of a request by Cooper, provided that Cooper follows the City's standard procedures for requesting inspections. Prior to December 31, 2016, Cooper may use the Property for short-term rentals to single families in accordance with the terms of this Agreement and the Limited and Terminable Non-Conforming Use Certificate.

**E. Payment of Costs for Improvements.** Cooper shall be responsible for and bear any and all costs associated with the Improvements including, but not limited to, any and all costs and fees associated with building permit fees, as well as costs associated with the plans, materials, installation, construction, inspection and approval of such Improvements.

**F. Failure to Complete Improvements.** In the event that Cooper fails to complete all of the Improvements in compliance with Section D.3 above on or before December 31, 2016, the Limited and Terminable Non-Conforming Use Certificate shall in accordance with its terms, automatically terminate without further action by the City.

**G. Dispute Resolution.**

1. The Parties agree that if there is any dispute regarding the terms and requirements of this Settlement Agreement or the efforts of the Parties to comply with the terms of this Settlement Agreement, they shall submit the dispute to arbitration through JAMS in Denver, Colorado (the "Arbitrator"). The Parties shall mutually agree on an individual Arbitrator with JAMS; however, if the Parties cannot agree on an Arbitrator, then JAMS shall select an individual in its discretion. The Arbitrator's decision shall be binding. In no event, however, shall the Arbitrator's decision terminate or otherwise affect or implicate the Limited and Terminable Non-Conforming Use Certificate recorded against the Property, it being the intent of the Parties that such Certificate is separate and distinct from the terms of this Agreement.

2. The decision of the Arbitrator shall be enforceable, and application may be made to the District Court of Arapahoe County. The provisions of the Uniform Arbitration Act, C.R.S.A. § 13-22-201, *et seq.*, as adopted by the State of Colorado, shall apply to the arbitration provisions of this Agreement, except to the extent otherwise modified by the terms of this Agreement and settlement of claims.

**H. Attorneys' Fees and Costs.**

1. Except as otherwise and specifically provided for herein, the Parties shall each bear his or its own attorneys' fees and costs incurred in the Civil Action, and in the preparation of the Settlement Agreement, and related documents referenced herein.

2. In the event that a dispute arises between the Parties related to the interpretation and/or enforcement of the terms of this Agreement, each Party shall bear his or its attorneys' fees and costs. The Parties agree that the non-prevailing party shall pay the Arbitrator's fees. Under no circumstances shall the Arbitrator award fees and costs to the prevailing party in the dispute, unless the Arbitrator, in his or her sole discretion, determines that the dispute brought before the Arbitrator was frivolous,

groundless or brought primarily for the purposes of delay, in which case the Arbitrator shall award the prevailing party its attorneys' fees and costs.

**I. Binding effect.**

1. The Parties agree that this Settlement Agreement and the terms thereof shall be binding on their agents, attorneys, servants, employers, employees, former employees, principals, heirs, shareholders, members, officers, executors, administrators, insurers, successors, assigns, subrogees, subrogors and any and all other persons or entities which have or may have any claim on behalf of themselves or be entitled to share in any settlement thereof. The Parties expressly understand and agree that the signing of the Settlement Agreement shall be forever binding, and that no rescission, modification or release of themselves from the terms of this Settlement Agreement will be made for any mistakes, as set forth therein.

2. It is further understood and agreed that no promise, inducement or agreement not herein expressed has been made to Cooper or his attorney. Cooper acknowledges that this Settlement Agreement contains the entire terms of the agreement between the Parties to settle this dispute; that the terms are contractual and not a mere recital; and that this Settlement Agreement shall be construed according to the laws of the State of Colorado.

**J. No Subrogated Interests.**

It is further understood and agreed that this Settlement Agreement is intended to discharge forever any and all subrogated interests, liens, or other derivative claims which might exist with regard to the allegations giving rise to the Civil Action, and forever discharge any and all claims for attorney fees or other litigation expenses which might exist with regard to the allegations giving rise to the Civil Action.

**K. No Assignment of Claims.**

Cooper hereby expressly warrants that he has not assigned any rights or claims against the City to this Civil Action that he presently has, or may in the future have, which in any way relate to or arise from the alleged claims in or litigation identified as the Civil Action.

**L. No admission of liability.**

It is further understood and agreed that the consideration made herein is made in full settlement of and compromise of all claims brought or that could have been brought in the Civil Action and that execution hereof is not to be construed as an admission of liability on the part of the persons and entities hereby released; and that any and all

liability by them is expressly denied.

**M. Other provisions.**

1. The undersigneds further declare that they have fully and carefully read this Settlement Agreement, understand the content thereof, and have signed the same as their own free act. The undersigneds also declare that they have sought and received any necessary advice and explanation from their attorneys, who approved of the form of this Settlement Agreement as signified by their signature below.

2. This Settlement Agreement shall be deemed to have been mutually drafted by the Parties hereto. This Settlement Agreement shall not be interpreted or construed against any party because such party drafted all or some portion of this Settlement Agreement

3. If any provision of the Settlement Agreement is deemed void or unenforceable, such provision shall be severed from the balance of the Settlement Agreement, and the remaining portions of this Settlement Agreement shall be deemed valid and enforceable.

4. The City designates the City Attorney as its primary contact for purposes of addressing any issues that may arise out of this Settlement Agreement. The City Attorney may refer the issue to City representatives or officials, as appropriate.

5. Plaintiff warrants and represents that he has the authority to enter into this Settlement Agreement and all necessary prerequisites and conditions have been satisfied.

6. Signatures may be transmitted by fax or electronically, and may be executed in separate parts, and when taken together, shall be considered as one and the same originals. This Settlement Agreement shall not be final and enforceable until the Parties sign this Settlement Agreement.

7. 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 of Cherry Hills Village, 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.

8. Nothing in this Agreement shall be construed to waive or limit the City's lawful exercise of its police powers under state and local law and its full authority and powers authorized under its Home Rule Charter including but not limited to the right of eminent domain.

9. This Settlement Agreement sets forth the full agreement of the Parties, and cannot be changed, except upon the signed written agreement of the Parties.

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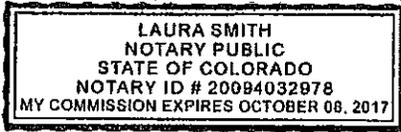
By Laura Christman  
Mayor Laura Christman, on behalf of the  
City of Cherry Hills Village as authorized by  
City Council on January 19, 2016

STATE OF COLORADO            )  
  ) ss:  
COUNTY OF Arapahoe        )

SUBSCRIBED AND SWORN TO before me this 7<sup>th</sup> day of ~~February~~ March, 2016  
by Laura Christman as Mayor.

My commission expires: 10/8/17

Laura Smith  
Notary Public



APPROVED AS TO FORM:

Linda Michow  
Linda Michow  
City Attorney

**EXHIBIT A**  
**FORM OF NON-CONFORMING USE CERTIFICATION**

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Following recording return to:  
Linda Michow  
Michow Cox & McAskin LLP  
6530 Yosemite St., Suite 200  
Greenwood Village, CO 80111

**CITY OF CHERRY HILLS VILLAGE (“CITY”)  
LIMITED AND TERMINABLE NON-CONFORMING USE CERTIFICATE AND COVENANT  
PERTAINING TO REAL PROPERTY KNOWN AS LOT 15, HARPER SUBDIVISION NO. 2, CITY OF  
CHERRY HILLS VILLAGE, COUNTY OF ARAPAHOE, COLORADO**

**Property subject to certification:** Lot 15, Harper Subdivision No. 2  
also known as 10 Viking Drive, Cherry Hills Village, Colorado (**hereinafter “Property”**)

**This limited and terminable non-conforming use certification allows a limited non-conforming use of and on the Property only as described herein and only until automatically terminated as further described herein:**

1. Limited Non-Conforming Use: The Property is approved for use consistent with the R-3 zoning designation and, as a non-conforming use (“Limited Non-Conforming Use”):

(a) *solely* for short term residential rentals for periods of one week or greater to persons or groups which meet the definition of single family, as follows:

*Family* means one (1) or more persons occupying a single dwelling unit as a single housekeeping unit, related by blood, marriage or adoption; or not more than three (3) unrelated persons living together as a single housekeeping unit; provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families; and

(b) *only* otherwise in conformity with all Cherry Hills Village Municipal Code sections applicable to the Property; and

(c) *only* until terminated as set forth in Section 2.

2. Automatic Termination of Certification: This Certificate, and the Limited Non-Conforming Use authorized hereby, shall terminate and be void and of no further force and effect automatically upon the earlier of any of the following occurrences:

(a) On February 28, 2026; or

(b) Upon title to the Property, currently held by Mike Lee Cooper (“Owner”), an individual, being transferred, assigned, sold or otherwise conveyed to any other person or entity, directly or indirectly, in whole or in part, whether voluntary or involuntary, including without limitation through devise or descent, assignment to a trust or conservator, foreclosure, power of sale, or deed in lieu of foreclosure but excluding any condemnation by a governmental unit of less than the entire Property; or

(c) Upon Owner’s failure to comply with all items enumerated in items #1-23 in the building inspection report of the Property prepared by Colorado Code Consulting, LLC dated January 21, 2016 (“Report”) on file with the City Building Department, and to construct and complete all improvements or modifications identified in the Report, inclusive of any future improvement or modification to the swimming pool cover (item #23), on or before December 31, 2016 (Collectively, the “Improvements”). For purposes of this Section 2(c) and pursuant to Section 104.10, *Modifications*, of the International Building Code, 2012 Edition, the City building official authorizes an alternate design to the sprinkler requirement to allow Owner to install a National Fire Protection Association 13D sprinkler system appropriate for single

family structures as inspected and approved by the City building official and appropriate fire official. For purposes of this Section 2(c), the Improvements shall be considered complete when Owner obtains all building permits required by the City and South Metro Fire Rescue for the Improvements, complies with all conditions of such permits, and passes all inspections marked on the building permit inspection record issued with each building permit. Cooper shall comply with the City's building permit requirements. The City shall perform any requested inspection within two business days of receipt of a request by Cooper, provided that Cooper follows the City's standard procedures for requesting inspections.

- (d) In accordance with Section 16-14-70(a) of the Cherry Hills Village Municipal Code in effect as of the date of this Certification, upon a change or expansion of the area of the Property used for the non-conforming use, such as, without limitation, an addition to the residential structure on the Property.

3. Recordation. This Certification shall be recorded in the real property records of the Clerk and Recorder of Arapahoe County.

4. No Other Non-Conforming Uses Allowed Hereby. Nothing in the Certification shall be interpreted to allow any non-conforming use of the Property except as expressly stated in Section 1.

**Issued on February 28, 2016**

**By:**

\_\_\_\_\_  
**Robert Zuccaro, Community Development Director**  
**Authorized Signatory pursuant to Section 16-14-10(b) of Cherry Hills Village Municipal Code**

**Agreed and Accepted by:** \_\_\_\_\_  
**Mike Lee Cooper**

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by Mike Lee Cooper.

\_\_\_\_\_  
Notary

My Commission Expires: \_\_\_\_\_

(SEAL)

STATE OF COLORADO )

) ss.

COUNTY OF \_\_\_\_\_)

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by Robert Zuccaro as Community Development Director of the City of Cherry Hills Village.

\_\_\_\_\_  
Notary

My Commission Expires: \_\_\_\_\_

(SEAL)

STATE OF COLORADO

**EXHIBIT B**  
**COLORADO CODE CONSULTING, LLC REPORT FOR 10 VIKING DRIVE**  
**DATED JANUARY 21, 2016**

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# Colorado Code Consulting, LLC

## Main Office

4610 S Ulster, Ste. 150  
Denver, CO 80237  
(303) 400-6564  
Fax: (303) 693-0630

## Southern Office

17890 Woodhaven Dr.  
Colorado Springs, CO 80908  
303-895-9988

## Mountain Office

152 Larson Lane  
PO Box 1261  
Frisco, CO 80443  
(303) 591-9258

January 21, 2016

Mr. Rob Zuccaro  
Planning Manager  
City of Cherry Hills Village  
2450 E Quincy Ave.  
Cherry Hills Village, CO

Re: 10 Viking Drive  
Short Term Rental Inspection

Dear Mr. Zuccaro:

On January 15, 2016, Rich Beckman and I conducted an inspection of the home at the above address at the request of the city. The purpose of the inspection was to determine compliance with the 2012 International Building Code (IBC) as it relates to a Group R-3 Boarding House. Based on the information provided to us, the home is being used as a short-term rental facility regulated by Section 16-14-10 of the Cherry Hills Municipal Code. Section 16-14-90 of the code requires these types of facilities to comply with the adopted IBC with the exception of Chapters 13, 14 and 16. The following is a list of items where the existing building does not comply with the IBC. We have provided the applicable section of the IBC for reference.

1. The building is not provided with an automatic fire sprinkler system as required by Section 903.2.8. It is my understanding that the owner will be requesting an alternate design to install a NFPA 13D fire sprinkler system in the building as permitted in the 2015 IBC which is anticipated to be adopted by the city in the near future.
2. The building is required to be provided with a hard-wired smoke alarm system in accordance with Section 907.2.11.2. Several smoke alarms were found during the inspection. Some were hard wired and some appeared to be battery operated. A smoke alarm is required in each sleeping room, outside each sleeping area and on each story. They must be powered by the building electrical system with battery backup. They must be interconnected so that if one alarm is activated, all of the alarms emit the required sound.
3. Carbon Monoxide alarms are required to be installed in accordance with Section 908.7. An alarm must be located within 15 feet of each sleeping room door. In addition, a CO alarm must be provided in the Large Master Bedroom that contains a fireplace.
4. The door between the garage and the dwelling area must be replaced with either a solid-wood door, steel door or 20 minute fire-protected door. The existing door is currently a hollow-core door. The door must also be self-closing. (Reference Section 406.3.4)

5. The window in the front bedroom on the first floor does not comply with the maximum sill height requirement for an emergency escape and rescue opening. The window is required to have a maximum sill height of 44 inches above the floor. The existing window was measured at 47 inches above the floor. (Reference Section 1029.3)
6. The window in the front bedroom on the first floor does not comply with the minimum opening requirements for an emergency escape and rescue opening. The window must have a minimum net clear opening of 5.7 square feet in accordance with Section 1029.2. The minimum width must be 20 inches and the height must be at least 24 inches.
7. The window wells in the two basement bedrooms do not comply with the minimum size for emergency escape and rescue openings outlined in Section 1029.5. The minimum horizontal area of the well must be 9 square feet with a minimum dimension of 36 inches. The existing wells were measured at 27 inches.
8. The ladders in the emergency escape and rescue openings window wells must be secured in place in accordance with Section 1029.5.2.
9. The east window at the large master bathroom bathtub is not safety glazing as required by Section 2406.4.5. The glazing must be replaced with the proper glazing.
10. Many of the receptacles required to have ground fault circuit interrupters (GFCI) were not provided with such. The receptacles in the bathrooms, kitchen, garage and exterior receptacles must be provided with GFCI protection. The breakers in the panel for these areas should be changed to combination GFCI/Arc Fault Breakers in accordance with NEC Section 210.8 (GFCI) & 210.12 (AFCI).
11. All electrical outlets in the dwelling must be provided with Arc Fault protection in accordance with NEC Article 210.12
12. The electrical system must be properly grounded and bonded. We were unable to locate any ground rod at the main electrical panel or a ground tied to the water main pipe. (Reference NEC Article 250)
13. The shower fan/light outlet in the small master bathroom above the shower is not approved for wet locations. It needs to be replaced with a fixture that can be installed in a wet location. (Reference NEC Article 410.10)
14. Provide a water hammer arrestor at the washer dryer connection. (Reference IPC Section 604.9)
15. The receptacle at the kitchen island was wired backward. It needs to be properly wired. (Reference NEC Article 210.8 & 210.12)
16. The receptacle in the single car garage was wired backward. It needs to be properly wired. (Reference NEC Article 210.8 & 210.12)
17. Provide an access panel to the large master bathroom jetted tub. It must be located within 12 inches of the tub's pump and disconnect. (Reference NEC Article 680.73)

18. The pressure/temperature relief valve piping for the water heater needs an elbow at the bottom directing the flow to the floor drain. (IPC Section 504.6)
19. Provide an approved AGA shutoff valve for the furnace gas piping. (IFGC Section 409.5)
20. Provide a secondary drain or shutoff for the A/C coil. (IMC Section 307.2.3)
21. Provide a flexible gas connector at the furnace. (IFGC 411.1.3)
22. Combustion air for mechanical room is inadequate. There is only one combustion air duct serving the room and it appears to be undersized for the appliances in the room. Provide adequate combustion air openings for the appliances. (IFGC Section 304)
23. We were unable to determine whether the existing pool cover complied with the city requirements for pool safety due to snow cover. Further inspection and correction may be necessary.

The items above are based on the inspection that we conducted on January 15, 2016. It is our best effort to provide a list of items in violation of the 2012 International Building Code. If these items are completed, the building will be in substantial compliance with this code. The owner should be notified that a building permit must be obtained to complete these items.

Thank you for the opportunity to assist in this process to evaluate the short term rental at the above address. Please let me know if you have any questions.

Sincerely,



Stephen L Thomas, CBO  
President

**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: 8a

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**MEMORANDUM**

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**TO:** MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

**FROM:** ROBERT A. ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT:** 1530 E. OXFORD LANE FLOODPLAIN DEVELOPMENT PERMIT (PUBLIC HEARING)

**DATE:** MARCH 15, 2016

---

**ISSUE:**

Should the City Council approve a Floodplain Development Permit pursuant to Article XVII of the Zoning Ordinance to allow site grading, a stormwater detention pond, and construction of a swimming pool and pool decking within the Special Flood Hazard Area (SFHA) for property at 1530 E. Oxford Lane?

**ZONING AND SURROUNDING LAND USE:**

The subject property is located south of E. Oxford Lane and east of S. Humboldt Street and is zoned R-1, 2.5-Acre Residential District (see Exhibit A for vicinity map). The parcel is irregular in shape and consists of approximately 2.7 acres. Surrounding properties to the north, south and west are zoned R-1 and developed with single-family residences. To the east is Cherry Hills Country Club. Little Dry Creek runs through the Country Club property adjacent to the subject property.

**REQUEST:**

The applicants propose to construct a new house on the property outside of the SFHA. Within the SFHA, the applicants propose to grade the property and construct stormwater detention facilities and construct a swimming pool and pool decking. The applicant has submitted a floodplain development study and a letter from their engineer certifying that the proposed development would cause no rise to the base flood elevations (see Exhibit B for application materials).

**CODE REQUIREMENTS:**

Municipal Code Section 16-17-60 provides procedures and review criteria for Floodplain Development Permits. No structure or land may be constructed, located, extended, converted, altered or improved within the floodplain, unless specifically authorized by the City Council as

**CHERRY HILLS VILLAGE  
COLORADO**

an exception to the floodplain regulations. An applicant must also demonstrate that the development will not cause a rise in base flood elevations.

**ANALYSIS:**

*Floodplain Development Permit:*

The following table lists the review criteria outlined in Municipal Code Sec. 16-17-70 with staff's recommended finding:

*Table 1: Floodplain Development Permit Review Criteria and Staff Findings*

<b>Criterion</b>	<b>Staff Finding</b>
<i>The danger that material may be swept onto other lands to the injury of others. [Section 16-17-60(a)(1)]</i>	Criterion met. Only grading, landscaping, a swimming pool and stormwater infrastructure are proposed in the floodplain. There are no structures proposed that are likely to be swept onto other lands as a result of flooding.
<i>The danger to life and property due to flooding or erosion damage. [Section 16-17-60(a)(2)]</i>	Criterion met. The applicants provided a floodplain analysis and engineer's certification demonstrating that there will be no rise in the base flood elevations. Thus, the proposed development is not anticipated to have an impact on flooding or erosion.
<i>The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners. [Section 16-17-60(a)(3)]</i>	Criterion met. Because the swimming pool and pool decking are at grade, and considering the durable materials used for the pool and pool decking, these structures are not highly susceptible to flood damage. The pool equipment will be located outside of the SFHA.
<i>The importance of the services provided by the proposed facility to the community. [Section 16-17-60(a)(4)]</i>	Criterion not applicable. No community services are proposed.
<i>The necessity to the facility of a waterfront location, where applicable. [Section 16-17-60(a)(5)]</i>	Criterion not applicable. The facility is not a waterfront location.
<i>The availability of alternative locations, for the proposed use, which are not subject to flooding or erosion damage. [Section 16-17-60(a)(6)]</i>	<b>Criterion not met.</b> There are two areas that meet the minimum setbacks outside of the SFHA where customary accessory structures such as a swimming pool could be constructed. These areas are noted in Figure 1 below and include the western extension of the parcel with an approximate 15,000 square-foot buildable area of adequate width to accommodate accessory structures similar in size to a swimming pool. Additionally, there are alternative locations on the east and south sides of lot that could be utilized for accessory structures. For example, Figure 2 below shows a 50' by 70' hypothetical accessory structure footprint that could accommodate a typical large residential swimming pool and decking. This footprint meets minimum accessory setbacks and reserves a large area of the primary building envelope to construct the residence.

**CHERRY HILLS VILLAGE**  
**COLORADO**

*Table 1: Floodplain Development Permit Review Criteria and Staff Findings Cont.*

<b>Criterion</b>	<b>Staff Finding</b>
<i>The compatibility of the proposed use with existing and anticipated development. [Section 16-17-60(a)(7)]</i>	Criterion met. The proposed development is consistent with the residential and accessory uses customarily found in the R-1 zone district.
<i>The relationship of the proposed use to the comprehensive plan and floodplain management program for that area. [Section 16-17-60(a)(8)]</i>	<b>Criterion not met.</b> The City Master Plan states: “Discourage new structures and improvements to existing structures within a floodplain unless such improvements are in compliance with the Village’s floodplain regulations...” Staff finds that the intent of this strategy is to explore all possible alternatives to floodplain development, and only when feasible options do not exist for development of the property outside of the floodplain should floodplain development be allowed.  In addition, the Master Plan vision for the Village is defined by a semi-rural character, views and open feel. Staff finds that keeping floodplain areas free of development when such development is not needed to provide relief to property owners to reasonably develop such property is consistent with this Master Plan vision.
<i>The safety of access to the property in times of flood for ordinary and emergency vehicles. [Section 16-17-60(a)(9)]</i>	Criterion met. Access to the property is from E. Oxford Lane across a private access drive. This access drive is located outside of the special flood hazard area.
<i>The expected heights, velocity, duration, rate of rise &amp; sediment transport of the flood waters &amp; the effects of wave action, if applicable, expected at the site. [Section 16-17-60(a)(10)]</i>	Criterion met. Based on the hydraulic analysis provided by the applicants’ engineer, the proposal is not expected to increase the velocity, height, duration, rate of rise and sediment transport of the floodwaters.
<i>The costs of providing gov’t services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges. [Section 16-17-60(a)(11)]</i>	Criterion met. The utility main lines will not be altered with the proposed development; and thus, the impact of flood conditions on the existing utilities will not be altered.
<i>Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. [Section 16-17-60(d)(1)]</i>	Criterion not applicable. There are no known historic structures on the property.
<i>Authorization shall not be issued within the 100-year flood plain if any increase in flood levels during the base flood discharge would result. [Section 16-17-60(d)(2)]</i>	Criterion met. The hydraulic analysis provided by the engineering consultant indicates that the scope of work will not result in any increase in base flood elevations.

**CHERRY HILLS VILLAGE  
COLORADO**

*Table 1: Floodplain Development Permit Review Criteria and Staff Findings Cont.*

<b>Criterion</b>	<b>Staff Finding</b>
<p><i>Authorizations shall be issued only upon a determination that the same is the minimum necessary, considering the flood hazard, to afford relief. [Section 16-17-60(d)(3)]</i></p>	<p><b>Criterion not met.</b> Without the floodplain development permit authorization, the applicants will still be able to construct the main residence as proposed in a large building envelope outside of the SFHA that also meets minimum zoning setbacks. Therefore, staff finds that development in the floodplain is not needed to develop a residence on the property, which is the primary allowed use. In addition, as discussed in the previous criteria, staff finds that there are alternatives to construct the same or a similar sized accessory structure at a location outside of the SFHA. For these reasons, staff finds that authorization of the request is not needed to afford the minimum relief necessary considering the flood hazard to reasonably develop the lot.</p>
<p><i>Authorizations shall only be issued upon:</i></p> <ul style="list-style-type: none"> <li><i>a) A showing of good and sufficient cause.</i></li> <li><i>b) A determination that failure to grant the authorization would result in exceptional hardship to the applicant; and</i></li> <li><i>c) A determination that the granting of an authorization will not result in increased floodway elevations, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.”</i></li> </ul> <p><i>[Section 16-17-60(d)(4)]</i></p>	<ul style="list-style-type: none"> <li>a. <b>Criterion not met.</b> Staff finds that good and sufficient cause does not exist given that there are alternative areas to construct a typical accessory structures outside of the SFHA and the main residence can also be constructed outside of the SFHA.</li> <li>b. <b>Criterion not met.</b> While the shape of the lot and existing floodplain boundary provide some limitation on the buildable area of the parcel, there are still viable building envelopes to develop the property (see Figures 1 and 2 below). Thus, staff finds that failure to grant the Floodplain Development Permit would not result in an exceptional hardship, as the property could still be developed in a similar manner as other R-1 zoned properties.</li> <li>c. <b>Criterion met.</b> According to the information submitted by the applicant, the proposed improvements will not result in an increase in the base flood elevations. Nor has staff received any information indicating that the granting of authorization would result in additional threats to public safety, extraordinary public expense, the creation of nuisances, or the causing of fraud on or victimization of the public or conflict with existing local laws or ordinances.</li> </ul>

# CHERRY HILLS VILLAGE COLORADO

Figure 1: Approximate Primary and Accessory Building Envelopes Located Outside of the SFHA

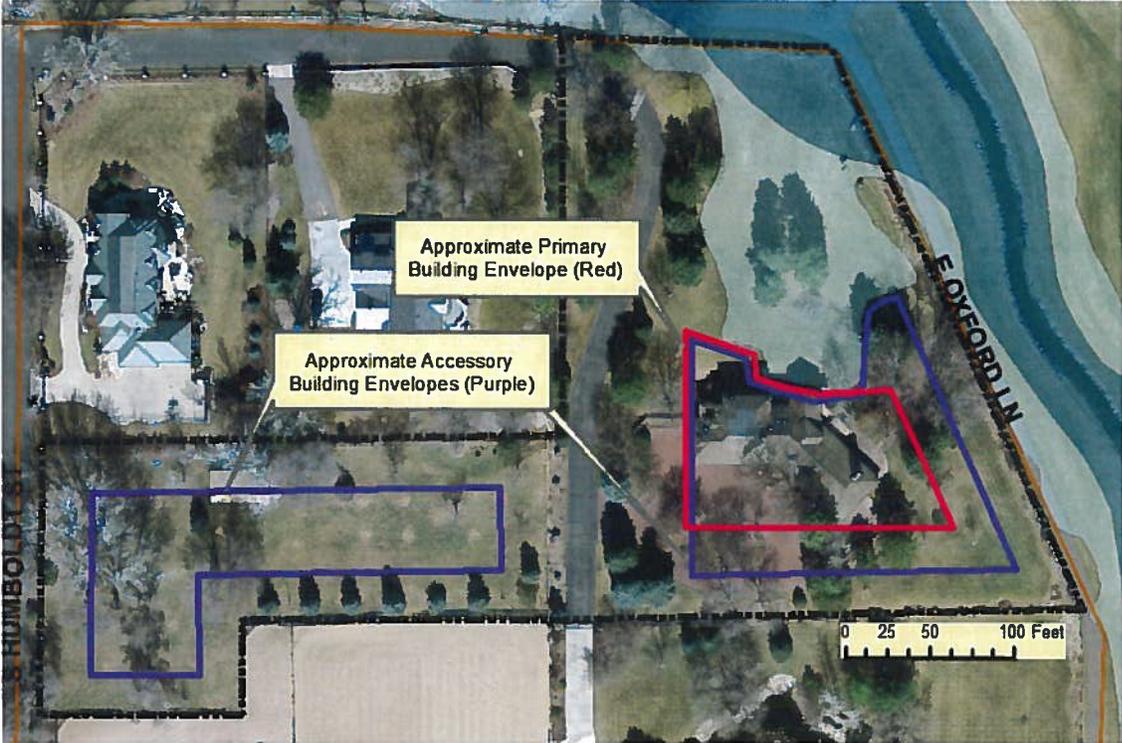
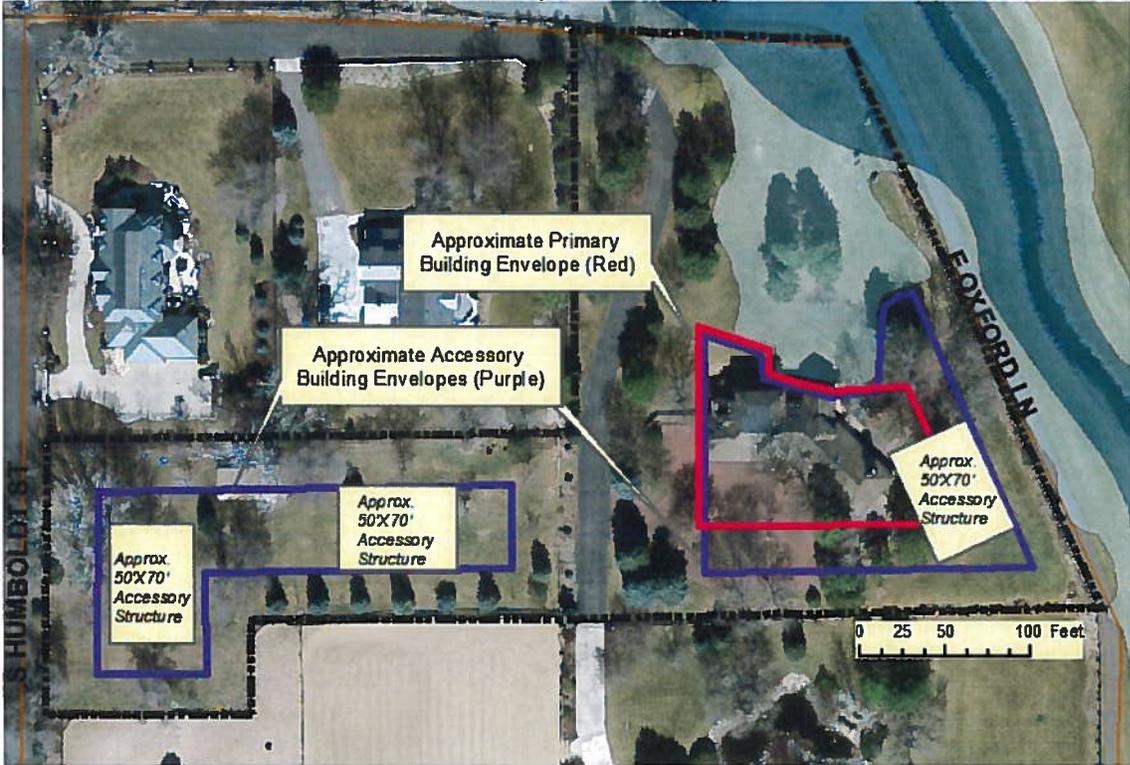


Figure 2: Example Locations of Typical Accessory Structure Footprint Outside of SFHA



**CHERRY HILLS VILLAGE**  
**COLORADO**

**PLANNING AND ZONING COMMISSION REVIEW & RECOMMENDATION:**

The Planning and Zoning Commission reviewed the request on January 12, 2016. The Commission voted three in favor and three opposed to a motion for approval (see Exhibit C for minutes). Per the Commission's Rules of Procedure, a tie vote constitutes a recommendation of denial by the Commission.

**PUBLIC NOTICE:**

A minimum of 15 days prior to the hearing date, the applicant is required mail notice of the public hearing to all adjacent property owners via certified mail with return receipt requested and post a notice sign on the property. Notice of the hearing was also published in the February 11, 2016 edition of The Villager newspaper and was posted on the Village Center notice board and Village web site. No public comments have been submitted to the staff prior to distribution of the meeting packet.

**STAFF RECOMMENDATION:**

Staff recommends denial of the proposed Floodplain Development Permit based on the findings in Table 1 of this memorandum.

**RECOMMENDED MOTION:**

"I move to deny of the proposed Floodplain Development Permit for 1530 E. Oxford Lane based on the findings in Table 1 of the March 15, 2016 staff memorandum."

**ATTACHMENTS:**

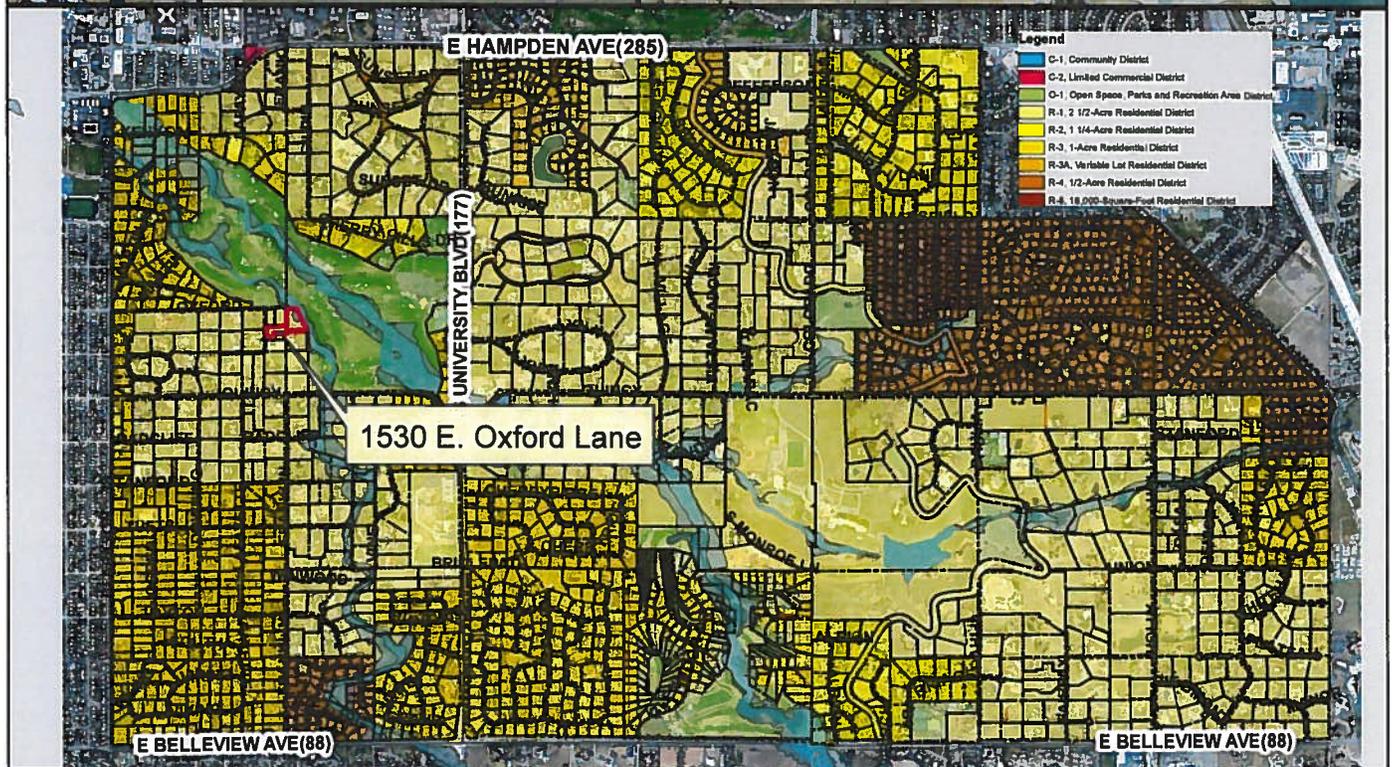
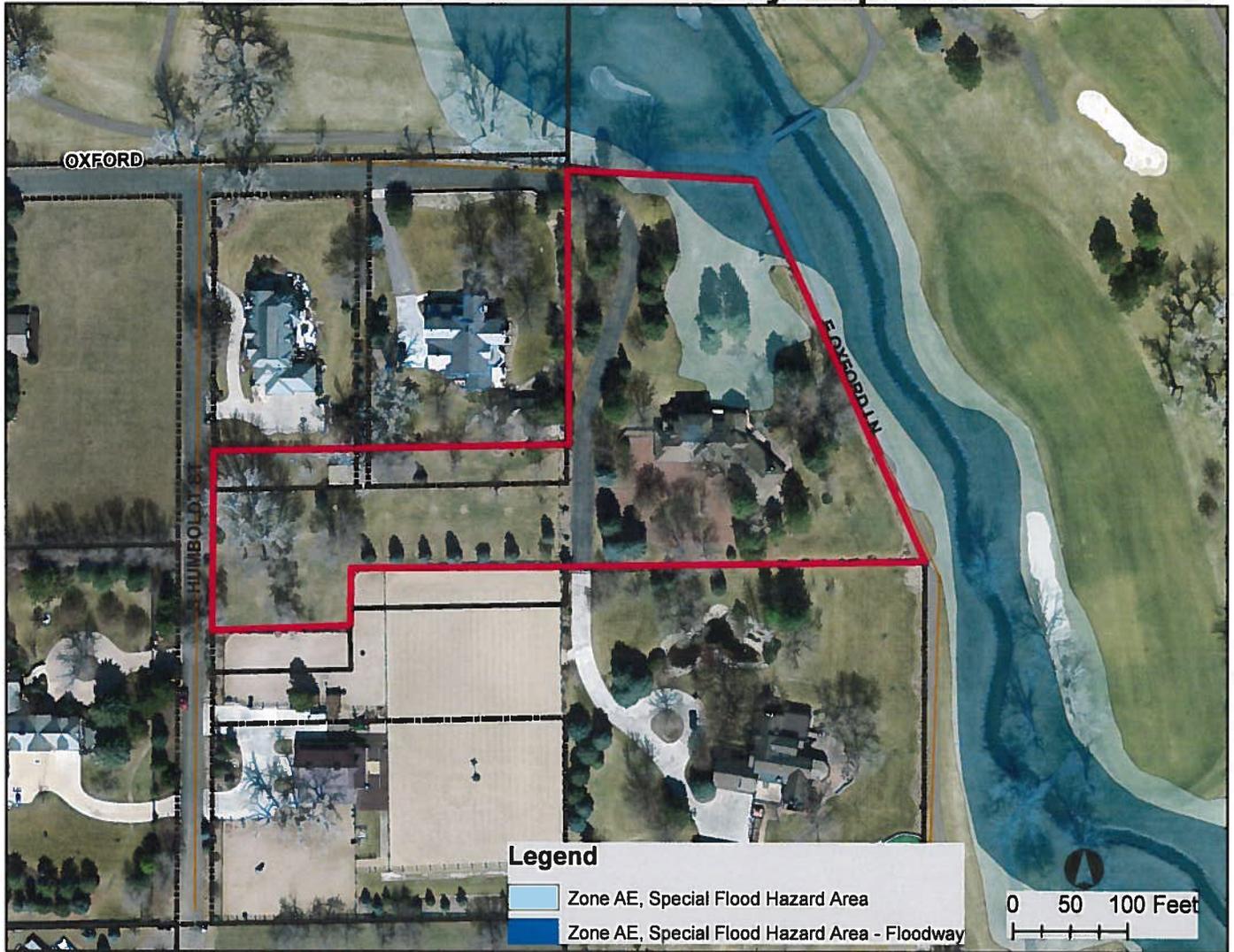
Exhibit A: Vicinity Map

Exhibit B: Floodplain Development Permit Application Materials

Exhibit C: January 12, 2016 Planning and Zoning Commission Minutes

# 1530 E. Oxford Lane Vicinity Map

Exhibit A



**THE CITY OF CHERRY HILLS VILLAGE  
FLOOD PLAIN DEVELOPMENT PERMIT**

**Office Use Only**  
Date Recv'd \_\_\_\_\_  
Application Fee \$300 \_\_\_\_\_  
+ \$50/Lot or Unit \_\_\_\_\_  
Escrow \$3,000 \_\_\_\_\_

**Application Information**

Date: 12/01/2015

Parcel Number P.I.N# 033356764 A.I.N# 207-02-4-00-014 Permit Number

<b>Owner</b> Erik and Mollie Helen	Telephone: 303.507.0239
<b>Address</b> 2131 18th Street, Denver, CO 80202	
<b>Engineer</b> EES, Inc.	Telephone: 303.503.4085
<b>Address</b> 518 17th Street, Ste 1575, Denver, CO 80202	Contact: Jay Peters, PE

**Project Location:** 1530 E. Oxford Lane, Cherry Hills Village, Colorado

<b>Project Description (Please Circle All That Apply)</b>		
Single Family	New Construction	Channelization
Substantial Improvement	Fill	Manufactured Home
Improvement (<50%)	Bridge/Culvert	Non-Residential
Rehabilitation	Levee	

**Other/Explanations:** Accessory Structure (Pool)  
\_\_\_\_\_  
\_\_\_\_\_

**Flood Hazard Data**

Water Course Name: Little Dry Creek  
The project is proposed to be in the (Circle one) \_\_\_\_\_ Floodway---Floodplain  
Base (100-year) flood elevations at the project site 5360.8  
Elevation required for lowest floor 5361.8 Floodproofing: N/A  
Document/Report/Maps Reference Floodplain Study

**For Administrative Use Only**

**Permit Action**

- Permit Approved: The information submitted for the proposed project was reviewed and is in compliance with approved flood plain management standards and the Cherry Hills Village Municipal Code §16-17 (Site development plans are on file).
- Permit Denied: The proposed project does not meet approved flood plain management standards (explanation is on file).
- Variance Granted: A variance was granted from the base (100-yr) flood elevations established by FEMA consistent with variance requirements of NFIP regulations Part 60.6 (variance action documentation is on file).

**Development Documentation**

- Map Revision Data: Certified documentation by a registered professional engineer of as-built conditions for flood plain alterations were received and submitted to FEMA for a flood insurance map revision.
- Fill Certificate: A community official certified the elevation, compaction, slope and slope protection for all fill placed in the flood plain consistent with NFIP regulations Part 65.5 for flood insurance map revisions.
- Elevation Certificate: Certified as-built elevations of the building's lowest floor \_\_\_\_\_: Floodproofing level \_\_\_\_\_. An Elevation Certificate completed by a registered professional engineer or land surveyor certifying this elevation is on file.

\_\_\_\_\_ CERTIFICATE OF OCCUPANCY OR COMPLIANCE ISSUED \_\_\_\_\_ (Date)

# THE CITY OF CHERRY HILLS VILLAGE

## SPECIFIC INFORMATION REQUIRED

- Six copies of the application plus a fee of \$300 per application plus \$50/lot or dwelling unit and an escrow deposit of \$3,000.
- A site plan, drawn to scale, showing the nature, location dimensions and elevations of the area in question, existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing.
- The site plan wet stamped by a registered, professional engineer or registered, professional surveyor showing the location of the floodplain/floodway.
- Certification by a registered, professional engineer that the proposed development will not result in an increase in the Base (100-year) Flood Elevation.
- Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.
- Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.
- Elevation in relation to mean sea level to which any structure has been floodproofed.
- Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria in Section 16-17-70(B)(2)(C).

## PROPOSAL REVIEW CHECKLIST

Site development plans depict the floodway and base flood elevations.	
Engineering data is provided for map and floodway revisions.	
Floodway certification and data document no increases in flood heights.	
Subdivision proposals minimize flood damage and protect utilities.	
Lowest floor elevations are above the base (100-yr) level.	
Manufactured homes are elevated and adequately secured.	
Non-residential floodproofing designs meet NFIP watertight standards.	
Other	



FOSTER GRAHAM MILSTEIN & CALISHER, LLP  
ATTORNEYS AT LAW

**Denver**

360 South Garfield Street  
6<sup>th</sup> Floor  
Denver, CO 80209  
T 303-333-9810  
F 303-333-9786

**Colorado Springs**

102 South Tejon Street  
Suite 1100  
Colorado Springs, CO 80903  
T 719-602-6117  
F 719-602-6127

[fostergraham.com](http://fostergraham.com)

**TO:** Cherry Hills Village Planning & Zoning Commission  
**FROM:** David Wm. Foster, Alexandra H. Katich; FGMC  
**DATE:** December 4, 2015  
**RE:** Floodplain Development Permit: 1530 East Oxford Lane, Cherry Hills Village

---

The property owners request approval for a floodplain development permit for 1530 East Oxford Lane, Cherry Hills Village, Colorado, to allow the construction of a pool within the floodplain boundaries.

Chapter 16 of the Municipal Code of Cherry Hills Village addresses zoning. Section 16-17-60(d)(4) provides that authorization for an exception to the zoning floodplain management regulations requires: “(a) A showing of good and sufficient cause; (b) A determination that failure to grant the authorization would result in exceptional hardship to the applicant; and (c) A determination that the granting of an authorization will not result in increased floodway elevations, additional threats to public safety or extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.”

First, the applicant has shown good and sufficient cause for the exception. Due to the peculiar shape of the parcel, the size and location of the floodplain, and the terms of zoning regulations, options for development are severely limited. The owners should be afforded a degree of leeway through the granting of exceptions in order to make reasonable use of their property. Indeed, without an exception, a substantial portion of the parcel would remain dormant.

Second, the applicant would suffer “exceptional hardship” as required by (b) if the exception is not authorized. Without a clear definition of “exceptional hardship” in the section of the Code pertaining to floodplain management regulations, we look to another section of Chapter 16 for guidance. Section 16-3-50(b) provides: “No variance shall be authorized unless the Board [of Adjustment] finds ... The applicant would suffer exceptional and unnecessary hardship” (emphasis added). Section 16-3-50(b)(1) states that “exceptional and unnecessary hardship” is that which is “not generally applicable to other lands or structures in the same zone district because of the unusual configuration of the applicant’s property boundaries, because of unique circumstances related to the location of existing structures thereon, or because of the existence of exceptional topographic conditions thereon” (emphasis added). The

conditions for achieving the hardship standard articulated above are stated in the alternative, and this application certainly meets two, if not all three of the criteria.

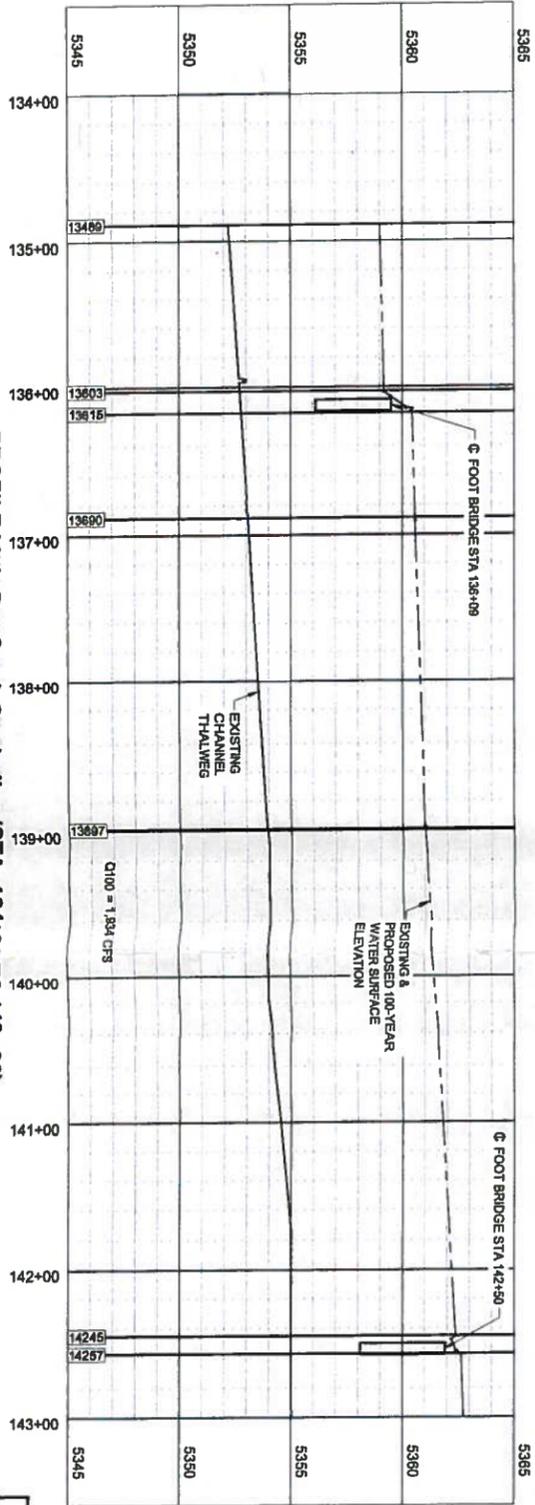
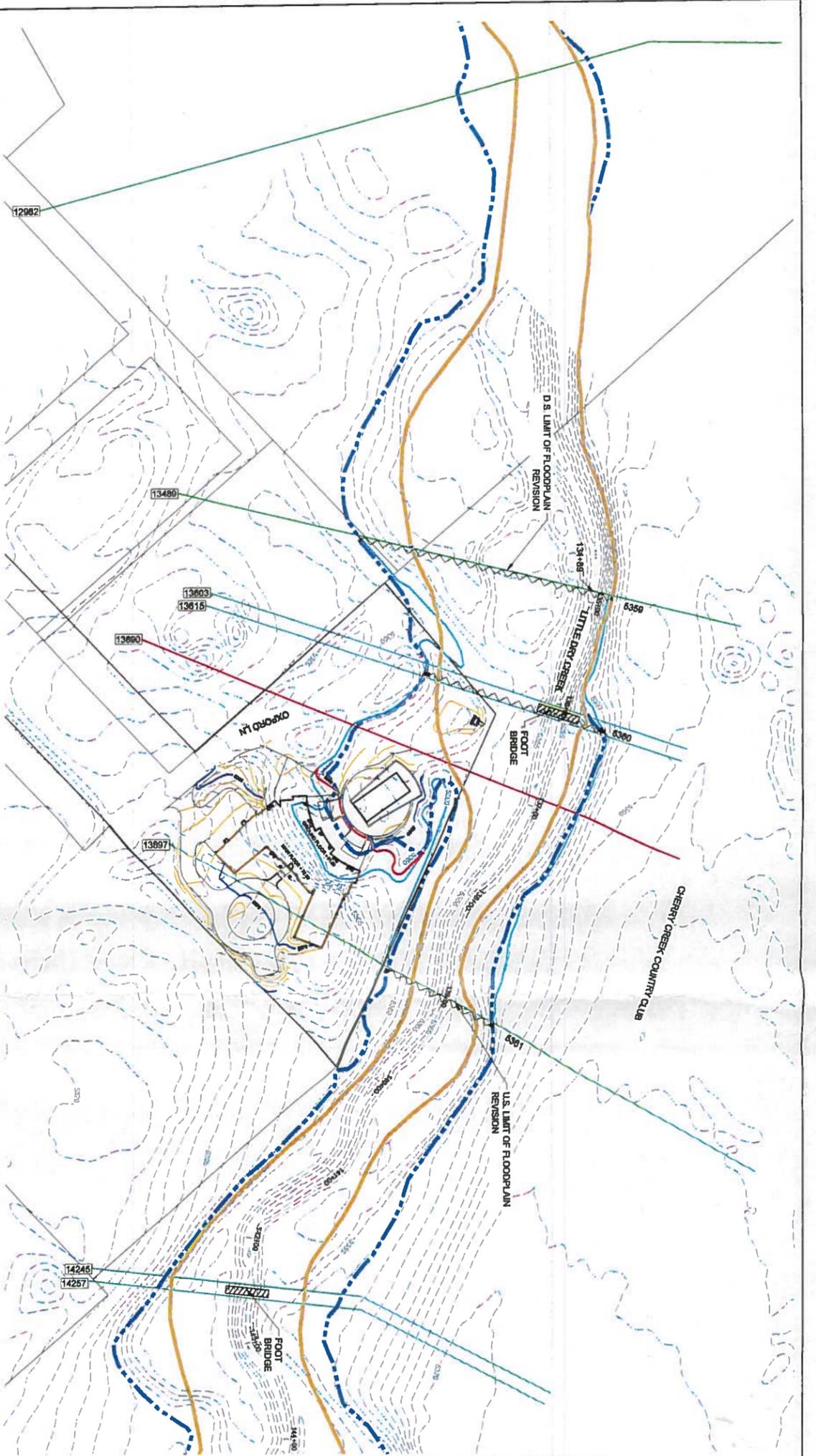
There is no question that the abnormal shape of the lot and existing floodplain boundary constitute an "unusual configuration" and create "unique circumstances" by significantly limiting the buildable area of the parcel. The property owners worked with their architect and civil engineer to reconfigure the house to be entirely outside of the floodplain (the consequence being a house smaller than desired), so the application merely proposes that a pool be located within the floodplain. Moreover, the submission additionally provides for development within the bulk plane and FAR regulations. Given the shape of the parcel, the location of the floodplain, and the existing zoning regulations, there exists an exceptional hardship for this applicant.

Finally, the application also meets the criteria articulated in (c). The civil engineer's analysis, forthcoming early next week, will demonstrate compliance with the technical requirements of the Floodplain Development Permit and will prove that the proposed work will not adversely affect the neighbors or the public.

Sincerely,

A handwritten signature in black ink, appearing to read "David Wm. Foster", written in a cursive style.

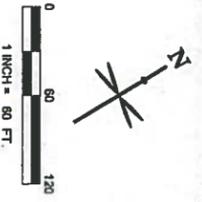
David Wm. Foster



**EXPLANATION OF SYMBOLS**

- EFFECTIVE 100-YR FLOODPLAIN
- - - PRE-PROJECT/CORRECTED 100-YR FLOODPLAIN
- POST PROJECT FLOOD BOUNDARY
- FLOODWAY
- NECRS GROSS SECTION
- EXISTING CONTOUR
- PROPOSED CONTOUR
- LIMITS OF REVISED MAPPING

**NOTE:**  
 1. EFFECTIVE 100-YR FLOODPLAIN ON SUBJECT PROPERTY BASED ON FIRM BOUNDARY ON IMPROVEMENT SURVEY PLAT FOR 1530 EAST OXFORD PLACE PREPARED BY DAVID E. ARCHER AND ASSOCIATES, INC. DATED 08-05-2014.



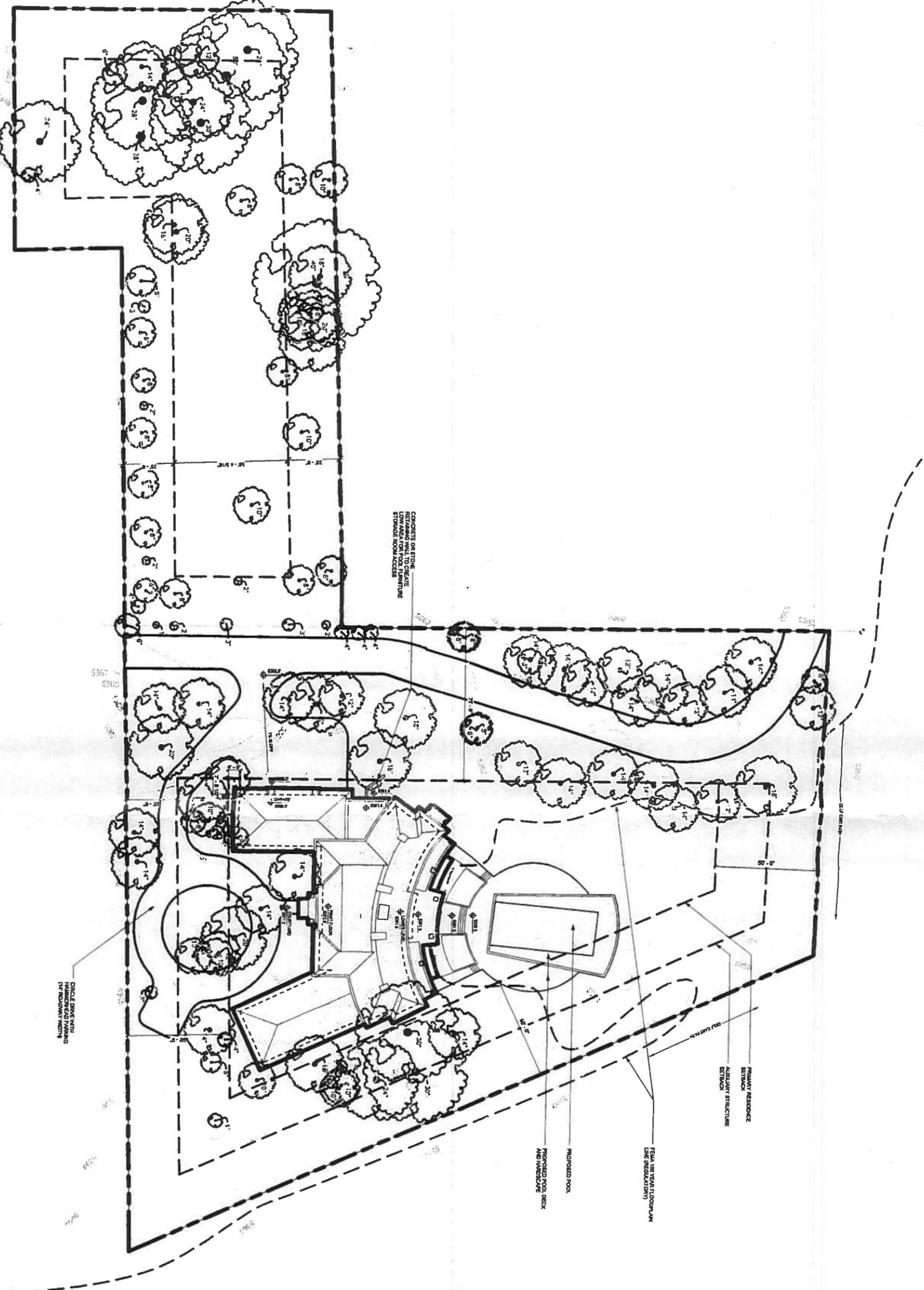
**ENGINEER CERTIFICATION**  
 INFORMATION ON THIS TOPOGRAPHIC WORK MAP HAS BEEN PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

ENGINEER'S SIGNATURE AND DATE \_\_\_\_\_

**NOTES:**  
 1. ELEVATIONS REFERENCE NAVD83 VERTICAL DATUM.  
 2. TOPOGRAPHIC DATA PREPARED BY DAVID ARCHER & ASSOCIATES, ARAPAHOE COUNTY.  
 3. PRE-PROJECT DATA SOURCE: ICON ENGINEERING, 2003 LDC PLAD  
 4. LIMITS OF WORKMAP IS WITHIN THE CHERRY HILLS VILLAGE JURISDICTION.

<p><b>TOPOGRAPHIC WORK MAP</b></p> <p>CHERRY HILLS VILLAGE, COLORADO</p> <p><b>HELEN RESIDENCE</b></p>	 518 17th Street Suite 1375 Denver, CO 80202 www.ees.us.com 303-573-7997	<p><b>PRELIMINARY                  NOT FOR                  CONSTRUCTION</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">No.</th> <th style="width: 15%;">REVISION</th> <th style="width: 10%;">BY</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	REVISION	BY	DATE																
No.	REVISION	BY	DATE																				

PROJECT NO.: RMT 001.01  
 DESIGNED BY: JSP  
 DRAWN BY: BWS  
 DATE: 01/07/2018  
**C1.0**  
 SHEET 1 OF 4



① SITE PLAN - NEW FOOTPRINT  
1" = 20'-0"



*Magylos, Wade Stovell*  
ARCHITECTS  
3228 CHERRY CREEK SOUTH DRIVE  
SUITE 410 DENVER, CO 80208  
FACSIMILE 303 255 2148  
WWW.MAGYLOS.COM

**HELEN RESIDENCE**  
1550 EAST OXFORD LANE  
CHERRY HILLS VILLAGE COLORADO

SITE PLAN - REVISED SUBMITTAL

NO.	DATE	DESCRIPTION
1	11/14/14	PRELIMINARY
2	11/14/14	REVISED
3	11/14/14	REVISED
4	11/14/14	REVISED
5	11/14/14	REVISED
6	11/14/14	REVISED
7	11/14/14	REVISED
8	11/14/14	REVISED
9	11/14/14	REVISED
10	11/14/14	REVISED

DATE: 11/14/14  
SCALE: 1" = 20'-0"  
PROJECT: HELEN RESIDENCE  
2014.008.A02C

A0.2C



**EES**

**Entitlement and Engineering  
Solutions, Inc**

January 6, 2016

Mr. Rob Zucarro, Community Development Director  
Cherry Hills Village  
2450 East Quincy Avenue  
Cherry Hills Village, Colorado 80113

Re: No Rise Certification  
Little Dry Creek - 1530 East Oxford Lane  
Cherry Hills Village, Colorado

Mr. Zucarro:

This letter is to certify that I am a duly qualified registered Professional Engineer licensed to practice in the State of Colorado.

It is further to certify that the attached technical data supports the fact that the proposed grading as part of the new residence at 1530 Oxford Lane does not increase the 100-year base flood elevations, and floodway elevations on Little Dry Creek. The study reach for the findings is from unpublished cross-section 13489 at the downstream end of the property, to unpublished cross-section 14245 upstream of the property.

If you have any questions, or need additional information, please contact me at 303.503.4085 or [jay.peters@ees.us.com](mailto:jay.peters@ees.us.com).

Sincerely,

Jay Peters, PE  
Senior Project Manager  
Licensed Professional Engineer  
State of Colorado No. 35068



Attachments: Floodplain Study, Little Dry Creek, 1530 E. Oxford Lane

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# Floodplain Study Little Dry Creek 1530 E. Oxford Lane Cherry Hills Village, Colorado

December 8<sup>th</sup>, 2015

---

Prepared For:

Ruggles Mabe Terrell Architecture  
3200 Cherry Creek South Drive  
Denver, Colorado 80209  
Phone: 303.355.3460

Email: [Mickey@rmtarchitecture.com](mailto:Mickey@rmtarchitecture.com)

Contact: Mr. Mickey Florio

Prepared By:



**EES**

Entitlement and Engineering

Solutions, Inc.

518 17<sup>th</sup> Street, Ste. 1575

Denver, Colorado 80202

Contact: Jay Peters, PE

Phone: 303.503.4085

Email: [jay.peters@ees.us.com](mailto:jay.peters@ees.us.com)

EES Project No. RMT001.01

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## 1.0 Background

This report serves as a request for a floodplain development permit for Little Dry Creek at 1530 East Oxford Lane in Cherry Hills Village. The objective of this report is to demonstrate the proposed site work within the regulatory floodplain meets NFIP, UDFCD, and Cherry Hills Village floodplain criteria, and to define the post project flood boundary on the project site. Per discussions with Cherry Hills Village Staff, a CLOMR is not required for the floodplain development permit. A request for a LOMR will not be submitted upon completion of the project. The residence will be constructed outside of the FEMA regulatory floodplain boundary, and the lowest water entry elevation will be above the base flood elevation.

### 1.1 Project Description

The project site is located at 1530 East Oxford Lane in Cherry Hills Village, Colorado. The project is construction of a new residence on a 2.7 acre lot, including grading and landscaping of the property. No structures are planned within the floodplain. The project will include construction of a pool and landscaping within the regulatory floodplain. Grading will occur within the flood fringe to create a flat area for the pool. The grading is kept to a minimum and will result in a net cut within the floodplain. Grading will occur within the floodway along the north boundary of the property, but is excavation for the detention pond, and has no adverse impact on floodplain elevations.

### 1.2 Previous Studies

The following previous studies relate to the site:

- Flood Hazard Area Delineation, Little Dry Creek (Arapco) and Tributaries, UDFCD, August 2003.
- Flood Insurance Study, Arapahoe County, Colorado, and Incorporated Areas, FIS No. 08005CV001A, FEMA, December 17<sup>th</sup>, 2010.
- Flood Insurance Study, Arapahoe County, Colorado, and Incorporated Areas, FIS No. 08005CV001B, FEMA, Revised Preliminary December 12<sup>th</sup>, 2014.

The effective Flood Insurance Rate Map and FIS for the Little Dry Creek floodplain is based on the Flood Hazard Area Delineation (FHAD) completed in 2003. There currently are no effective LOMRs or approved CLOMRs that impact the reach of Little Dry Creek along or near the site.

### 1.3 Study Limits

The project site is located on the following Flood Insurance Rate Maps (FIRM):

- FIRM Panel No. 163 of 725, Map No. 08005C0163K, Effective December 17, 2010, Arapahoe County, Colorado and Incorporated Areas; and

- FIRM Panel No. 164 of 725, Map No. 08005C0164K, Effective December 17, 2010, Arapahoe County, Colorado and Incorporated Areas.

The limits of the detailed hydraulic study along Little Dry Creek are from river stations/cross-sections 129+82 to 142+45. Limits of the requested map revision are from 135+89 to 138+97. The project and affected floodplain mapping are entirely within the City of Cherry Hills Village. The regulatory floodplain through this reach is currently designated as Zone AE.

## 1.4 Topographic Mapping

The topographic mapping used for the hydraulic analysis and floodplain mapping is from Arapahoe County, and provides 1-foot contours. The horizontal datum is state plane coordinate NAD 83, and the vertical datum is NAVD88. A detailed survey was conducted for the residential property.

## 1.5 NFIP Compliance

The project complies with the following NFIP criteria:

- The project creates no adverse impact to adjacent or off-site property owners for base flood elevations or floodway elevations.
- Proposed water surface elevations tie into existing water surface elevations within 0.5 feet at the upstream and downstream ends of the revised reach.
- The revised 100-year flood boundary width has a tie-in width within 5% of the effective map scale.
- Mapped floodplain widths are within +/- 25' of the widths calculated in the hydraulic model
- Channel distances on the map are within 5% of those in the hydraulic model.
- The floodway is delineated using a maximum water surface elevation increase of 0.50 feet.

## 2.0 Hydrology

The flows rates used for this Floodplain Study are taken from Table V-1 in the FHAD, and from the effective HEC-RAS model for this reach. These are the effective FIS discharges, based on the hydrologic analysis conducted as part of the FHAD Study completed in August 2003. The FHAD used the Colorado Urban Hydrograph Procedure (CUHP). Hydrographs for each sub-basin were combined and routed downstream using UDSWMM. Peak discharges were selected from the hydrographs routed in UDSWMM. The effective flow rates are summarized in the table below.

**Table 1**  
**Summary of Little Dry Creek Peak Discharges at Project Site**

Storm Event	Discharge (CFS)
10-Year	943
50-Year	1,577
100-Year	1,934
500-Year	2,832

### 3.0 Hydraulics

The water surface elevations and resulting floodplain limits on the effective FIRM are based on the FHAD prepared in 2003. The FHAD hydraulic analysis was completed using HEC-RAS. A digital version of the HEC-RAS model was provided by ICON for use as the effective model.

The hydraulic analysis is based on the Arapahoe County topographic survey information. Additional cross-sections are included through the study reach to better define the floodplain limits, floodplain elevations, and the floodway boundaries.

Water surface elevations for the floodplain are summarized in the table below.

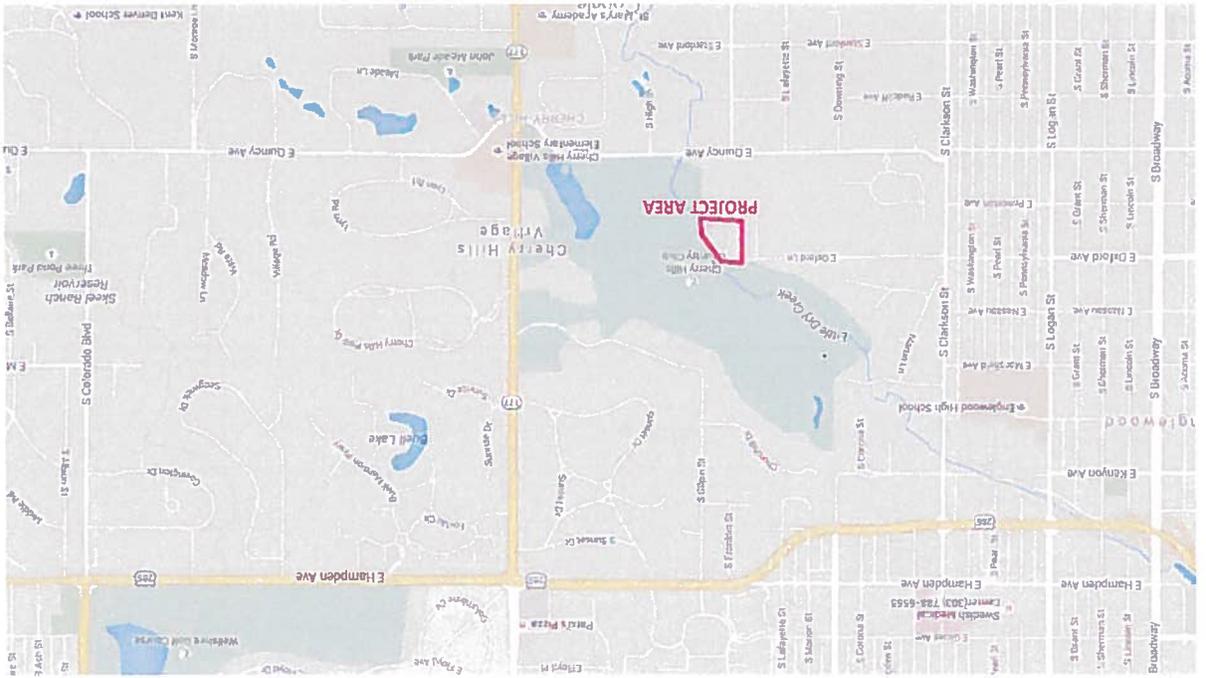
Location	Cross-Sections	Existing	Proposed	Diff.
		100-Year WSEs (ft)		
	12153	5352.87	5352.87	0.00
	12982	5356.92	5356.92	0.00
D.S. Property Boundary	13489	5358.99	5358.99	0.00
	13603	5359.06	5359.06	0.00
	13615	5360.59	5360.59	0.00
	13690	5360.70	5360.70	0.00
U.S. Property Boundary	13897	5361.08	5361.08	0.00
	14245	5362.40	5362.40	0.00
Foot Bridge	14257	5362.64	5362.64	0.00
	14602	5363.42	5363.42	0.00
	14610	5363.58	5363.58	0.00

The above table shows that the proposed grading has no adverse impact on base flood elevations, or floodway elevations.

### 4.0 References

1. FEMA. December 17, 2010. *Flood Insurance Study, Arapahoe County and Incorporated Areas.*

2. FEMA. Revised Preliminary December 12, 2014. *Flood Insurance Study, Arapahoe County and Incorporated Areas.*
3. FEMA. December 17, 2010. *FIRM Panel 164 of 725, Map No. 08005C0164K, Arapahoe County, Colorado and Incorporated Areas.*
4. FEMA. December 17, 2010. *FIRM Panel 165 of 725, Map No. 08005C0165K, Arapahoe County, Colorado and Incorporated Areas.*
5. UDFCD. August 2003. *Flood Hazard Area Delineation, Little Dry Creek (Arapco) and Tributaries.*
6. UDFCD. May 2010. *Digital Letter of Map Change (DLOMC) Guidelines.*
7. USACE. January 2010. *HEC-RAS, Version 4.1.0.*



Vicinity Map

Floodplain Study  
1530 E. Oxford Lane – Cherry Hills Village

**Appendix A – No Rise Certification**



**EES**

**Entitlement and Engineering  
Solutions, Inc**

August 25<sup>th</sup>, 2015

Mr. Rob Zucarro, Community Development Director  
Cherry Hills Village  
2450 East Quincy Avenue  
Cherry Hills Village, Colorado 80113

Re: No Rise Certification  
Little Dry Creek - 1530 East Oxford Lane  
Cherry Hills Village, Colorado

Mr. Zucarro:

This letter is to certify that I am a duly qualified registered Professional Engineer licensed to practice in the State of Colorado.

It is further to certify that the attached technical data supports the fact that the proposed grading as part of the new residence at 1530 Oxford Lane does not increase the 100-year base flood elevations, and floodway elevations on Little Dry Creek. The study reach for the findings is from unpublished cross-section 13489 at the downstream end of the property, to unpublished cross-section 14245 upstream of the property.

If you have any questions, or need additional information, please contact me at 303.503.4085 or [jay.peters@ees.us.com](mailto:jay.peters@ees.us.com).

Sincerely,

Jay Peters, PE  
Senior Project Manager  
Licensed Professional Engineer  
State of Colorado No. 35068



Attachments: Floodplain Study, Little Dry Creek, 1530 E. Oxford Lane

**Appendix B – Hydrology and Hydraulics**





## UDFCD DLOMC SUBMITTAL CHECKLIST

**PROJECT NAME:** Helen Residence - 1530 E. Oxford Lane

**COMPANY:** EES

**COMPLETED BY:** Jay Peters

DLOMC Submittal Item		Requirements			What Is Submitted	
Item No.	Item (include 2 complete copies)	Digital Optional	Digital Required	Hard Copy Required	Digital	Hard Copy
3.1	Report Text	<del>X</del>			X	X
3.2.a	Hydraulic and/or Hydrologic Models		<del>X</del>		X	
3.2.b	Hydraulic and/or Hydrologic Reports and Cross-Sections	<del>X</del>			X	X
3.3	Proposed Construction Plans and/or As-Built Survey Information	<del>X</del>			X	X
3.4	FEMA MT-2 Forms			<del>X</del>	X	X
3.5	NFIP Regulation Requirements/Notifications	<del>X</del>			X	X
3.6	Floodplain Workmaps		<del>X</del>	<del>X</del>	X	X
3.7	Annotated FIRM Panels			<del>X</del>	X	X
3.8.a	Comparison Tables	<del>X</del>			X	X
3.8.b	Comparison Profile	<del>X</del>			X	X
3.9	Annotated Floodway Data Table	<del>X</del>			X	X
3.10	Agreement Checklists	<del>X</del>			X	X
3.11	Other Items	<del>X</del>				
3.12	CD/DVD Media			<del>X</del>		X







HEC-RAS River: LDC Reach: LDC Profile: 10-Yr (Continued)

Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
LDC	14256.64	10-Yr	Duplicate	943.00	5355.59	5361.15	5359.93	5361.35	0.002045	4.09	281.12	122.11	0.33
LDC	14256.64	10-Yr	Corrected	943.00	5355.59	5361.16	5359.93	5361.35	0.002024	4.07	282.26	122.52	0.33
LDC	14256.64	10-Yr	Existing	943.00	5355.59	5361.16	5359.93	5361.35	0.002024	4.07	282.26	122.52	0.33
LDC	14256.64	10-Yr	Proposed	943.00	5355.59	5361.16	5359.93	5361.35	0.002024	4.07	282.26	122.52	0.33
LDC	14801.9	10-Yr	Duplicate	943.00	5356.36	5362.09	5361.41	5362.31	0.003990	4.10	254.35	134.12	0.43
LDC	14801.9	10-Yr	Corrected	943.00	5356.36	5362.09	5361.41	5362.32	0.003980	4.10	254.55	134.13	0.43
LDC	14801.9	10-Yr	Existing	943.00	5356.36	5362.09	5361.41	5362.32	0.003980	4.10	254.55	134.13	0.43
LDC	14801.9	10-Yr	Proposed	943.00	5356.36	5362.09	5361.41	5362.32	0.003980	4.10	254.55	134.13	0.43
LDC	14805.		Bridge										
LDC	14808.69	10-Yr	Duplicate	943.00	5356.37	5362.30	5361.28	5362.46	0.002786	3.33	293.62	135.19	0.36
LDC	14808.69	10-Yr	Corrected	943.00	5356.37	5362.30	5361.28	5362.46	0.002778	3.33	293.88	135.20	0.36
LDC	14808.69	10-Yr	Existing	943.00	5356.37	5362.30	5361.28	5362.46	0.002778	3.33	293.88	135.20	0.36
LDC	14808.69	10-Yr	Proposed	943.00	5356.37	5362.30	5361.28	5362.46	0.002778	3.33	293.88	135.20	0.36



HEC-RAS River LDC Reach: LDC Profile: 50-Yr (Continued)

Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
LDC	14256.64	50-Yr	Duplicate	1577.00	5355.59	5362.20	5360.58	5362.44	0.001870	4.46	430.69	157.25	0.32
LDC	14256.64	50-Yr	Corrected	1577.00	5355.59	5362.21	5360.58	5362.45	0.001848	4.44	432.61	157.56	0.32
LDC	14256.64	50-Yr	Existing	1577.00	5355.59	5362.22	5360.58	5362.45	0.001845	4.44	432.84	157.59	0.32
LDC	14256.64	50-Yr	Proposed	1577.00	5355.59	5362.22	5360.58	5362.45	0.001845	4.44	432.84	157.59	0.32
LDC	14801.9	50-Yr	Duplicate	1577.00	5356.36	5363.01	5361.92	5363.28	0.003214	4.43	381.52	142.37	0.40
LDC	14801.9	50-Yr	Corrected	1577.00	5356.36	5363.01	5361.92	5363.28	0.003199	4.42	382.08	142.41	0.40
LDC	14801.9	50-Yr	Existing	1577.00	5356.36	5363.01	5361.92	5363.28	0.003198	4.42	382.15	142.41	0.40
LDC	14801.9	50-Yr	Proposed	1577.00	5356.36	5363.01	5361.92	5363.28	0.003198	4.42	382.15	142.41	0.40
LDC	14805.		Bridge										
LDC	14809.69	50-Yr	Duplicate	1577.00	5356.37	5363.17	5361.77	5363.40	0.002604	3.87	413.67	140.59	0.36
LDC	14809.69	50-Yr	Corrected	1577.00	5356.37	5363.17	5361.77	5363.40	0.002597	3.87	414.01	140.61	0.36
LDC	14809.69	50-Yr	Existing	1577.00	5356.37	5363.17	5361.77	5363.40	0.002597	3.87	414.01	140.61	0.36
LDC	14809.69	50-Yr	Proposed	1577.00	5356.37	5363.17	5361.77	5363.40	0.002597	3.87	414.01	140.61	0.36



HEC-RAS River LDC Reach: LDC Profile: 100-Yr (Continued)

Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
LDC	14258.64	100-Yr	Duplicate	1934.00	5355.59	5362.62	5360.86	5362.89	0.001908	4.72	499.84	171.70	0.33
LDC	14258.64	100-Yr	Corrected	1934.00	5355.59	5362.63	5360.86	5362.89	0.001893	4.70	501.35	172.05	0.33
LDC	14256.64	100-Yr	Existing	1934.00	5355.59	5362.64	5360.86	5362.90	0.001889	4.70	501.77	172.15	0.33
LDC	14256.64	100-Yr	Proposed	1934.00	5355.59	5362.64	5360.86	5362.90	0.001889	4.70	501.77	172.15	0.33
LDC	14601.9	100-Yr	Duplicate	1934.00	5356.36	5363.42	5362.14	5363.72	0.003081	4.65	441.23	146.04	0.40
LDC	14601.9	100-Yr	Corrected	1934.00	5356.36	5363.42	5362.14	5363.73	0.003072	4.65	441.66	146.07	0.40
LDC	14601.9	100-Yr	Existing	1934.00	5356.36	5363.42	5362.14	5363.73	0.003069	4.64	441.80	146.08	0.40
LDC	14601.9	100-Yr	Proposed	1934.00	5356.36	5363.42	5362.14	5363.73	0.003069	4.64	441.80	146.08	0.40
LDC	14605.		Bridge										
LDC	14608.69	100-Yr	Duplicate	1934.00	5356.37	5363.57	5361.98	5363.84	0.002596	4.15	471.14	144.26	0.37
LDC	14608.69	100-Yr	Corrected	1934.00	5356.37	5363.57	5361.98	5363.84	0.002591	4.15	471.42	144.28	0.37
LDC	14608.69	100-Yr	Existing	1934.00	5356.37	5363.58	5361.98	5363.84	0.002589	4.15	471.56	144.29	0.37
LDC	14608.69	100-Yr	Proposed	1934.00	5356.37	5363.58	5361.98	5363.84	0.002589	4.15	471.56	144.29	0.37

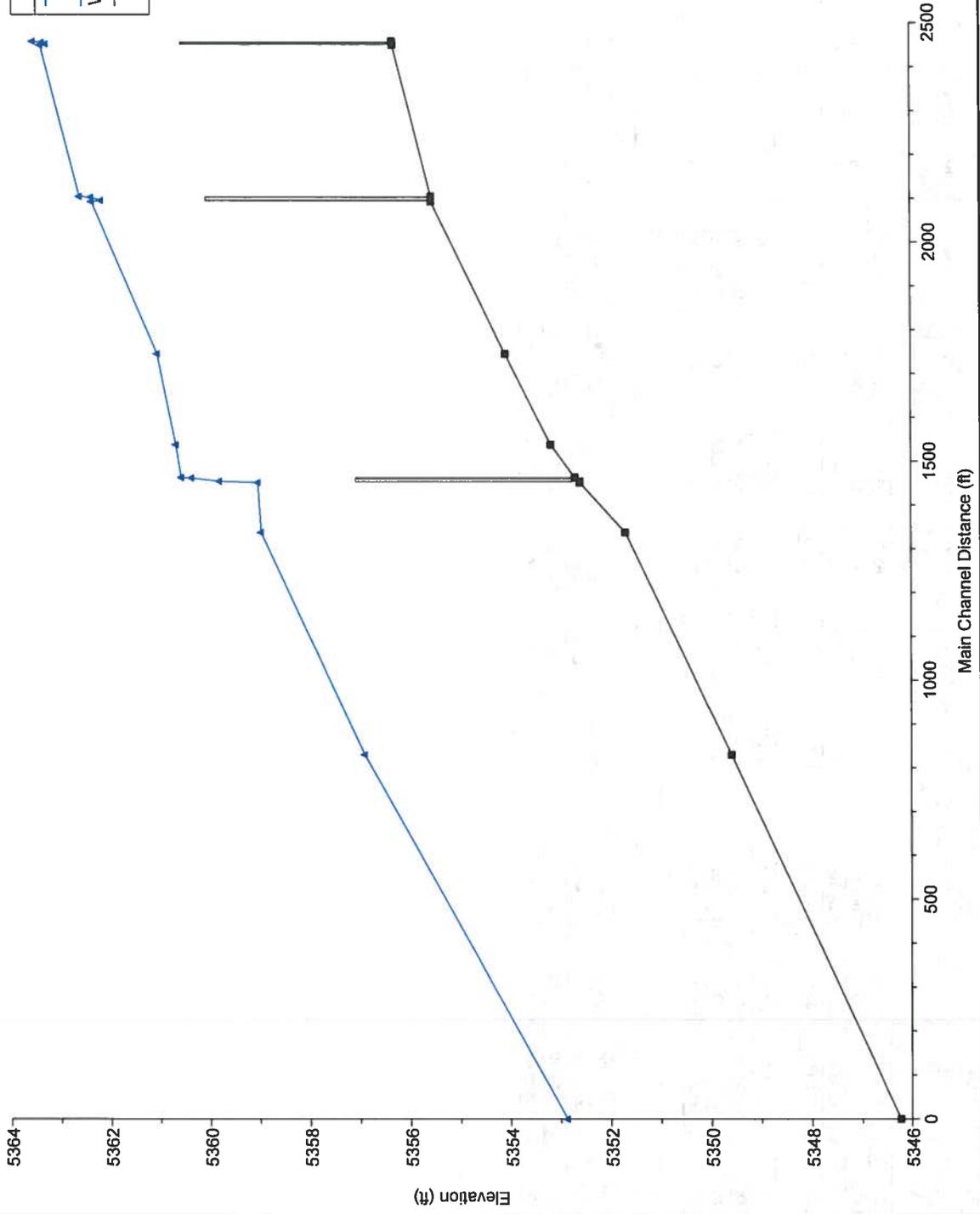


HEC-RAS River: LDC Reach: LDC Profile: 500-Yr (Continued)

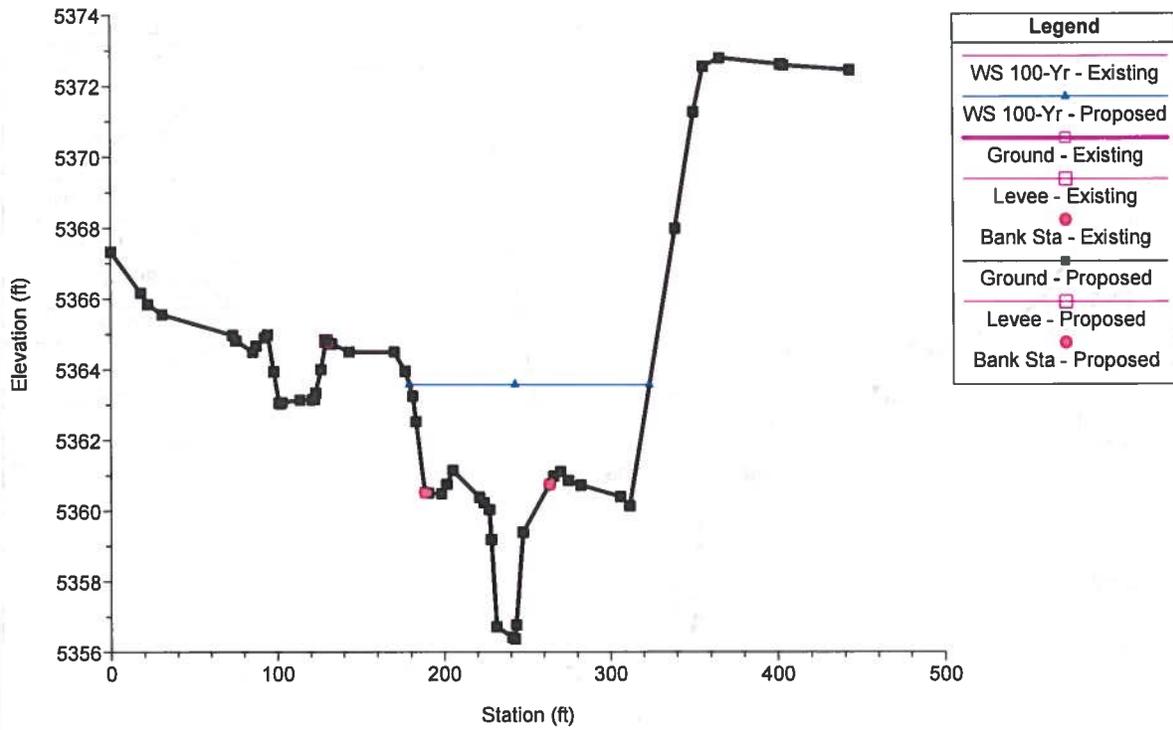
Reach	River Sta	Profile	Plan	Q Total (cfs)	Min Ch El (ft)	W.S. Elev (ft)	Crit W.S. (ft)	E.G. Elev (ft)	E.G. Slope (ft/ft)	Vel Chnl (ft/s)	Flow Area (sq ft)	Top Width (ft)	Froude # Chl
LDC	14256.64	500-Yr	Duplicate	2832.00	5355.59	5363.51	5361.61	5363.82	0.001931	5.18	661.62	194.42	0.34
LDC	14256.64	500-Yr	Corrected	2832.00	5355.59	5363.51	5361.61	5363.83	0.001921	5.17	662.86	194.59	0.34
LDC	14256.64	500-Yr	Existing	2832.00	5355.59	5363.52	5361.61	5363.83	0.001915	5.17	663.72	194.71	0.34
LDC	14256.64	500-Yr	Proposed	2832.00	5355.59	5363.52	5361.61	5363.83	0.001915	5.17	663.72	194.71	0.34
LDC	14601.9	500-Yr	Duplicate	2832.00	5356.36	5364.28	5362.68	5364.67	0.003000	5.19	569.71	153.63	0.41
LDC	14601.9	500-Yr	Corrected	2832.00	5356.36	5364.28	5362.68	5364.67	0.002994	5.19	570.08	153.66	0.41
LDC	14601.9	500-Yr	Existing	2832.00	5356.36	5364.28	5362.68	5364.67	0.002989	5.19	570.38	153.67	0.41
LDC	14601.9	500-Yr	Proposed	2832.00	5356.36	5364.28	5362.68	5364.67	0.002989	5.19	570.38	153.67	0.41
LDC	14605.		Bridge										
LDC	14608.69	500-Yr	Duplicate	2832.00	5356.37	5364.42	5362.56	5364.78	0.002659	4.78	598.01	155.22	0.38
LDC	14608.69	500-Yr	Corrected	2832.00	5356.37	5364.42	5362.56	5364.78	0.002657	4.78	598.16	155.24	0.38
LDC	14608.69	500-Yr	Existing	2832.00	5356.37	5364.43	5362.56	5364.78	0.002653	4.78	598.46	155.27	0.38
LDC	14608.69	500-Yr	Proposed	2832.00	5356.37	5364.43	5362.56	5364.78	0.002653	4.78	598.46	155.27	0.38

Helen Residence Plan: 1) Existing 2) Proposed

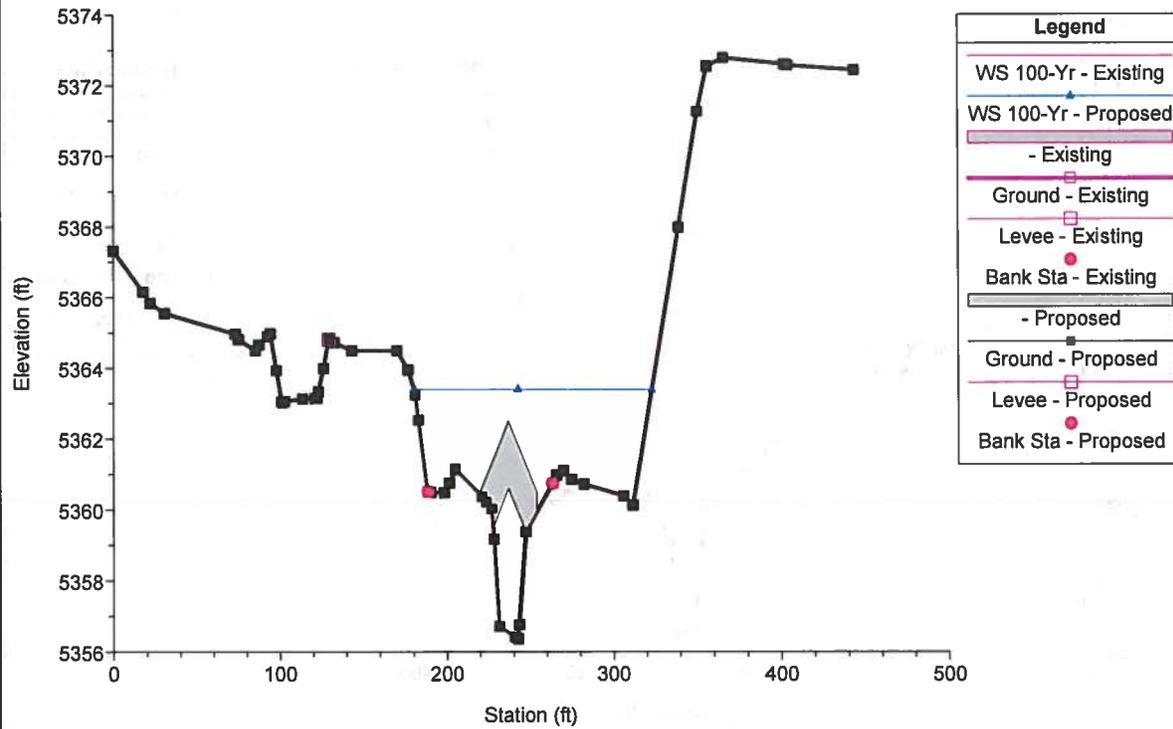
Legend	
—▲—	WS 100-Yr - Existing
—■—	WS 100-Yr - Proposed
—	Ground



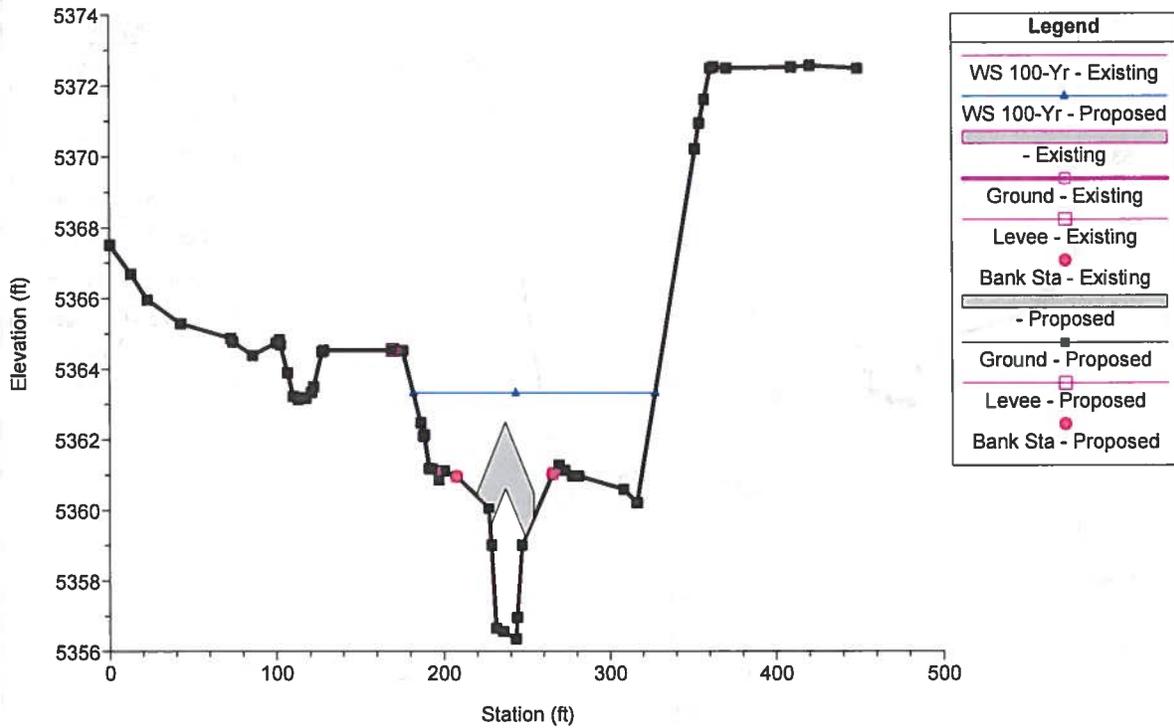
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 14609.69 U/S Private Bridge



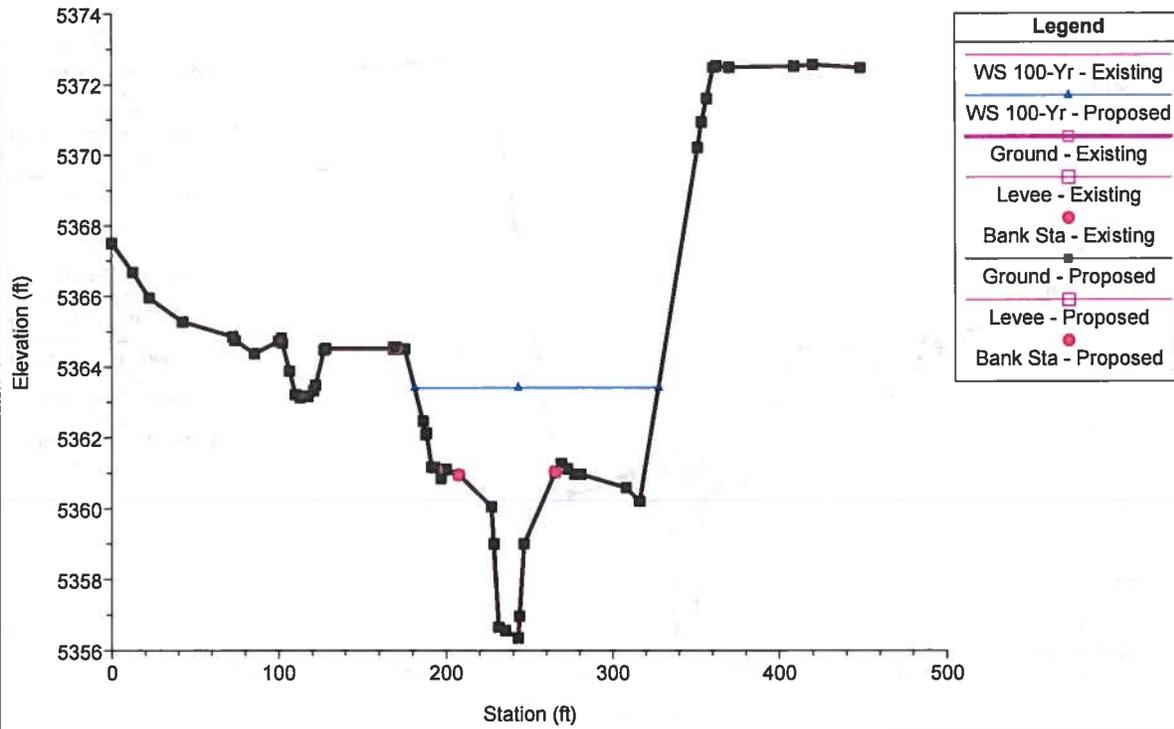
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 14605. BR F.B. 6 at Cherry Hills CC



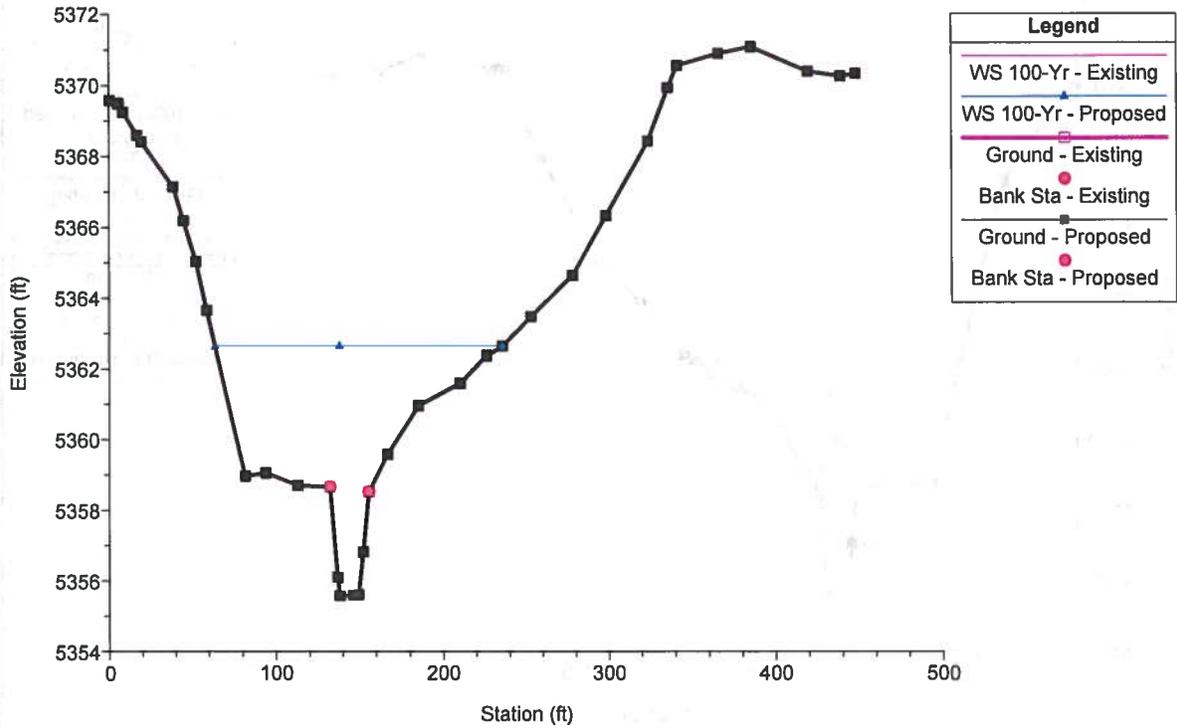
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 14605. BR F.B. 6 at Cherry Hills CC



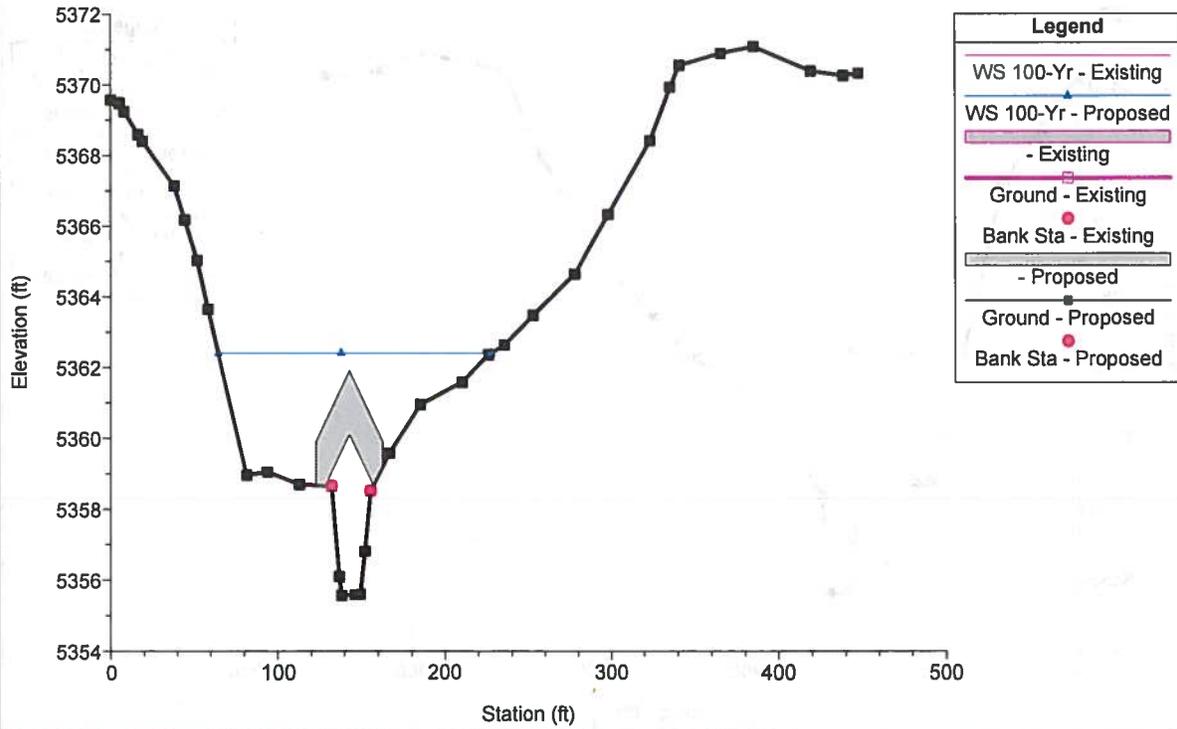
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 14601.9 D/S Private Bridge



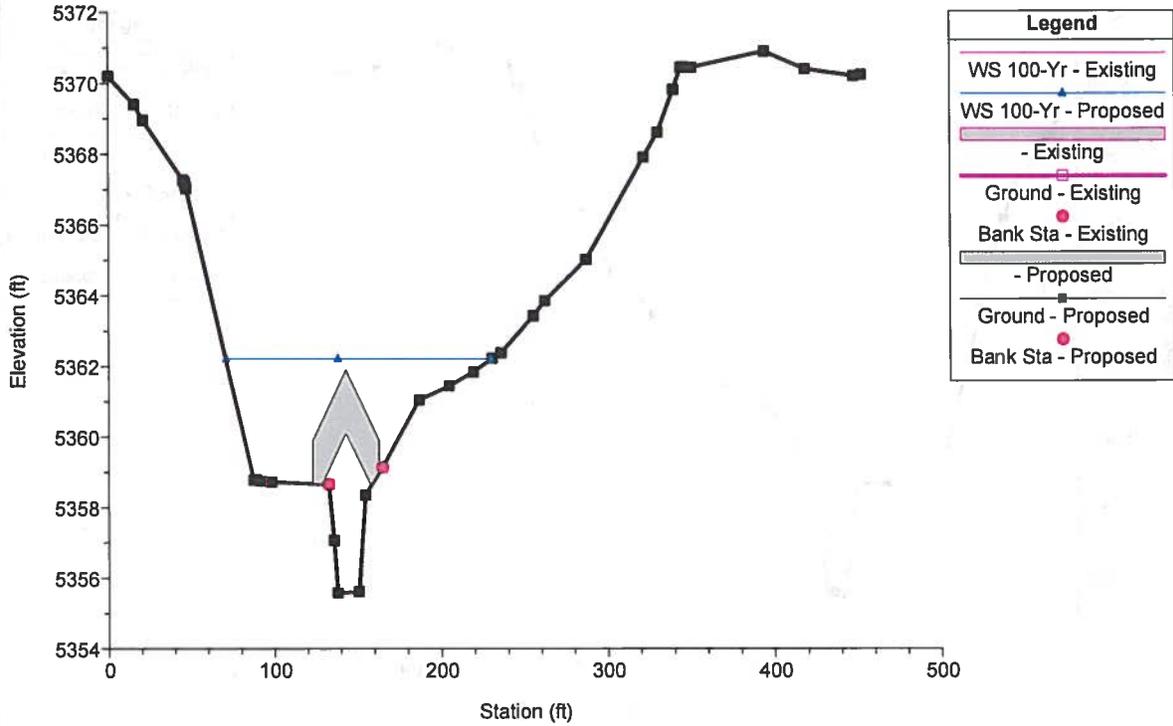
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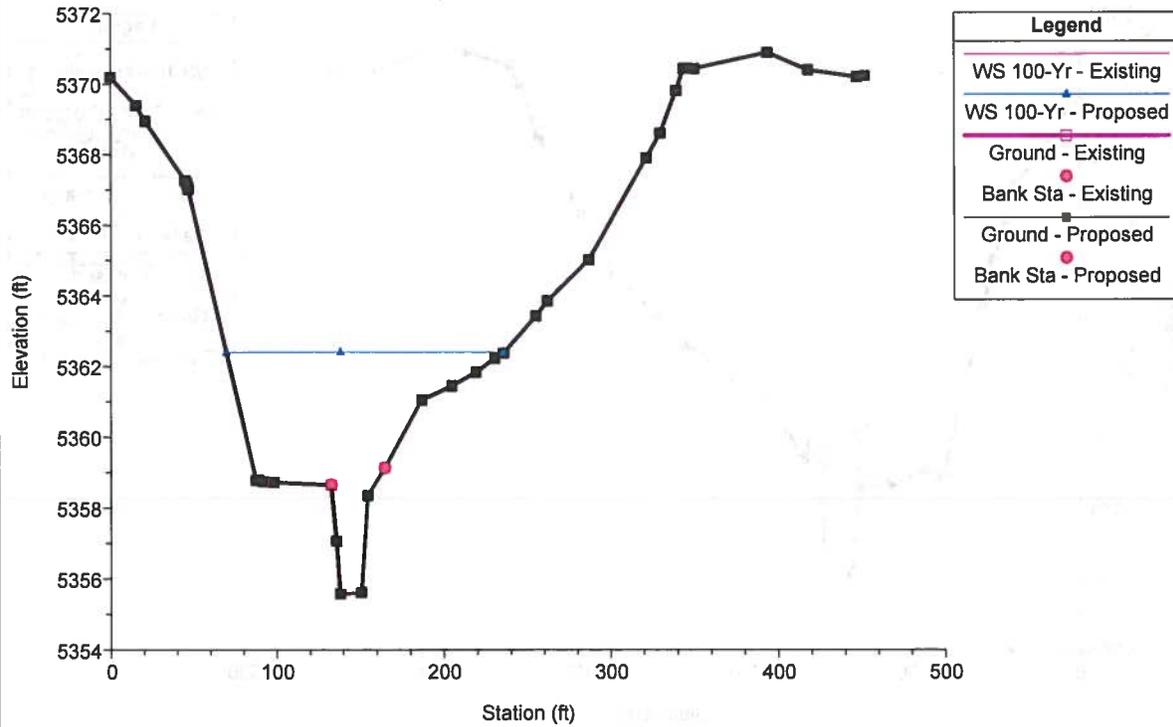
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 14250. BR F.B. 5 at Cherry Hills CC



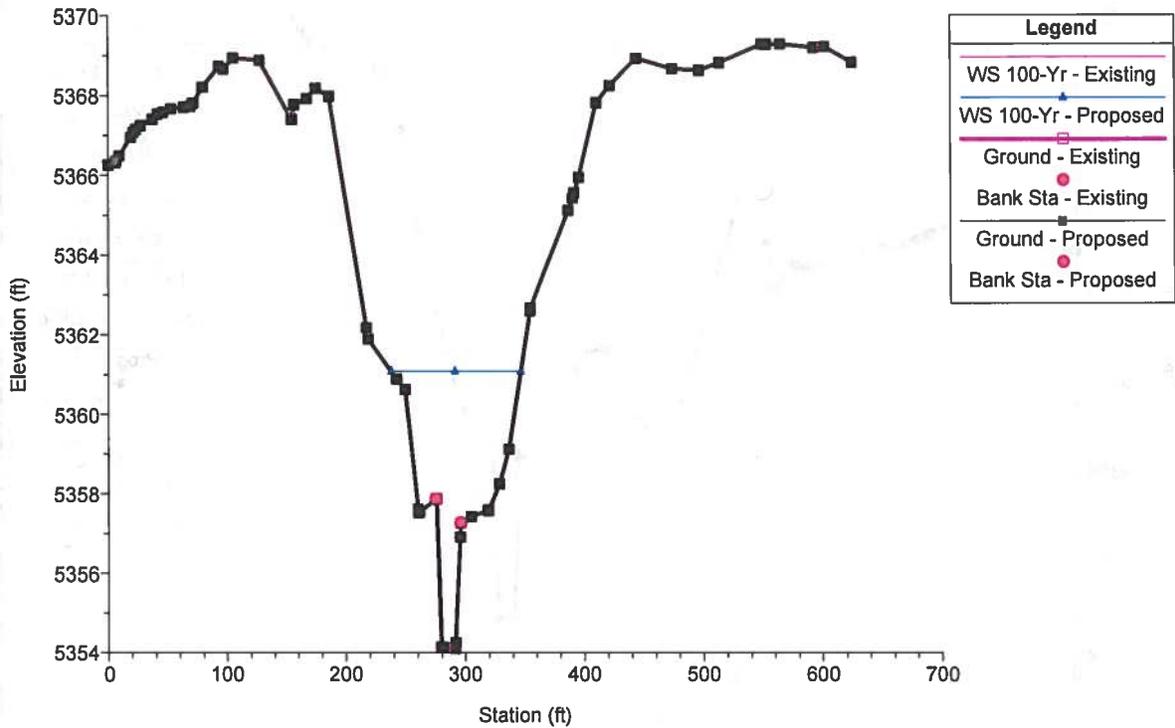
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 14250. BR F.B. 5 at Cherry Hills CC



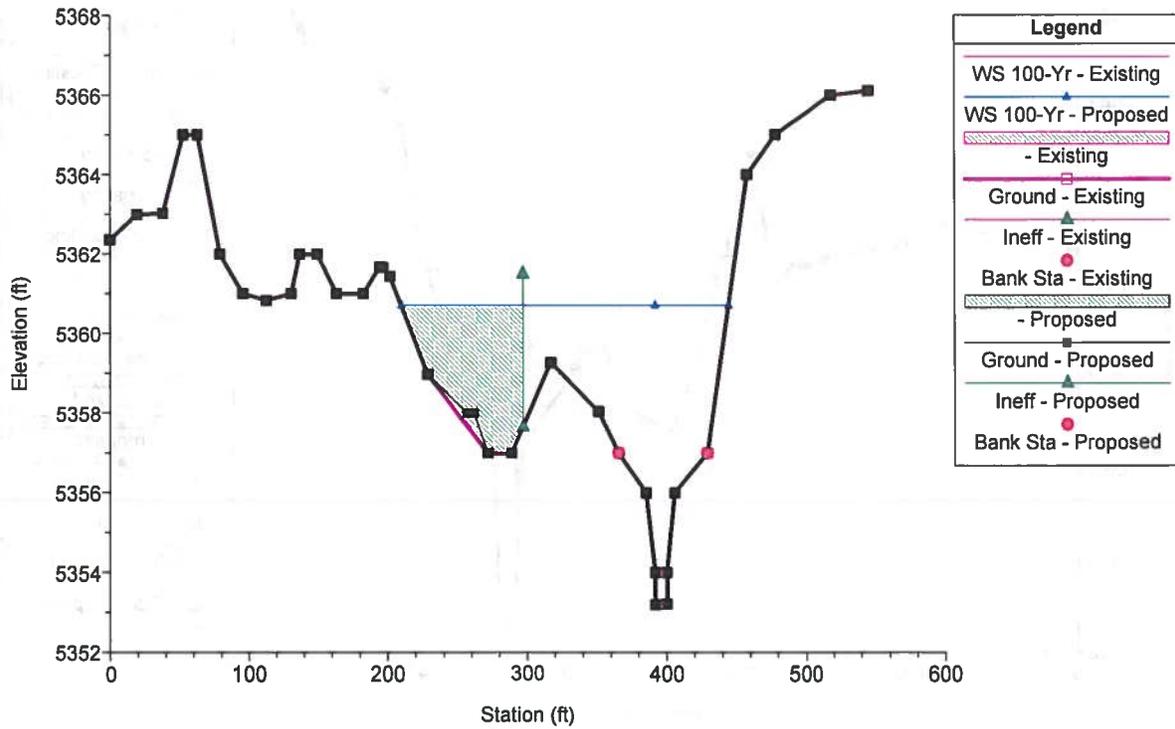
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 14244.93 D/S Private Bridge



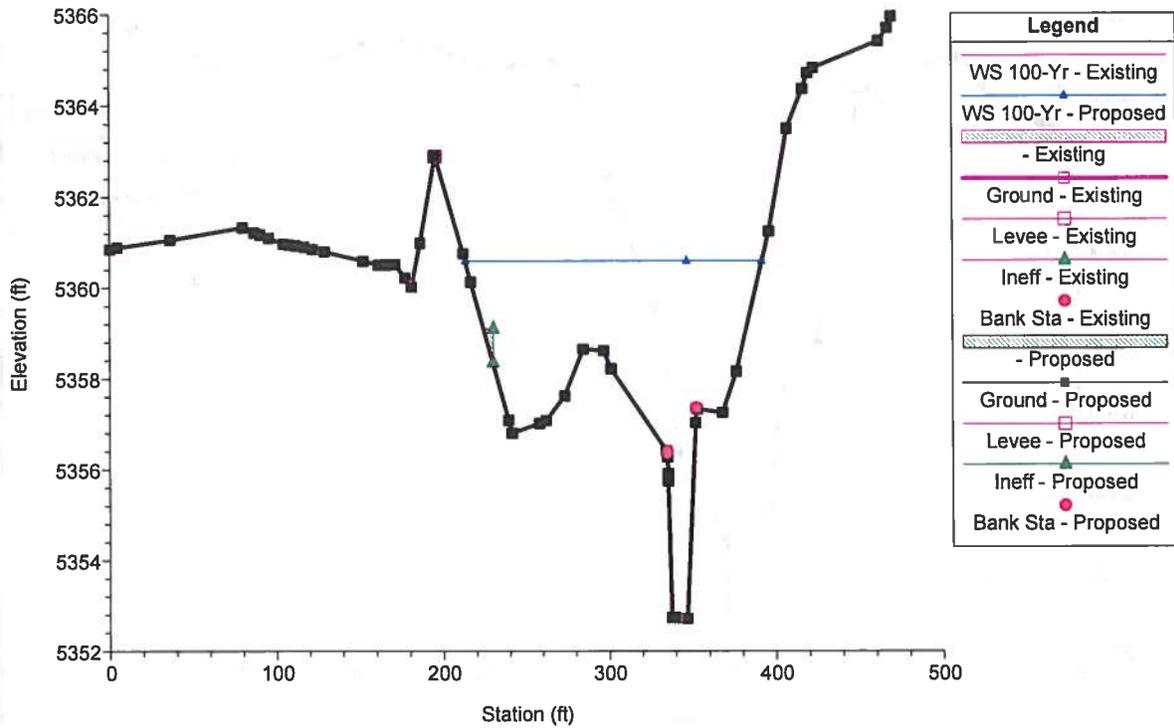
Helen Residence Plan: 1) Proposed 2) Existing  
RS = 13897.12



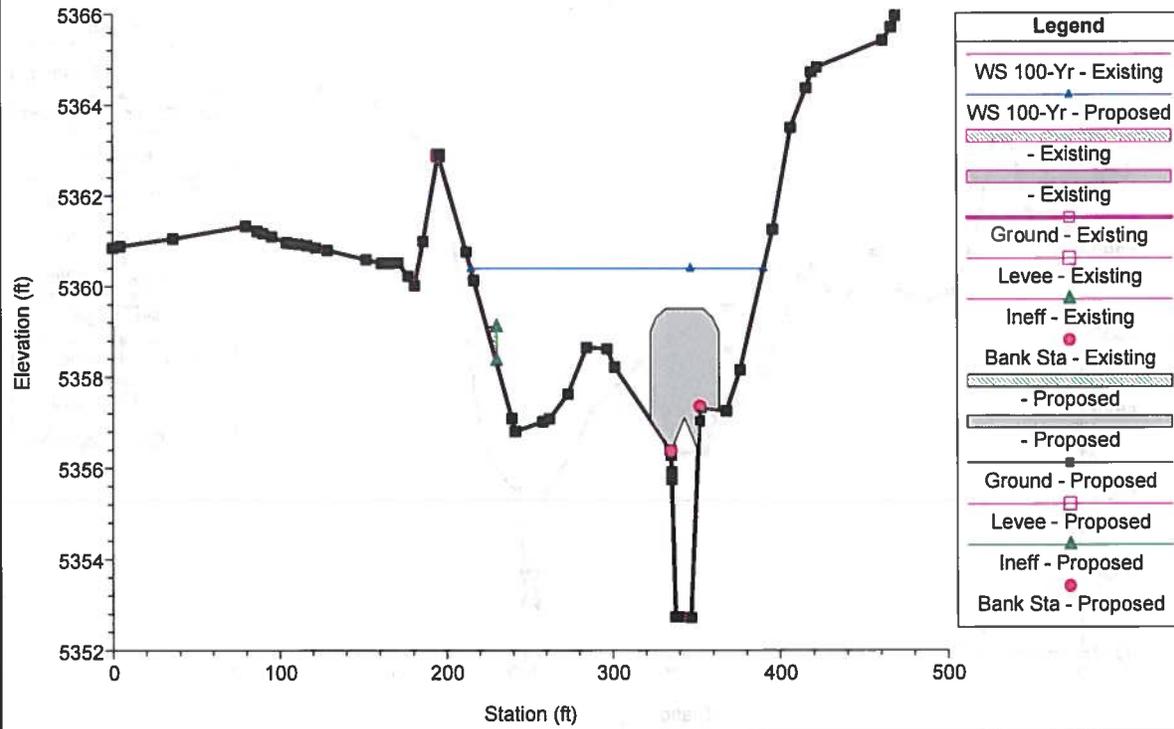
Helen Residence Plan: 1) Proposed 2) Existing  
RS = 13690 New XS Existing Surface Helen Residence CLOMR



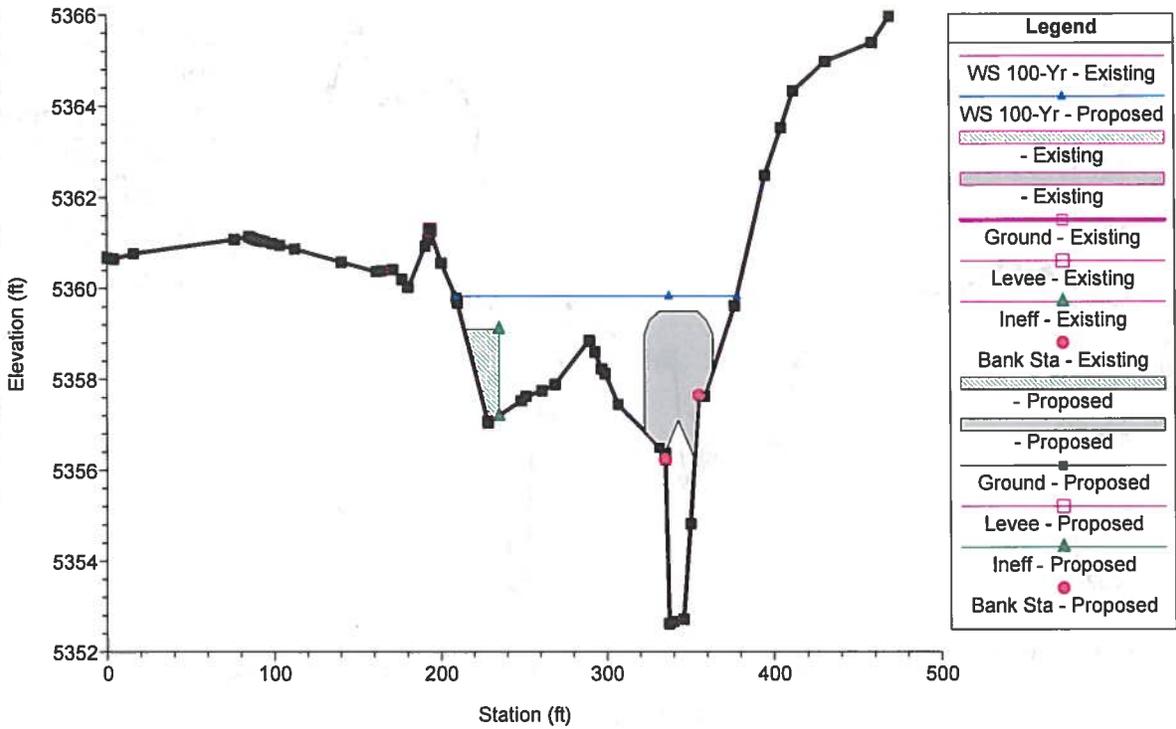
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 13615.08 U/S Bridge



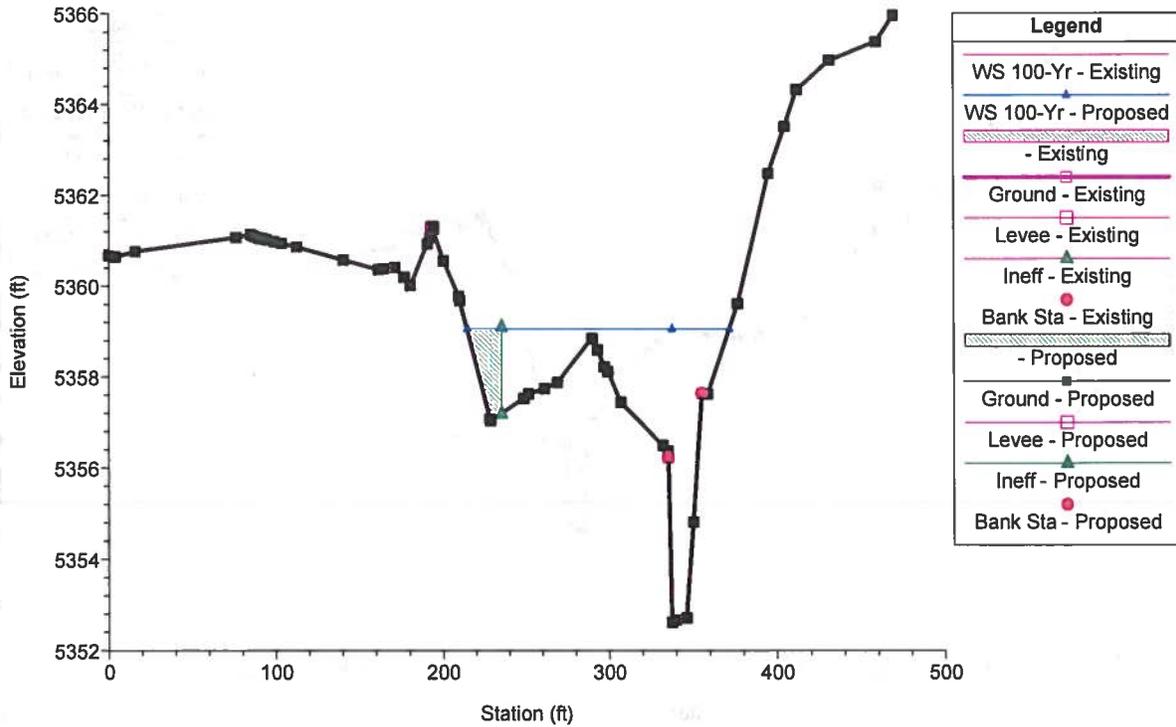
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 13609. BR F.B. 4 at Cherry Hills CC



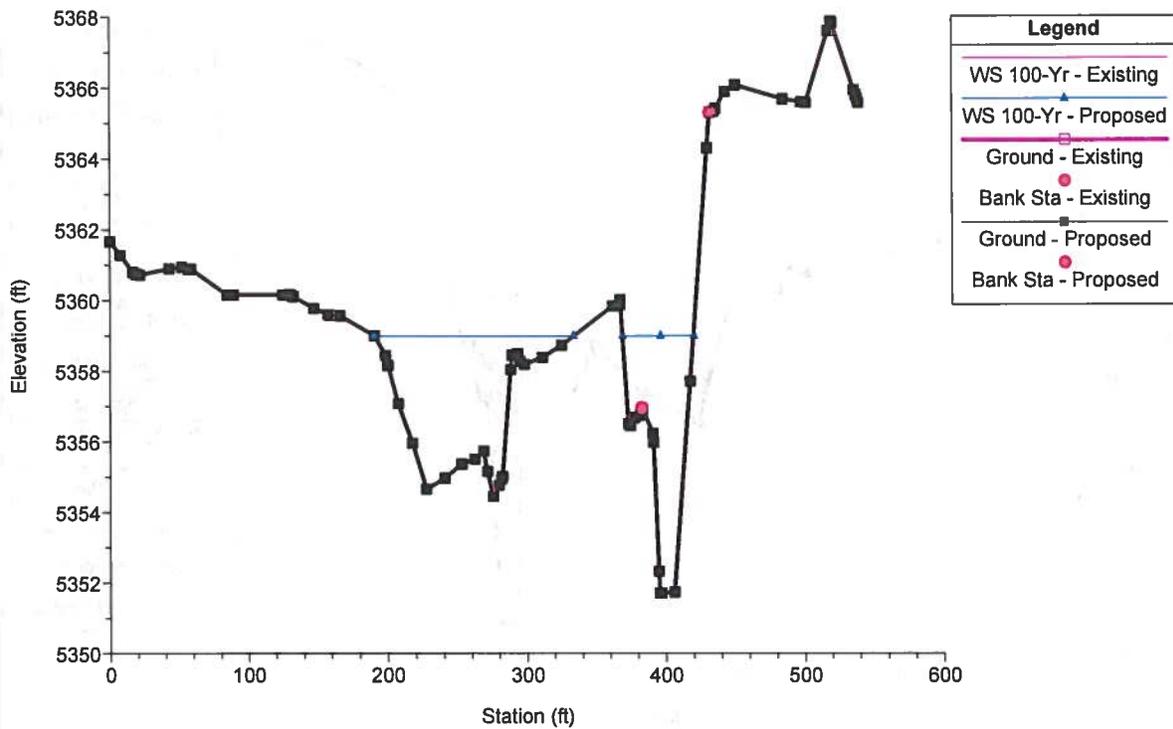
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 13609. BR F.B. 4 at Cherry Hills CC



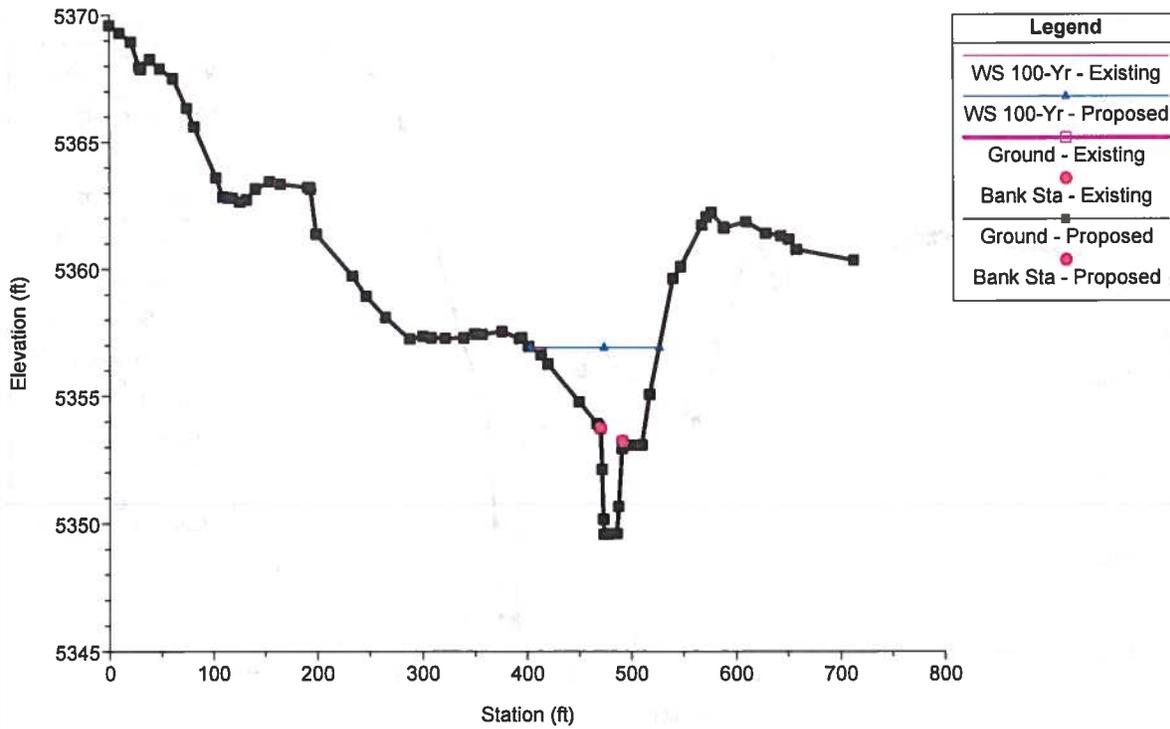
Helen Residence Plan: 1) Proposed 2) Existing  
 RS = 13603.36 D/S Bridge



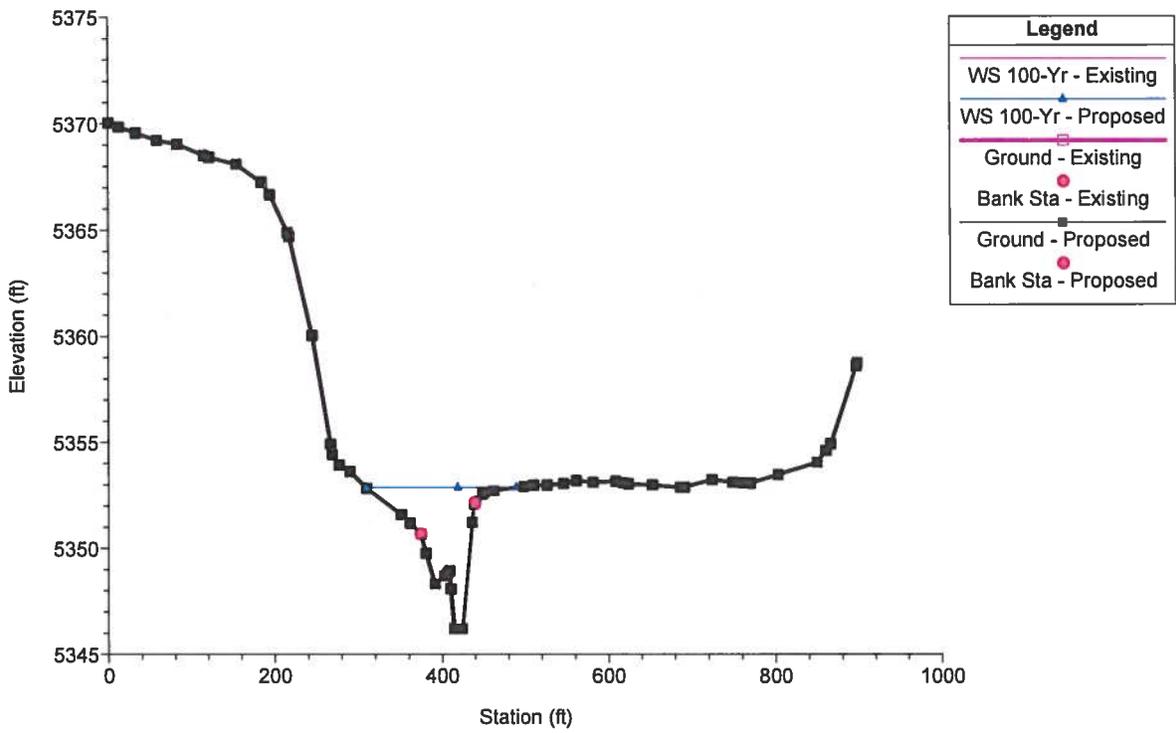
Helen Residence Plan: 1) Proposed 2) Existing  
RS = 13489.27



Helen Residence Plan: 1) Proposed 2) Existing  
RS = 12982.03



Helen Residence Plan: 1) Proposed 2) Existing  
RS = 12152.53



**Appendix C – Available Information**





**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**ARAPAHOE COUNTY,**  
**COLORADO**  
**AND INCORPORATED AREAS**

**PANEL 163 OF 725**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

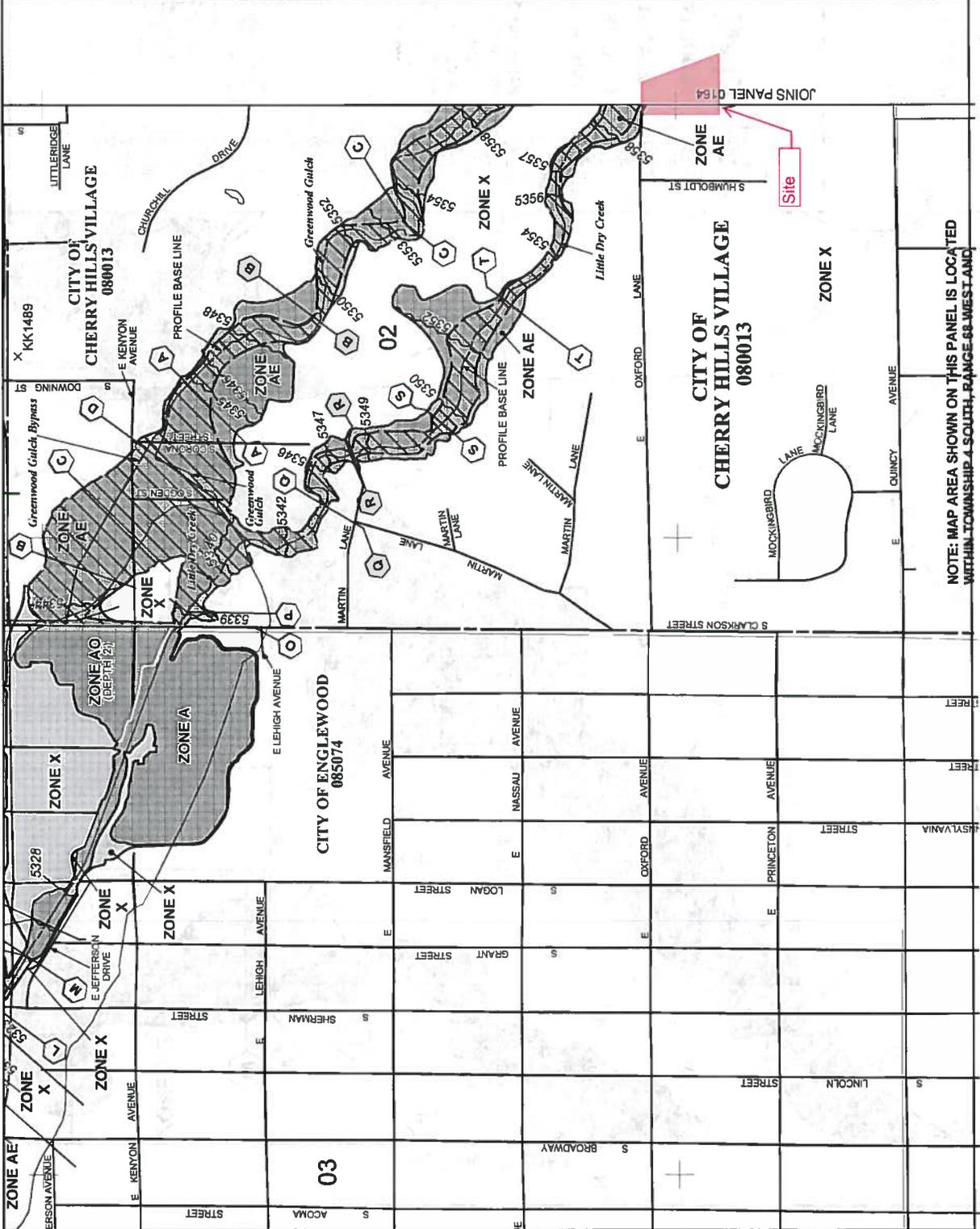
**CONTAINS:** PANEL NUMBER 080013  
 ARAPAHOE COUNTY 080013  
 CITY OF CHERRY HILLS VILLAGE 080013  
 CHERRY HILLS VILLAGE 080013  
 CHRYSLER CITY OF ENGLEWOOD 085074

**MAP NUMBER**  
 980650103K  
**MAP REVISED**  
 DECEMBER 17, 2010

Federal Emergency Management Agency

**NATIONAL FLOOD INSURANCE PROGRAM**

This is an official copy of a portion of the above referenced flood map. It was extracted using FIRM On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the map. For the most current information, please visit the FEMA Flood Map Store at www.fema.gov. Program flood maps check the FEMA Flood Map Store at www.fema.gov.



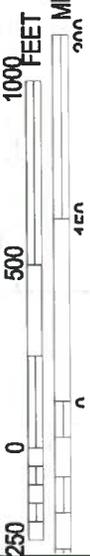
**CITY OF CHERRY HILLS VILLAGE**  
**080013**

**CITY OF ENGLEWOOD**  
**085074**

**NOTE: MAP AREA SHOWN ON THIS PANEL IS LOCATED**  
**WITHIN TOWNSHIP 4 SOUTH, RANGE 68 WEST AND**



MAP SCALE 1" = 500'



PANEL 0164K

# FIRM FLOOD INSURANCE RATE MAP

## ARAPAHOE COUNTY, COLORADO AND INCORPORATED AREAS

PANEL 164 OF 725

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL SUFFIX
ARAPAHOE COUNTY	080011	0164
CHERRY HILLS VILLAGE, CITY OF	080013	0164
ENGLEWOOD, CITY OF	080074	0164

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

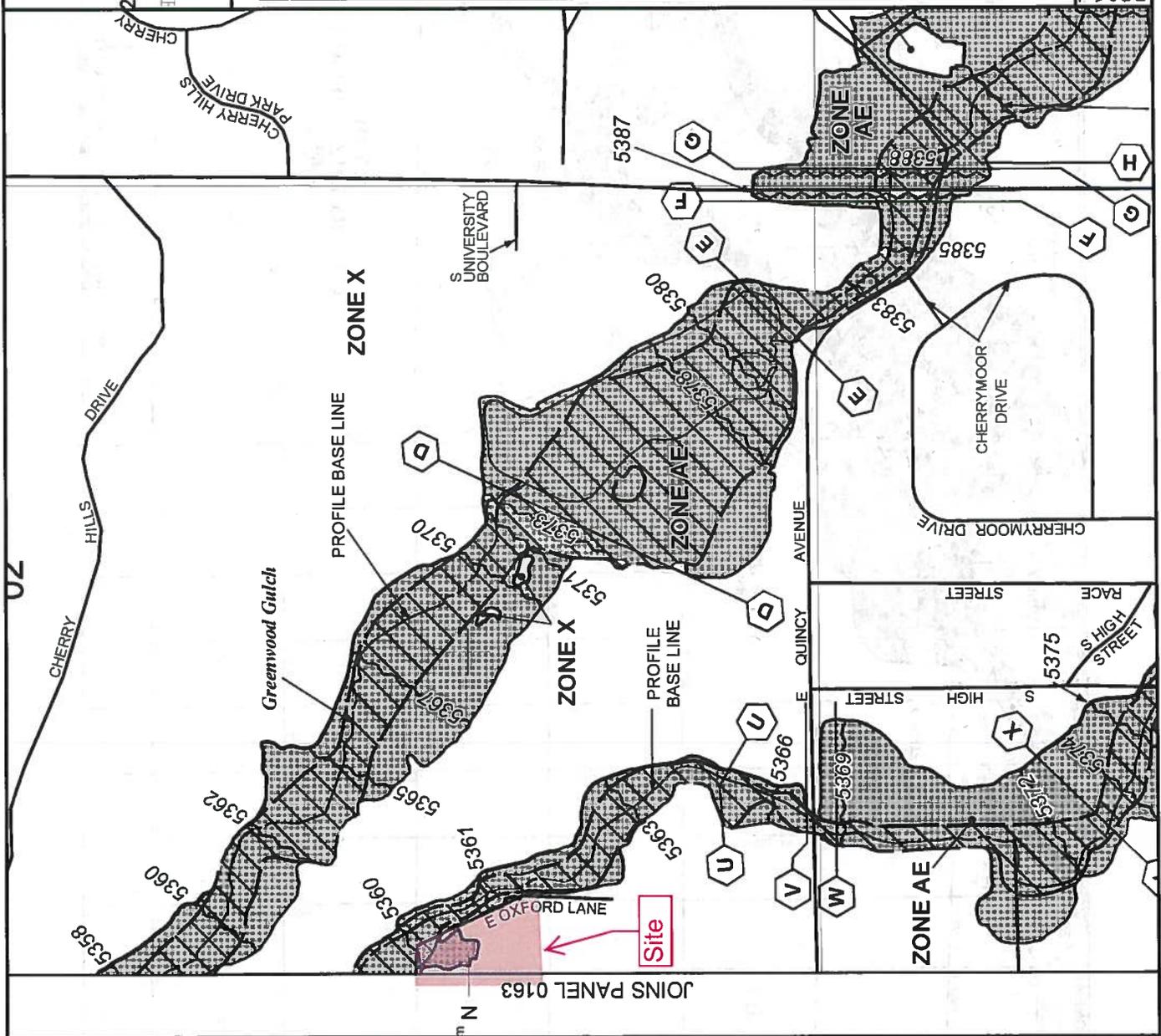


MAP NUMBER 08005C0164K  
MAP REVISED DECEMBER 17, 2010

Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



JOINS PANEL 0163

# FLOOD INSURANCE STUDY



## ARAPAHOE COUNTY, COLORADO, AND INCORPORATED AREAS VOLUME 1 OF 4

Community Name	Community Number
ARAPAHOE COUNTY, CO UNINCORPROATED AREAS	080011
AURORA, CITY OF	080002
CENTENNIAL, CITY OF	080315
CHERRY HILLS VILLAGE, CITY OF	080013
COLUMBINE VALLEY, TOWN OF	080014
*DEER TRAIL, CITY OF	080015
ENGLEWOOD, CITY OF	085074
*FOXFIELD, TOWN OF	080091
GLENDALE, CITY OF	080247
GREENWOOD VILLAGE, CITY OF	080195
LITTLETON, CITY OF	080017
SHERIDAN, CITY OF	080018

\*NON-FLOODPRONE



Effective: December 17, 2010



**Federal Emergency Management Agency**

FLOOD INSURANCE STUDY NUMBER

08005CV001A

TABLE 3 – SUMMARY OF DISCHARGES

Flooding Source/Location	Drainage Area (Square Miles)	Peak Discharges (Cubic Feet per Second)			
		10% Annual Chance	2% Annual Chance	1% Annual Chance	0.2% Annual Chance
Bear Creek					
At Mouth	22	4,170	6,920	8,150	11,280
Bear Gulch					
At Mouth	19.8	1410	4360	6300	10200
Big Dry Creek					
Above Windermere Street	11.0	5,100	7,000	8,100	13,100
At Confluence with South Platte River	19.0	7,100	9,100	10,400	17,200
At Littleton Boulevard	19.5	7,000	9,250	10,400	10,750
Blackmer Gulch					
At Confluence with Greenwood Gulch	2.3	1,390	1,850	1,950	2,330
At Confluence with Quincy Gulch	1.5	780	1,040	1,100	1,330
At Holly Street	0.5	385	500	540	640
Box Elder Creek					
Upstream of Coyote Run	173.5	780	5,520	8,760	15,000
At I-70	165.5	780	5,560	8,820	15,100
At Upstream Limit of Study	127.2	780	5,590	8,880	15,200
Cardboard Draw					
At Mouth	2.3	270	710	990	1,520
Cherry Creek					
At Downstream Limit of Study	340	10,300	31,000	51,000	150,000
	169	3,300	9,300	13,300	63,000
Cherry Creek Spillway Drain					
At Mouth	1.9	610	2,100	3,180	7,700
Cherry Creek (Right Overbank Split Flow)					
At Arapahoe Road	-- <sup>1</sup>	1	2,090	7,077	62,211
Coon Creek					
At Confluence with Dutch Creek	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	2,900	-- <sup>1</sup>
Coyote Run					
At Mouth	28.7	1,750	5,960	8,600	13,600
I-70/US-36	17.0	1,680	4,960	6,940	10,800
Below confluence with Woodrat Gulch	8.5	960	2,840	3,970	6,130

Flooding Source/Location	Drainage Area (Square Miles)	Peak Discharges (Cubic Feet per Second)			
		10% Annual Chance	2% Annual Chance	1% Annual Chance	0.2% Annual Chance
<b>Dutch Creek</b>					
Upstream of Platte Canyon Road	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	7,400	-- <sup>1</sup>
<b>First Creek</b>					
Upstream of Smith Road	-- <sup>1</sup>	1,930	-- <sup>1</sup>	4,000	-- <sup>1</sup>
<b>Granby Ditch</b>					
At Mouth	3.74	1,800	2,460	2,775	3,450
Above Confluence with Sable Ditch	2.28	935	1,280	1,445	1,800
At Colfax Avenue	1.96	488	876	1,080	1,732
At Laredo Street	1.38	212	372	447	1,170
<b>Goldsmith Gulch</b>					
At Belleview Road	2.6	1,270	1,950	2,250	3,050
<b>West Tributary to Goldsmith Gulch</b>					
At Orchard Road	1.3	530	840	1,000	1,380
<b>Greenwood Gulch</b>					
At Belleview Road	3.3	1,800	2,550	2,750	3,200
At Confluence with Prentice Creek	2.7	1,700	2,300	2,450	2,800
At Orchard Road	1.2	1,100	1,500	1,600	1,850
<b>Happy Canyon Creek</b>					
U/S of Confluence with Cherry Creek	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	3,690	-- <sup>1</sup>
<b>Lee Gulch</b>					
At Confluence with South Platte River	2.5	1,900	2,500	2,900	4,500
<b>Little's Creek</b>					
At Confluence with South Platte River	2.3	1,800	2,300	2,800	4,200
<b>Little Dry Creek</b>					
Clarkson Street	23.66	2,275	3,750	4,580	5,970
Logan Street	-- <sup>1</sup>	2,275 <sup>2</sup>	3,210	3,540	5,960
Cinderella Conduit Entrance	-- <sup>1</sup>	2,350 <sup>2</sup>	3,340	3,660	6,090 <sup>2</sup>
South Platte River Confluence	24.96	2,470 <sup>2</sup>	3,420	3,770	6,200
<b>Lone Tree Creek</b>					
Downstream of Arapahoe Airport Runway	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	850	-- <sup>1</sup>
At Cherry Creek Rec. Area Boundary	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	2,000	-- <sup>1</sup>
<b>Murphy Creek</b>					
At Mouth	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	4,450	-- <sup>1</sup>

FLOODING SOURCE		FLOODWAY			BASE FLOOD WATER SURFACE ELEVATION			INCREASE
CROSS SECTION	DISTANCE <sup>1</sup>	WIDTH (FEET)	SECTION AREA (SQUARE FEET)	MEAN VELOCITY (FEET PER SECOND)	REGULATORY	WITHOUT FLOODWAY FEET (NAVD)	WITH FLOODWAY	
Little Dry Creek								
A	140	80	358	10.3	5,270.2 <sup>2</sup>	5,266.2	5,266.2	0.0
B	250	80	649	5.7	5,270.2 <sup>2</sup>	5,268.8	5,268.8	0.0
C	761	99	492	7.5	5,270.2 <sup>2</sup>	5,270.1	5,270.2	0.1
D	1,204	47	269	13.8	5,274.0	5,274.0	5,274.0	0.0
E	1,355	75	369	10.0	5,277.3	5,277.3	5,277.3	0.0
F	1,459	47	298	12.4	5,279.8	5,279.8	5,279.8	0.0
G	1,659	49	335	11.0	5,281.9	5,281.9	5,281.9	0.0
H	1,859	49	337	11.0	5,283.9	5,283.9	5,283.9	0.0
I	6,380	122	626	5.8	5,321.3	5,321.3	5,321.3	0.0
J	6,590	105	505	7.2	5,321.7	5,321.7	5,321.7	0.0
K	6,960	50	380	9.6	5,322.6	5,322.6	5,322.6	0.0
L	7,000	75	537	6.8	5,323.4	5,323.4	5,323.4	0.0
M	7,285	89	633	5.8	5,326.6	5,326.6	5,326.6	0.0
N	7,485	166	1,039	3.5	5,327.2	5,327.2	5,327.2	0.0
O	9,250	570	850	8.0	5,336.9	5,336.9	5,336.9	0.0
P	9,342	222	727	4.3	5,339.4	5,339.4	5,339.4	0.0
Q	10,361	54	185	10.5	5,343.2	5,343.2	5,343.2	0.0
R	10,889	60	456	4.2	5,348.6	5,348.6	5,348.6	0.0
S	11,409	130	455	4.3	5,349.6	5,349.6	5,350.4	0.8
T	12,153	65	355	5.5	5,352.9	5,352.9	5,353.3	0.4
U	14,877	173	310	6.2	5,364.6	5,364.6	5,364.6	0.0
V	15,179	65	314	6.2	5,367.0	5,367.0	5,368.0	1.0
W	15,292	72	375	6.2	5,368.5	5,368.5	5,369.3	0.8
X	16,421	80	642	3.6	5,373.7	5,373.7	5,373.7	0.0
Y	17,763	110	611	3.8	5,380.2	5,380.2	5,380.3	0.1

<sup>1</sup> Feet Above Confluence With South Platte River

<sup>2</sup> Elevation Due to Backwater From South Platte River

TABLE 4

FEDERAL EMERGENCY MANAGEMENT AGENCY  
**ARAPAHOE COUNTY, CO**  
 AND INCORPORATED AREAS

FLOODWAY DATA

LITTLE DRY CREEK

# FLOOD INSURANCE STUDY



## ARAPAHOE COUNTY, COLORADO, AND INCORPORATED AREAS VOLUME 3 OF 4

Community Name	Community Number
ARAPAHOE COUNTY, CO UNINCORPROATED AREAS	080011
AURORA, CITY OF	080002
CENTENNIAL, CITY OF	080315
CHERRY HILLS VILLAGE, CITY OF	080013
COLUMBINE VALLEY, TOWN OF	080014
*DEER TRAIL, CITY OF	080015
ENGLEWOOD, CITY OF	085074
*FOXFIELD, TOWN OF	080091
GLENDALE, CITY OF	080247
GREENWOOD VILLAGE, CITY OF	080195
LITTLETON, CITY OF	080017
SHERIDAN, CITY OF	080018

\*NON-FLOODPRONE



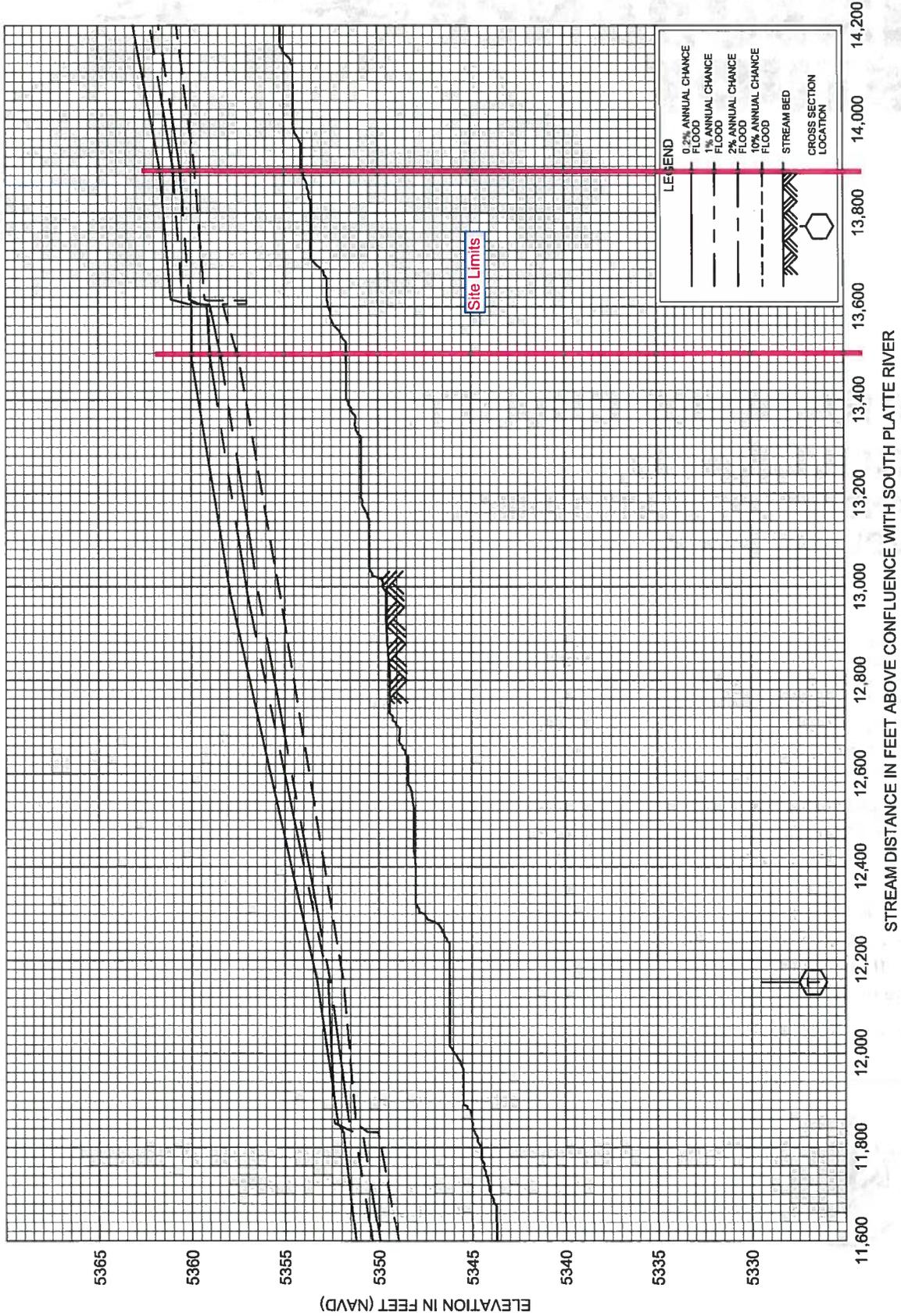
Effective: December 17, 2010



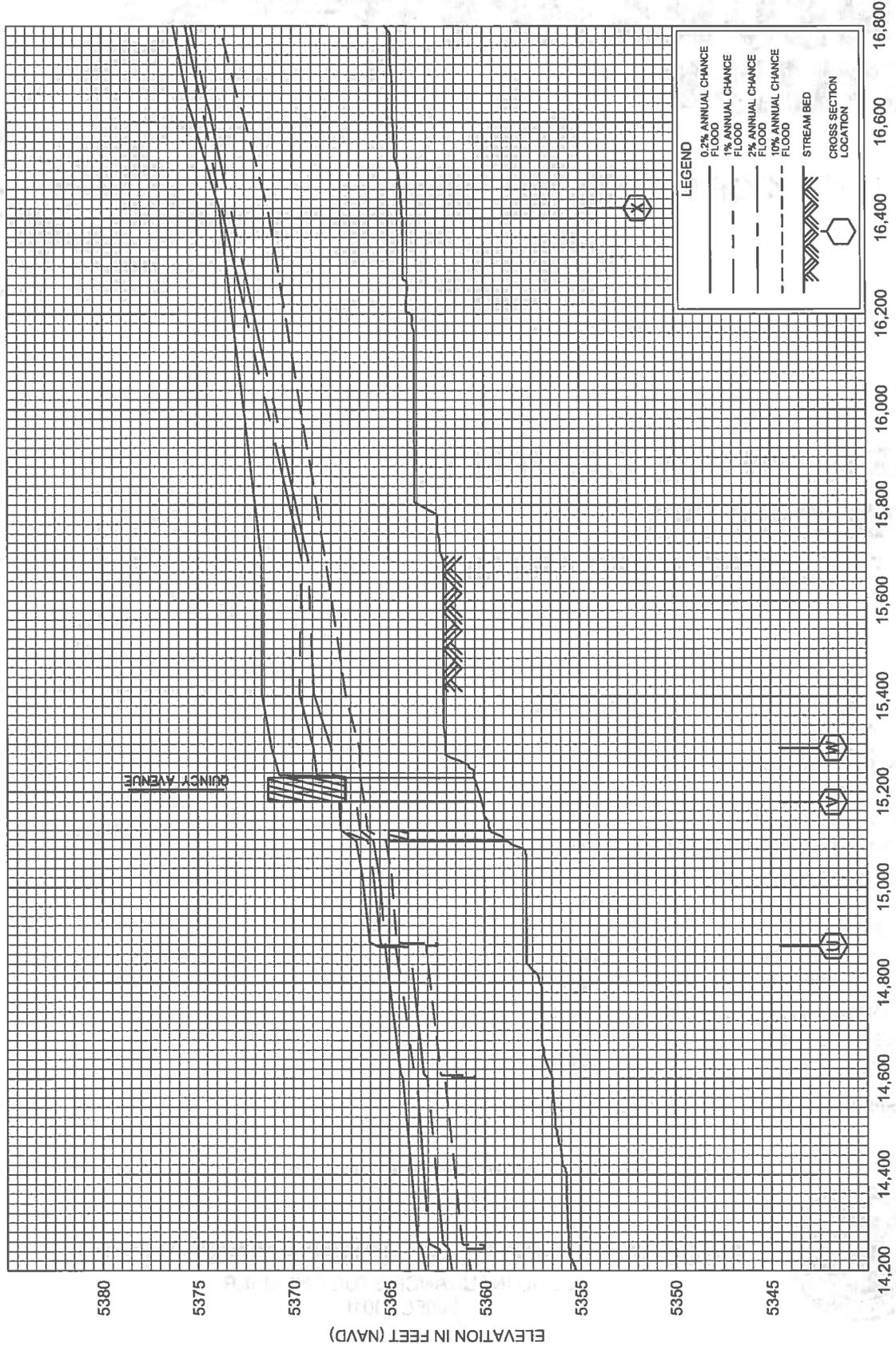
Federal Emergency Management Agency

FLOOD INSURANCE STUDY NUMBER

08005CV003A



STREAM DISTANCE IN FEET ABOVE CONFLUENCE WITH SOUTH PLATTE RIVER



STREAM DISTANCE IN FEET ABOVE CONFLUENCE WITH SOUTH PLATTE RIVER

QUINDT AVENUE

# FLOOD INSURANCE STUDY

VOLUME 1 OF 5



## ARAPAHOE COUNTY, COLORADO AND INCORPORATED AREAS

### Notice

This preliminary FIS report includes only revised Flood Profiles and Floodway Data tables. See "Notice to Flood Insurance Study Users" page for additional details.

Community Name	Community Number
ARAPAHOE COUNTY UNINCORPORATED AREAS	080011
AURORA, CITY OF	080002
CENTENNIAL, CITY OF	080315
CHERRY HILLS VILLAGE, CITY OF	080013
COLUMBINE VALLEY, TOWN OF	080014
*DEER TRAIL, CITY OF	080015
ENGLEWOOD, CITY OF	085074
*FOXFIELD, TOWN OF	080091
GLENDALE, CITY OF	080247
GREENWOOD VILLAGE, CITY OF	080195
LITTLETON, CITY OF	080017
SHERIDAN, CITY OF	080018



\*NO SPECIAL FLOOD HAZARD AREAS IDENTIFIED

REVISED PRELIMINARY  
December 12, 2014



Federal Emergency Management Agency

FLOOD INSURANCE STUDY NUMBER  
08005CV001B

<u>Flooding Source/Location</u>	<u>Drainage Area (Square Miles)</u>	<u>Peak Discharges (Cubic Feet per Second)</u>			
		<u>10% Annual Chance</u>	<u>2% Annual Chance</u>	<u>1% Annual Chance</u>	<u>0.2% Annual Chance</u>
Happy Canyon Creek U/S of Confluence with Cherry Creek	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	3,690	-- <sup>1</sup>
Havana Tributary At confluence with Cottonwood Creek	-- <sup>1</sup>	660	1,080	1,360	1,970
Inverness Tributary At confluence with Cottonwood Creek	-- <sup>1</sup>	530	870	1,100	1,610
Lee Gulch At Confluence with South Platte River	2.5	1,900	2,500	2,900	4,500
Little's Creek At Confluence with South Platte River	2.3	1,800	2,300	2,800	4,200
<b>Little Dry Creek</b>					
Upstream of Uinta Street	0.73	755	1,317	1,587	2,140
Upstream of Arapahoe Road	1.55	1,113	2,157	2,673	3,725
Holly Dam	2.07	1,183	2,413	3,076	4,330
Clarkson Street	23.66	2,275	3,750	4,580	5,970
Logan Street	-- <sup>1</sup>	2,275 <sup>3</sup>	3,210	3,540	5,960
Cinderella Conduit Entrance	-- <sup>1</sup>	2,350 <sup>3</sup>	3,340	3,660	6,090 <sup>3</sup>
South Platte River Confluence	24.96	2,470 <sup>3</sup>	3,420	3,770	6,200
Lone Tree Creek					
Downstream of Arapahoe Airport Runway	0.31	54	227	259	-- <sup>1</sup>
At Cherry Creek Rec. Area Boundary	1.64	1,085	1,841	2,205	-- <sup>1</sup>
Murphy Creek					
Upstream of the Confluence with Murphy Creek Tributary	0.09	86	154	181	234
Downstream of the Confluence with Murphy Creek Tributary	-- <sup>1</sup>	329	592	704	874
Approximately 1,093 upstream of East Alexander Drive	0.98	624	1,168	1,425	1,838
At Mouth	-- <sup>1</sup>	-- <sup>1</sup>	-- <sup>1</sup>	4,450	-- <sup>1</sup>
Murphy Creek Tributary Upstream of the Confluence with Murphy Creek	-- <sup>1</sup>	243	438	525	640
Peoria Tributary At confluence with Cottonwood Creek	-- <sup>1</sup>	430	710	880	1,400
Prairie Dog Draw At Mouth	6.3	850	2,200	3,020	4,600

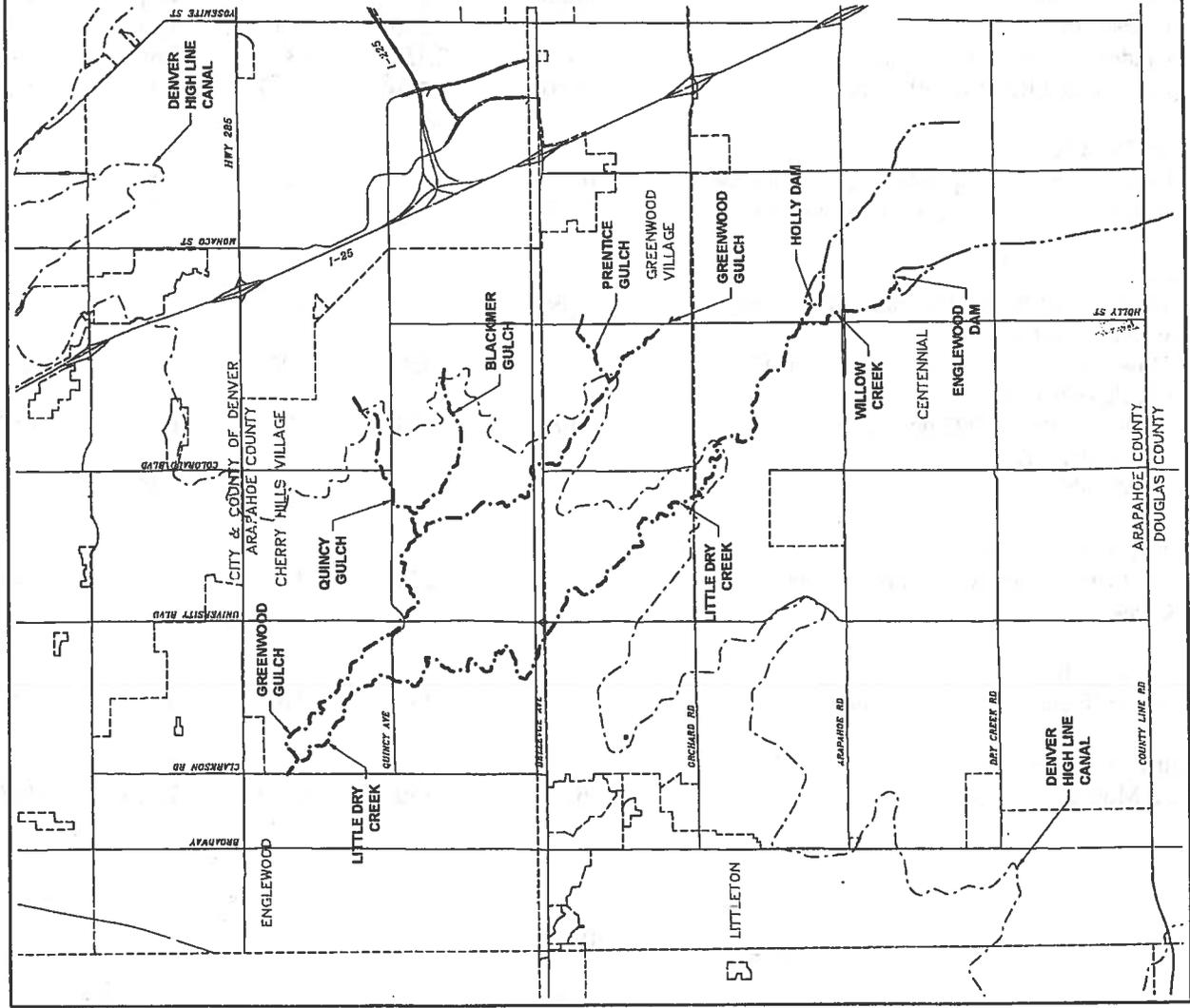
# FLOOD HAZARD AREA DELINEATION LITTLE DRY CREEK (ARAPCO) & TRIBUTARIES

ARAPAHOE COUNTY-CITY & COUNTY OF DENVER  
DENVER WATER\*GREENWOOD VILLAGE  
CHERRY HILLS VILLAGE-CITY OF LITTLETON  
SOUTH SUBURBAN PARKS AND RECREATION DISTRICT  
URBAN DRAINAGE & FLOOD CONTROL DISTRICT

AUGUST 2003



950 SOUTH CHERRY STREET SUITE 404  
DENVER, COLORADO 80246  
PHONE NO: (303) 757-8513  
FAX NO: (303) 758-3208



### LEGEND

- JURISDICTION BOUNDARY
- ROADWAY
- DETAILED STUDY LIMIT

**Table III - 3  
FHAD for Little Dry Creek (ARAPCO) and Tributaries  
Peak Flow Comparison**

Flooding Source and Location	Current FEMA Adopted Flow Rate* (cfs)				1986 McLaughlin Study				2002 WRC Engineering FHAD Study** (cfs)					
	10-Year	50-Year	100-Year	500-Year	100-Year	500-Year	10-Year	50-Year	100-Year	500-Year	10-Year	50-Year	100-Year	500-Year
Blackmer Gulch At Confluence with Greenwood Gulch At Confluence with Quincy Gulch	1390 780	1850 1040	1950 1100	2330 1330	1587 985	1587 985	644 389	1307 794	1587 985	2442 1523				
Little Dry Creek Clarkson Street	2275	3750	4580	5970	4581	4581	1845	3633	4581	6855				
Prentice Gulch At Mouth	640	870	920	1030	811	811	377	712	811	1163				
Quincy Gulch At Confluence with Blackmer Gulch	610	810	850	1000	642	642	280	538	642	986				
Greenwood Gulch At Belview Road At Confluence with Prentice Creek	1800 1700	2550 2300	2750 2450	3200 2800	2640 2112	2640 2112	1156 1058	2191 1842	2640 2112	3959 3225				

\* From the Arapahoe County FIS dated August 16, 1995  
 \*\* Estimated Utilizing the 1986 McLaughlin hydrologic models.

Table V - 1  
FHAD for Little Dry Creek (ARAPCO) and Tributaries  
Floodplain Table

Reach	Station Number	Stream Number	Thalweg Elevation (ft)	10 Year		50 year		100 Year		100 Year 0.5' EGL		100 Year 1.0' EGL		500 Year									
				Flow (cfs)	CWSEL (ft)	Flow (cfs)	CWSEL (ft)	Flow (cfs)	CWSEL (ft)	Velocity (ft/sec)	Area (sq. ft)	Total Width (ft)	Dist. Left (ft)	Dist. Right (ft)	Total Width (ft)	Dist. Left (ft)	Dist. Right (ft)	Flow (cfs)	CWSEL (ft)				
Little Dry Creek	92+85	92-85	5328.5	1323	5334.4	2452	5336.8	3146	5338.9	73	6.1	513	5338.9	73	36	37	5338.9	73	36	37	4822	5342.9	
	93-42	93-42	5328.4	1323	5334.7	2452	5337.2	3146	5339.4	222	4.3	727	5339.4	222	140	82	5339.4	222	140	82	4822	5343.1	
	96+73	96+73	5328.2	1323	5336.4	2452	5338.5	3146	5340.1	163	4.5	696	5340.1	163	87	76	5340.1	163	87	76	4822	5343.2	
	103+61	103+61	5337.7	943	5341.4	1577	5342.7	1934	5343.2	54	10.5	185	5343.2	54	20	34	5343.2	54	20	34	2832	5347.7	
	108+18	108+18	5337.7	943	5346.0	1577	5347.1	1934	5347.6	139	4.6	417	5347.6	139	19	45	5347.6	139	19	45	2832	5348.5	
	108+69	108+69	5337.6	943	5346.1	1577	5347.0	1934	5347.3	51	8.2	236	5347.3	51	25	23	5347.3	51	25	23	2832	5347.7	
	108+89	108+89	5339.1	943	5346.1	1577	5347.4	1934	5348.6	221	4.2	456	5348.6	221	36	24	5348.6	221	36	24	2832	5350.0	
	109+14	109+14	5339.1	943	5346.5	1577	5348.1	1934	5348.9	152	3.5	553	5348.9	152	77	62	5348.9	152	77	62	2832	5350.0	
	111+98	111+98	5340.2	943	5347.0	1577	5348.5	1934	5349.2	177	3.1	629	5349.2	177	44	96	5349.2	177	44	96	2832	5350.4	
	112+06	112+06	5340.2	943	5347.1	1577	5348.5	1934	5349.3	183	3.0	639	5349.3	183	44	96	5349.3	183	44	96	2832	5350.5	
	113+44	113+44	5341.6	943	5347.2	1577	5348.6	1934	5349.3	146	4.2	459	5349.3	146	41	39	5349.3	146	41	39	2832	5350.5	
	114+03	114+03	5341.6	943	5347.3	1577	5348.7	1934	5349.4	172	4.7	414	5349.4	172	71	59	5349.4	172	71	59	2832	5350.6	
	114+09	114+09	5341.7	943	5348.1	1577	5349.2	1934	5349.6	186	4.3	455	5349.6	186	71	59	5349.6	186	71	59	2832	5350.7	
	118+32	118+32	5344.5	943	5350.1	1577	5350.9	1934	5351.3	383	4.5	435	5351.3	383	71	198	5351.3	383	71	198	2832	5351.9	
	118+51	118+51	5344.5	943	5351.2	1577	5351.6	1934	5351.7	480	3.6	538	5351.7	480	77	198	5351.7	480	77	198	2832	5352.2	
	121+53	121+53	5346.2	943	5351.9	1577	5352.6	1934	5352.9	180	5.5	355	5352.9	180	103	26	5352.9	180	103	26	2832	5353.3	
	129+82	129+82	5349.6	943	5355.3	1577	5356.4	1934	5356.9	124	5.7	338	5356.9	124	54	31	5356.9	124	54	31	2832	5357.9	
	134+89	134+89	5351.7	943	5357.5	1577	5358.4	1934	5359.0	194	3.7	523	5359.0	194	181	19	5359.0	194	181	19	2832	5360.0	
	136+03	136+03	5352.6	943	5358.3	1577	5359.0	1934	5359.2	159	6.4	300	5359.2	159	126	29	5359.2	159	126	29	2832	5360.0	
	136+15	136+15	5352.7	943	5359.3	1577	5360.1	1934	5360.4	176	3.7	522	5360.4	176	121	29	5360.4	176	121	29	2832	5361.1	
	138+97	138+97	5354.1	943	5359.8	1577	5360.6	1934	5361.0	106	5.8	335	5361.0	106	65	25	5361.0	106	65	25	40	2832	5361.7
	142+45	142+45	5355.6	943	5360.9	1577	5361.9	1934	5362.4	165	4.3	452	5362.4	165	125	92	5362.4	165	125	92	2832	5363.3	
	142+57	142+57	5355.6	943	5361.1	1577	5362.2	1934	5362.6	172	3.9	500	5362.6	172	74	91	5362.6	172	74	91	2832	5363.3	
	146+02	146+02	5356.4	943	5362.1	1577	5363.0	1934	5363.4	146	4.4	441	5363.4	146	53	87	5363.4	146	53	87	2832	5364.5	
	146+10	146+10	5356.4	943	5362.3	1577	5363.2	1934	5363.6	144	4.1	471	5363.6	144	53	82	5363.6	144	53	82	2832	5364.4	
	148+77	148+77	5357.8	943	5363.1	1577	5363.9	1934	5364.6	173	6.2	310	5364.6	173	140	33	5364.6	173	140	33	2832	5365.2	
	148+85	148+85	5357.8	943	5364.6	1577	5365.2	1934	5365.5	202	4.2	457	5365.5	202	164	38	5365.5	202	164	38	2832	5366.0	
	150+25	150+25	5357.8	943	5364.8	1577	5365.5	1934	5365.8	134	5.5	349	5365.8	134	45	34	5365.8	134	45	34	2832	5366.4	
	150+97	150+97	5358.9	943	5365.1	1577	5365.8	1934	5366.1	134	7.1	274	5366.1	134	53	34	5366.1	134	53	34	2832	5366.7	
	151+20	151+20	5360.0	943	5365.9	1577	5366.6	1934	5367.0	147	5.5	349	5367.0	147	54	33	5367.0	147	54	33	2832	5367.5	
	151+79	151+79	5360.1	943	5366.2	1577	5366.7	1934	5367.0	65	6.2	314	5367.0	65	36	29	5367.0	65	36	29	2832	5367.6	
	152+35	152+35	5360.5	1007	5366.4	1881	5367.9	2308	5368.4	73	5.2	448	5368.4	73	38	30	5368.4	73	38	30	3368	5370.7	
	152+92	152+92	5362.0	1007	5366.4	1881	5368.0	2308	5368.5	405	6.2	375	5368.5	405	127	90	5368.5	405	127	90	3368	5371.1	
	154+05	154+05	5362.1	1007	5367.2	1881	5368.9	2308	5369.5	412	2.2	1029	5369.5	412	185	138	5369.5	412	185	138	3368	5371.6	
	156+88	156+88	5362.1	1007	5368.3	1881	5369.2	2308	5369.4	192	8.6	267	5369.4	192	33	86	5369.4	192	33	86	3368	5371.8	
	164+21	164+21	5364.2	1007	5371.3	1881	5373.2	2308	5373.7	422	3.6	642	5373.7	422	150	130	5373.7	422	150	130	3368	5373.8	
	166+25	166+25	5364.7	1007	5372.6	1881	5374.3	2308	5374.4	427	3.1	748	5374.4	427	160	98	5374.4	427	160	98	3368	5375.3	
	166+37	166+37	5364.7	1007	5372.7	1881	5372.7	2308	5374.4	424	3.0	758	5374.4	424	180	63	5374.4	424	180	63	3368	5375.4	
	168+40	168+40	5365.3	1007	5374.0	1881	5375.5	2308	5375.8	199	6.0	384	5375.8	199	91	62	5375.8	199	91	62	3368	5376.4	
	168+54	168+54	5365.3	1007	5374.1	1881	5375.8	2308	5376.3	299	4.4	528	5376.3	299	28	67	5376.3	299	28	67	3368	5377.0	
	177+63	177+63	5367.6	1007	5376.9	1881	5379.7	2308	5380.2	124	3.8	611	5380.2	124	110	65	5380.2	110	65	65	3368	5381.1	
	177+77	177+77	5367.6	1007	5377.2	1881	5379.9	2308	5380.4	275	4.0	575	5380.4	275	56	54	5380.4	275	56	54	3368	5381.6	
	178+89	178+89	5368.3	1007	5377.2	1881	5379.9	2308	5381.0	133	3.3	693	5381.0	133	60	23	5381.0	60	37	23	3368	5382.0	
	182+23	182+23	5368.9	1007	5378.1	1881	5380.4	2308	5381.0	55	4.9	470	5381.0	55	70	31	5381.0	70	39	31	3368	5382.8	
	185+79	185+79	5370.9	1007	5378.7	1881	5380.9	2308	5381.6	112	8.3	280	5381.6	112	53	17	5381.6	53	41	17	3368	5385.5	
	189+12	189+12	5374.2	1007	5380.6	1881	5383.0	2308	5383.9	36	5.3	439	5383.9	36	36	19	5383.9	36	36	19	3368	5386.6	
	193+78	193+78	5374.5	1007	5382.0	1881	5384.3	2308	5385.1	111	4.8	477	5385.1	111	85	25	5385.1	85	25	25	3368	5388.9	
	198+04	198+04	5383.2	1007	5387.0	1881	5390.4	2308	5392.2	115	7.9	291	5392.2	115	49	29	5392.2	49	29	45	3368	5394.2	
206+76	206+76	5383.6	1007	5391.5	1881	5392.8	2308	5393.2	221	4.0	570	5393.2	221	108	88	5393.2	108	88	24	3368	5394.8		
208+04	208+04	5386.2	1007	5392.0	1881	5393.4	2308	5393.8	240	5.6	505	5393.8	240	96	72	5393.8	96	72	24	3368	5394.8		
208+15	208+15	5386.2	1007	5392.1	1881	5393.3	2308	5393.8	221	4.4	424	5393.8	221	99	24	5393.8	99	24	24	3368	5394.8		
211+27	211+27	5386.1	1007	5393.5	1881	5394.9	2308	5395.7	246	4.1	569	5395.7	246	110	19	5395.7	110	19	19	3368	5396.0		
218+61	218+61	5389.0	1007	5395.3	1881	5396.7	2308	5397.2	353	6.2	371	5397.2	353	67	55	5397.2	67	55	12	3368	5398.0		
222+58	222+58	5390.2	1007	5397.5	1881	5399.2	2308	5399.7	90	8.1	284	5399.7	90	34	15	5399.7	34	15	19	3368	5400.5		
224+77	224+77	5393.5	1007	5399.1	1881	5401.0	2308	5401.6	311	2.8	827	5401.6	311	204	81	5401.6	204	81	123	3368	5402.9		
224+88	224+88	5394.0	1007	5399.3	1881	5401.0	2308	5401.6	281	3.0	782	5401.6	281	204	85	5401.6	204	85	72	3368	5402.9		



**Appendix D – Annotated Maps**



PANEL 0164K

**FIRM ANNOTATED  
FLOOD INSURANCE RATE MAP  
ARAPAHOE COUNTY,  
COLORADO  
AND INCORPORATED AREAS**

**PANEL 184 OF 725**  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**  
ARAPAHOE COUNTY  
CHERRY HILLS VILLAGE  
CITY OF  
INWOOD CITY OF

**NUMBER PANEL SUFFIX**  
0001 0184 K  
0003 0184 K  
0004 0184 K

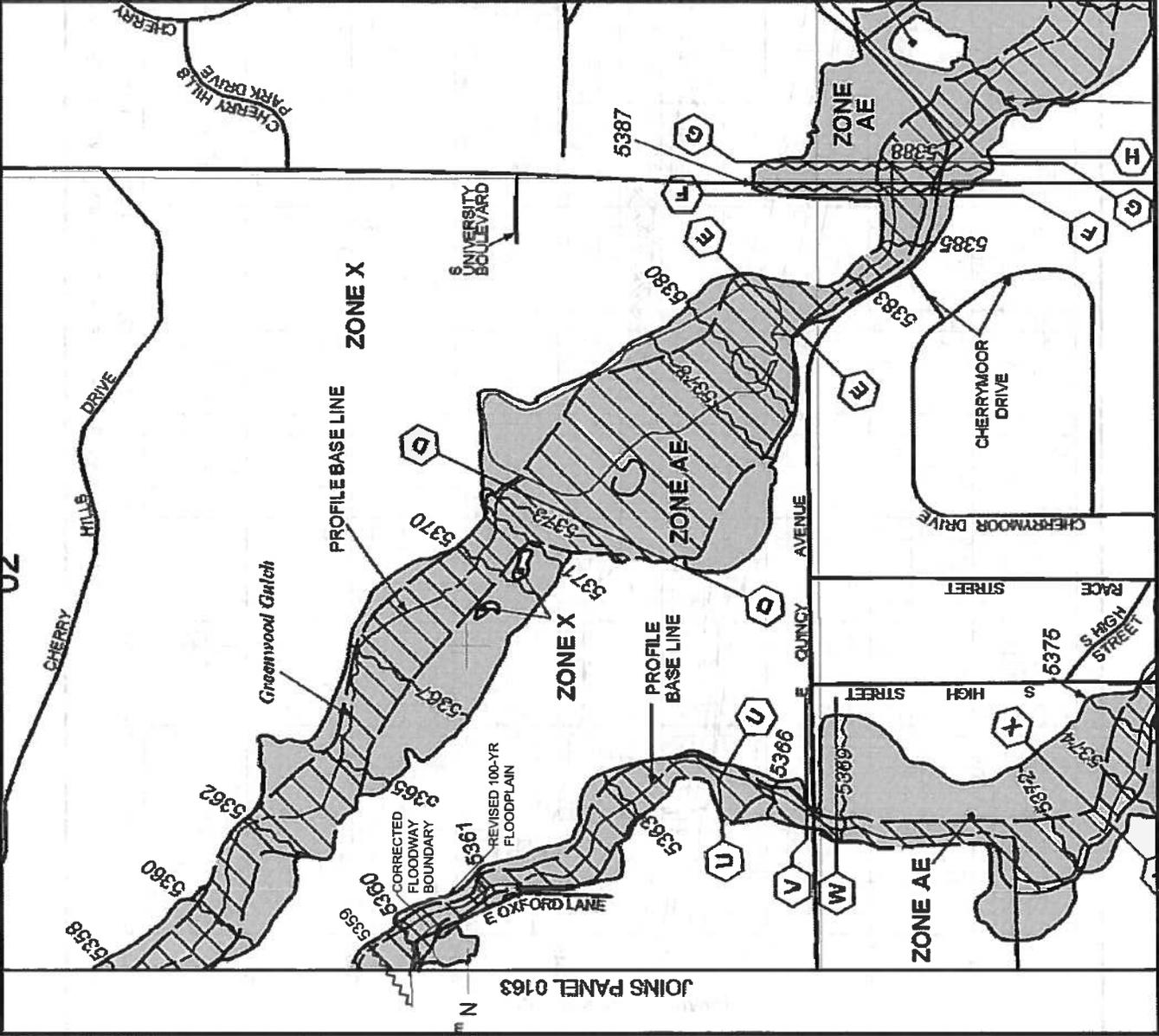
**MAP NUMBER**  
08008C0164K  
**MAP REVISED**  
DECEMBER 17, 2010



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

NATIONAL FLOOD INSURANCE PROGRAM



JOINS PANEL 0163



Site Limits

Legend  
WS 500-Yr  
WS 100-Yr  
WS 50-Yr  
WS 10-Yr  
Ground

LEGEND  
0.2% ANNUAL CHANGE FLOOD  
1% ANNUAL CHANGE FLOOD  
5% ANNUAL CHANGE FLOOD  
10% ANNUAL CHANGE FLOOD  
STREAM BED  
CROSS SECTION LOCATION

**Appendix E – ESA Compliance Letter**



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
COLORADO FIELD OFFICE/LAKEWOOD  
P.O. BOX 25486, DENVER FEDERAL CENTER  
DENVER, COLORADO 80225-0486

IN REPLY REFER TO:  
ES/CO: FEMA  
TAILS: 06E24000-2015-TA-0755

JUL 7 2015

Jay Peters  
Entitlement and Engineering Solutions, Inc.  
518 17<sup>th</sup> Street, Suite 1575  
Denver, Colorado 80202

Dear Mr. Peters:

Based on the authority conferred to the U.S. Fish and Wildlife Service (Service) by the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), the Service reviewed your June 9, 2015, letter regarding earthwork grading in the floodplain of Little Dry Creek at 1530 East Oxford Drive in Cherry Hills Village in Arapahoe County, Colorado, and its potential effects on federally protected species. The project is within the range of three species: the threatened Preble's meadow jumping mouse (*Zapus hudsonius preblei*), the threatened Ute ladies'-tresses orchid (*Spiranthes diluvialis*), and the threatened Colorado butterfly plant (*Gaura neomexicana ssp. coloradensis*).

The project site is bounded by the Cherry Hills Country Club to the north and east, and single family residential homes to the south and west. The existing project site is a residence covered with a Kentucky bluegrass lawn, trees, and shrubs surrounded by dense residential and commercial development. The project area is within the Denver Metro block-clearance zone for the Preble's meadow jumping mouse. Further, the site does not support the subirrigated wetlands typically associated with the Ute ladies'-tresses orchid and the Colorado butterfly plant.

Given your assessment of the habitat in the project area, the Service finds the report acceptable and agrees that habitat for any species federally listed as threatened or endangered is not present within the project area. Thus, the Service agrees with the determination that the impacts resulting from the proposed project will not impact any of these species.

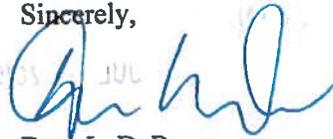
Please note that reinitiation of consultation will be required if:

1. New information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion;
2. The action is subsequently modified in a manner that causes an adverse effect to the listed species or critical habitat that was not considered in this opinion; or
3. A new species is listed or critical habitat designated that may be affected by the action.

If the proposed project has not commenced within one year, please contact the Colorado Field Office to request an extension.

We appreciate your submitting this report to our office for review and comment. If the Service can be of further assistance, please contact Alison Deans Michael of my staff at (303) 236-4758.

Sincerely,



Drue L. DeBerry  
Acting Colorado Field Supervisor

ec: Michael Nakagaki, FEMA (michael.nakagaki@fema.dhs.gov)  
David Mallory, Urban Drainage and Flood Control District (dmallory@udfcd.org)  
Michael

Ref: Alison\H:\My Documents\Other Consultations\1530\_E\_Oxford\_Drive\_CLOMR\_NE\_agree.docx



**EES**

**Entitlement and Engineering  
Solutions, Inc**

June 9<sup>th</sup>, 2015

Mr. Drue DeBerry, Acting Field Supervisor  
USFWS Ecological Services Field Office  
P.O. Box 25486  
Denver Federal Center  
Denver, Colorado 80225

Re: ESA Compliance for FEMA Floodplain Map Revision Request  
Little Dry Creek – 1530 East Oxford Drive  
Cherry Hills Village, Colorado

Dear Mr. DeBerry:

We are requesting a conditional letter of map revision (CLOMR) from FEMA to perform earthwork grading in the floodplain of Little Dry Creek at 1530 East Oxford Drive in Cherry Hills Village. As part of FEMA's review process, they are requesting we demonstrate to FEMA the site grading meets ESA compliance. Per FEMA's requirements, we request that your office please review the following information and attachments and make a determination whether there is 'no effect', 'not likely to adversely affect', or if an ITP is required.

The Project site is bounded by the Cherry Hills Country Club to the north and east, and single family residential homes to the south and west (see attached site map). The existing project site is a residence covered with a Kentucky bluegrass lawn, trees, and shrubs. Attached are site photos along the project boundaries.

The Owner is planning to conduct earthwork grading in an area that is currently mapped in the Little Dry Creek floodplain. The grading work is for the construction of a new residence, a pool, and new landscaping.

Thank you for reviewing this information. If you have any questions, or need additional information, please contact me at 303.503.4085 or [jay.peters@ees.us.com](mailto:jay.peters@ees.us.com).

Sincerely,

Jay Peters, PE  
Sr. Project Manager

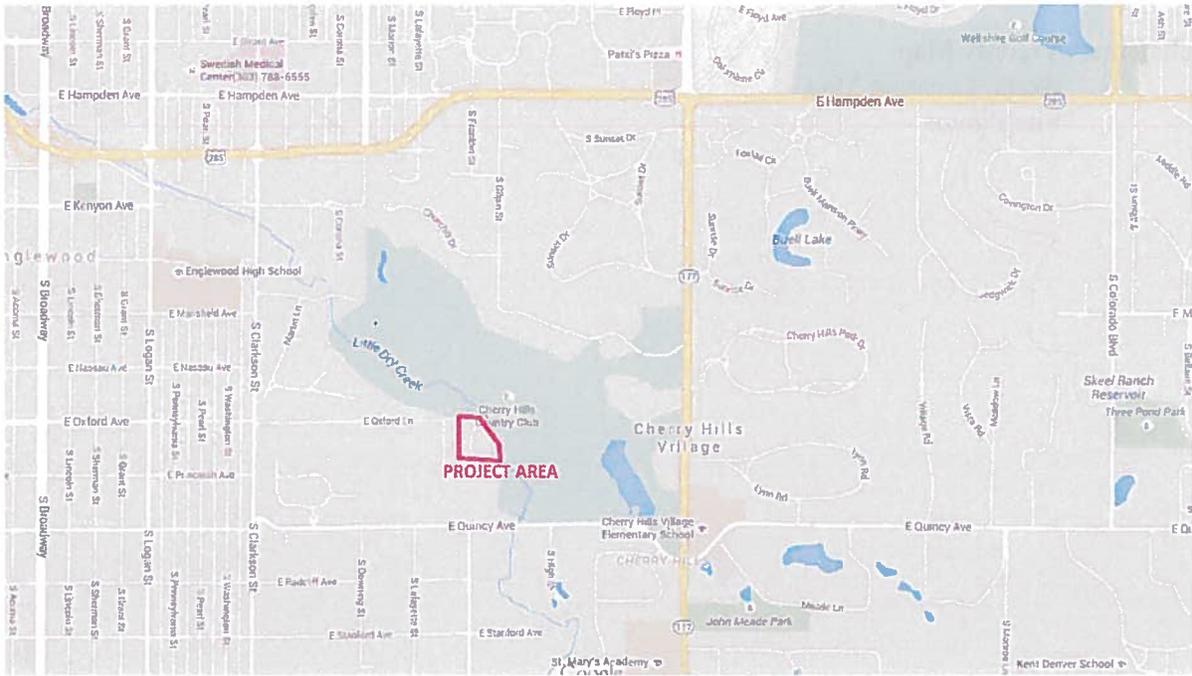


**EES**

**Entitlement and Engineering  
Solutions, Inc**

Attachments: Vicinity Map  
Aerial Location Map  
Site Photos

# Vicinity Map



Map Data © 2014 Google



Cherry Hills  
Country Club

Little Dry Creek

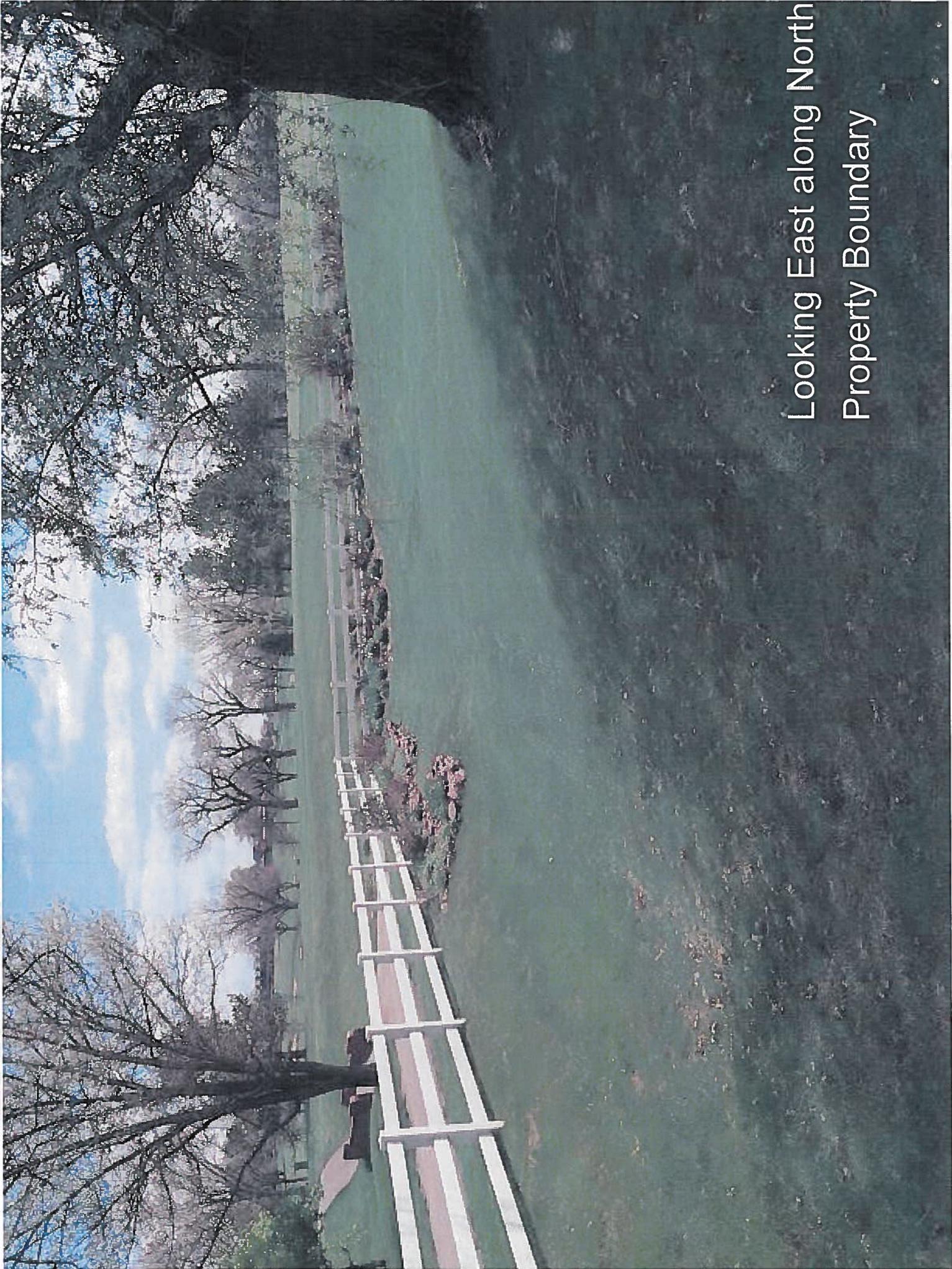
E Oxford Ln

S Humboldt St

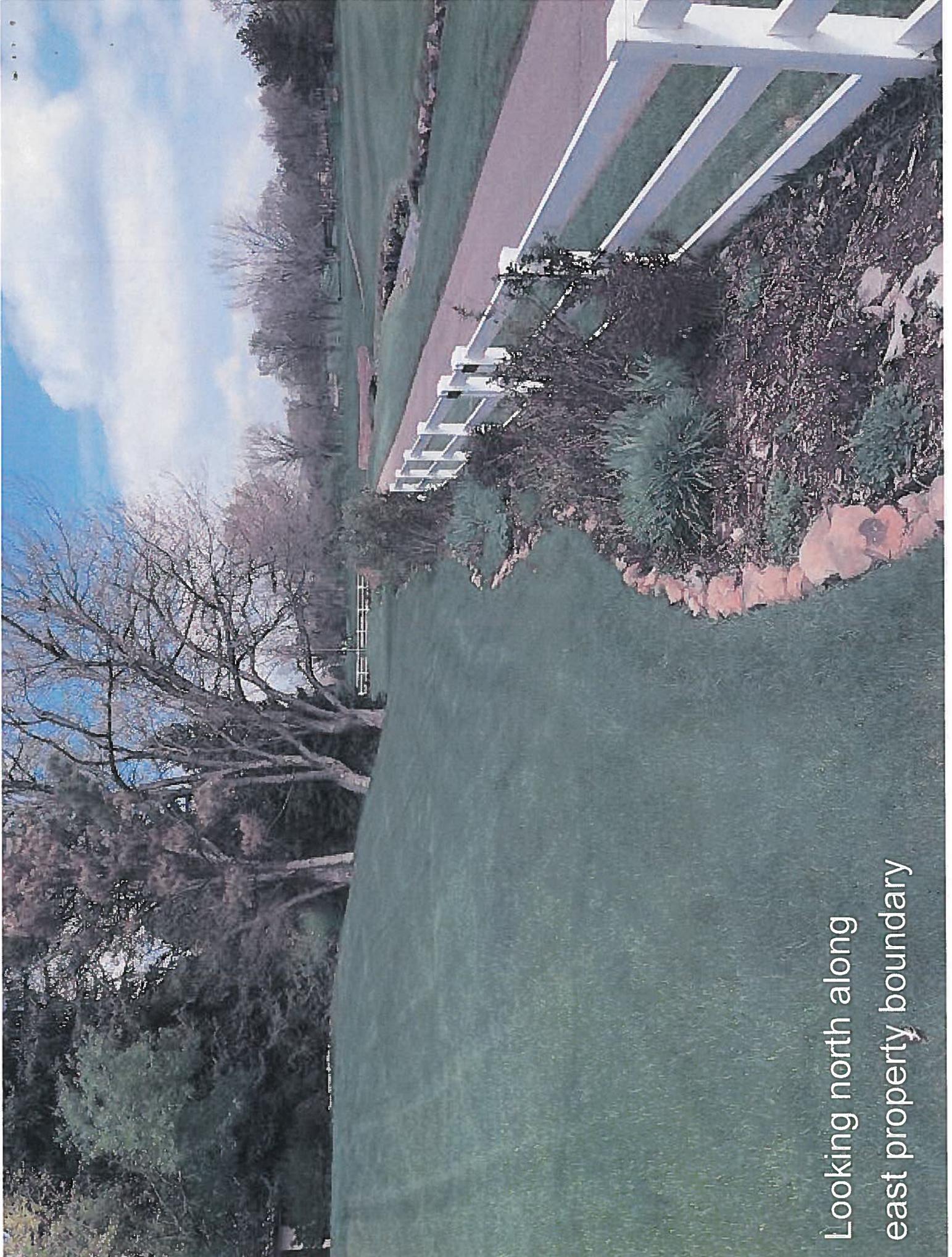
Project Limits

Vicinity Map  
Helen Residence

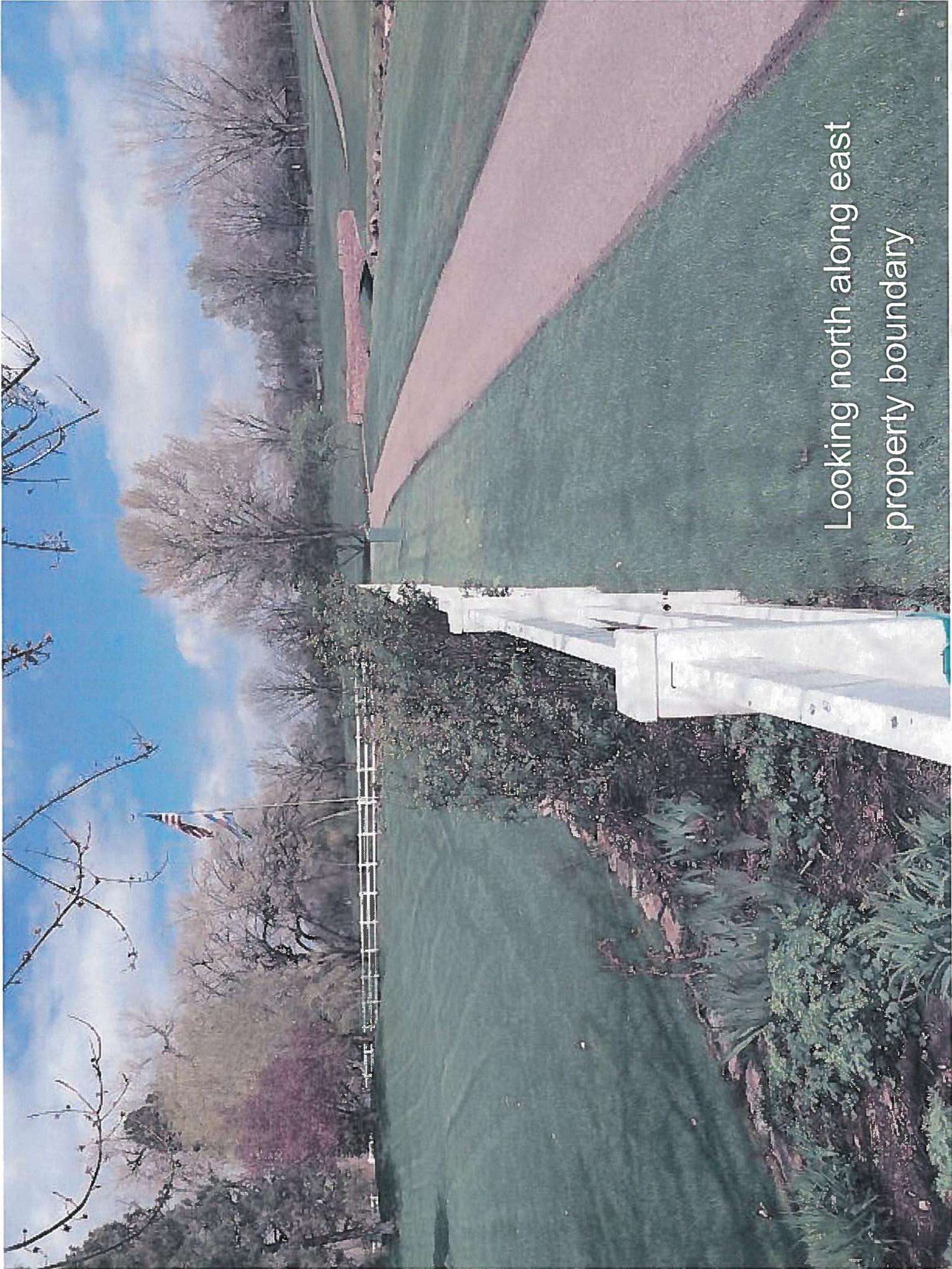
E Quincy Ave



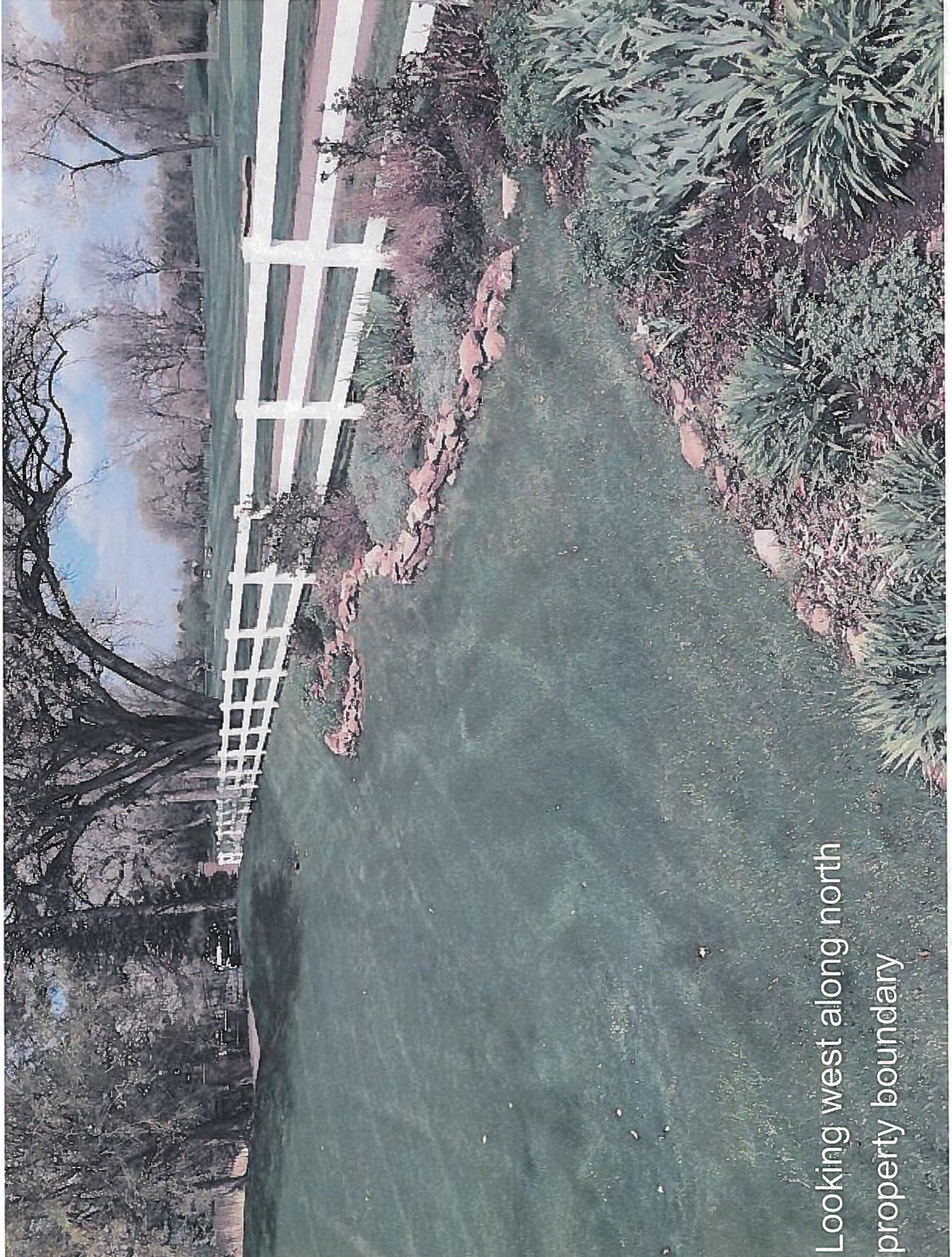
Looking East along North  
Property Boundary



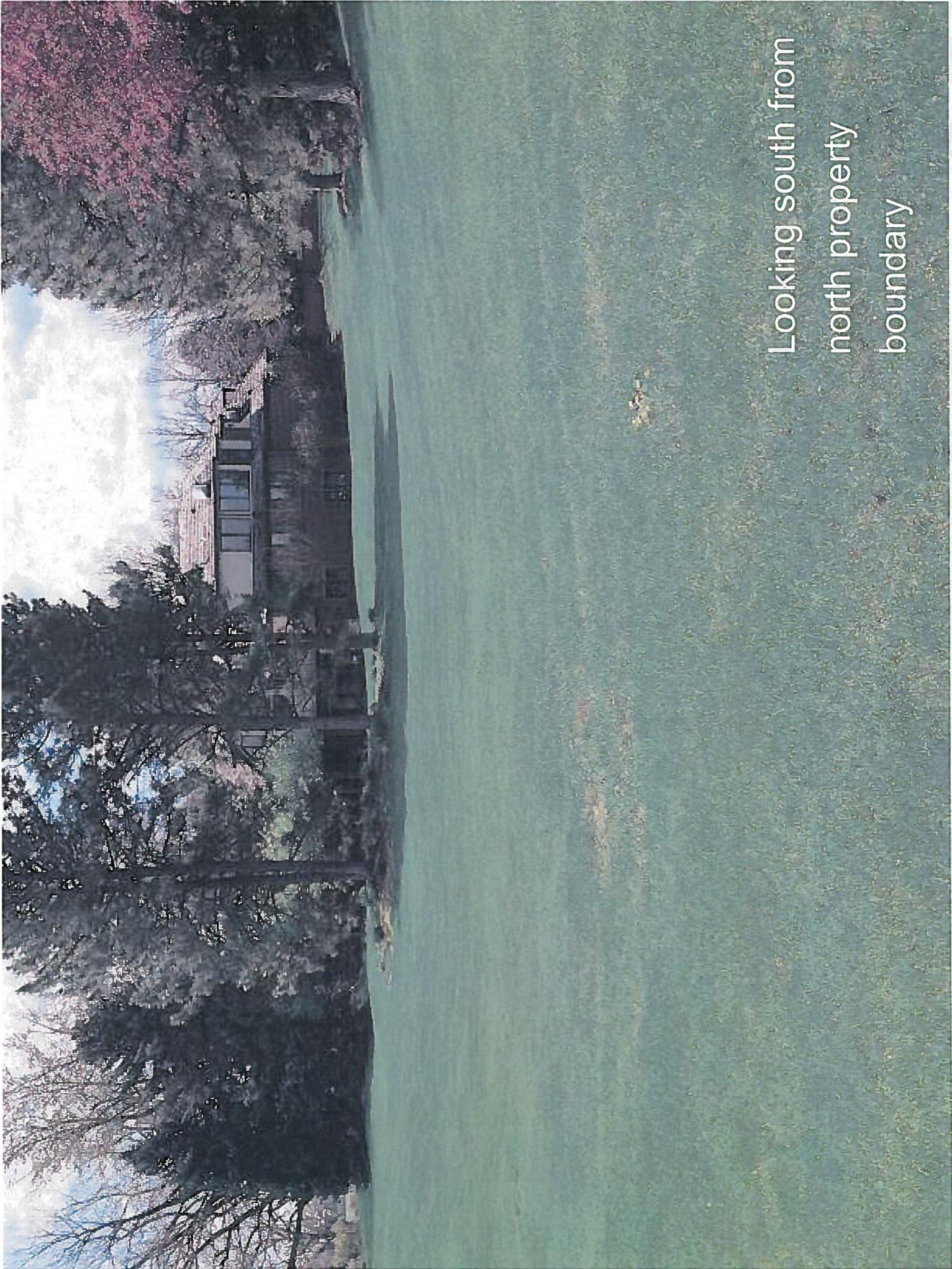
Looking north along  
east property boundary



Looking north along east  
property boundary



Looking west along north  
property boundary

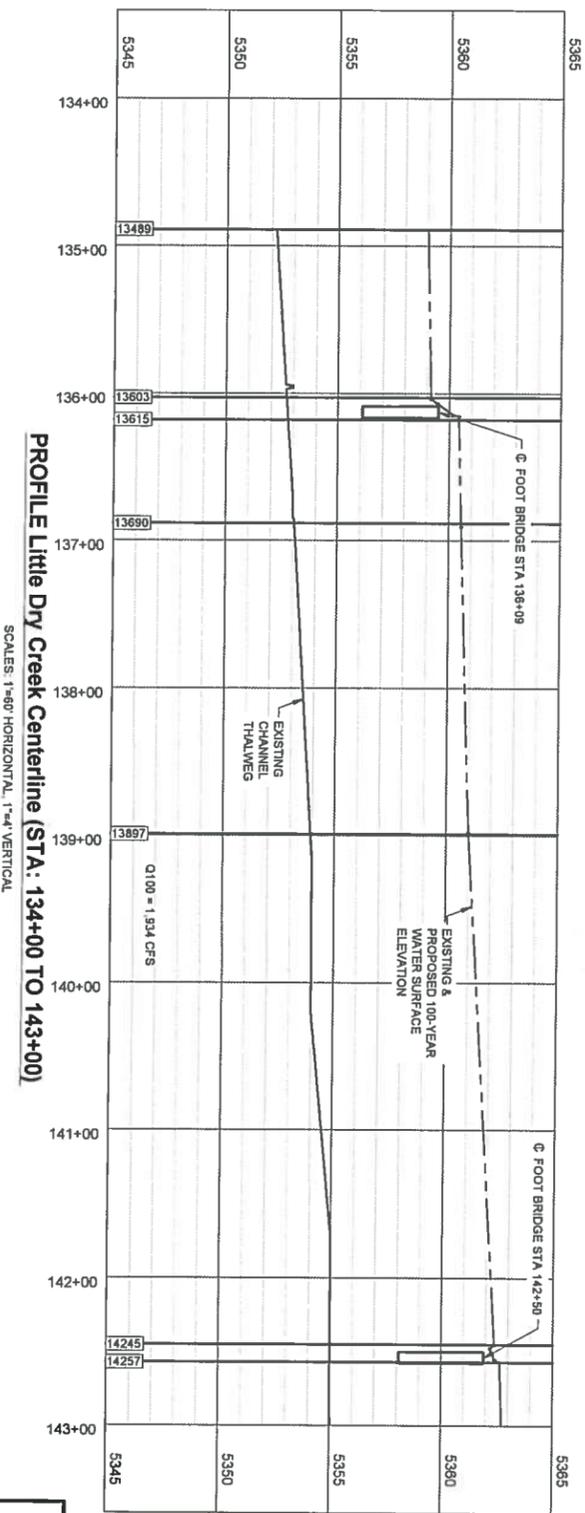
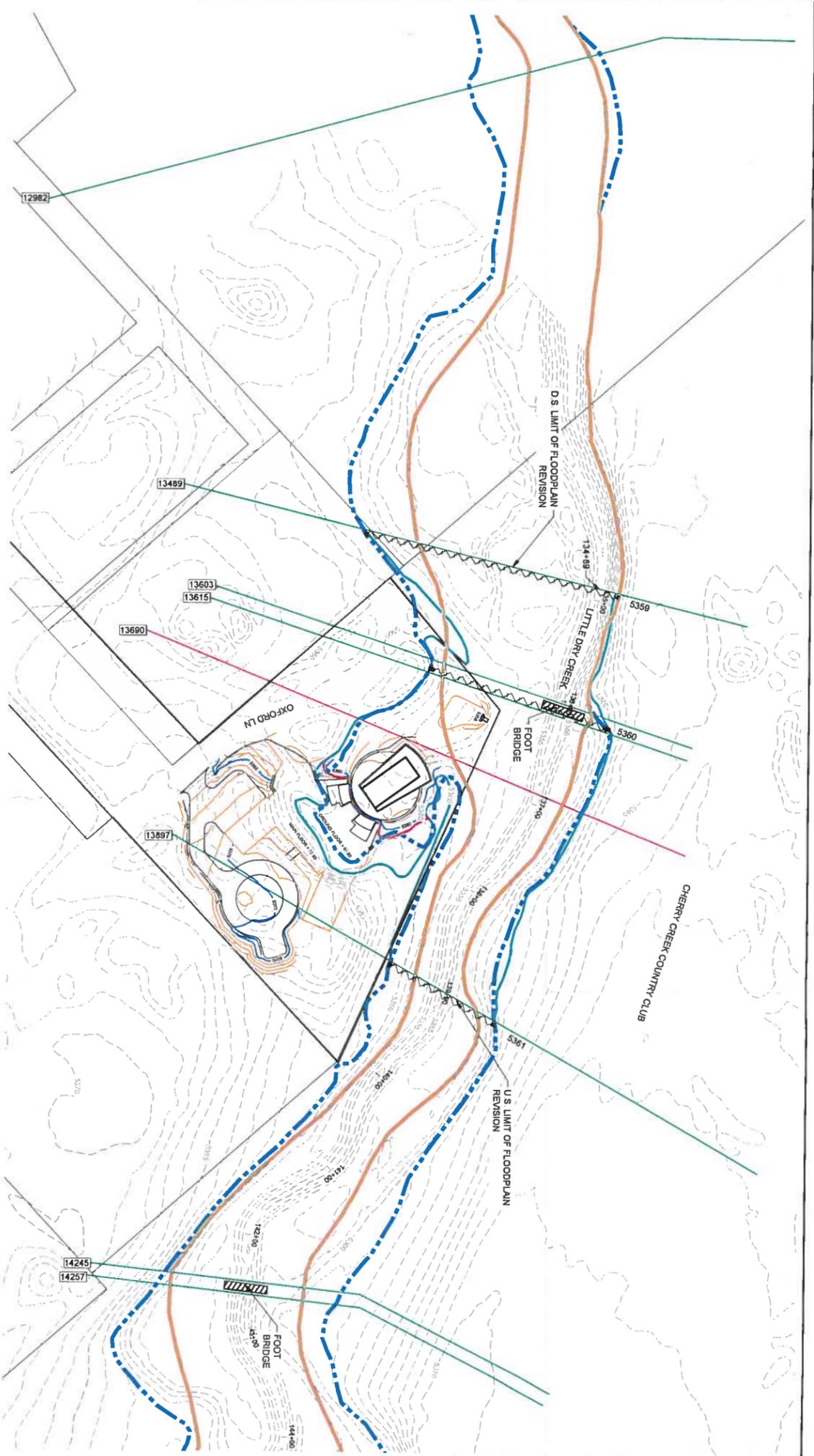


Looking south from  
north property  
boundary

Request for CLOMR  
1530 E. Oxford Lane – Cherry Hills Village

**Appendix F – Digital Media**

**Appendix G – Work Map**

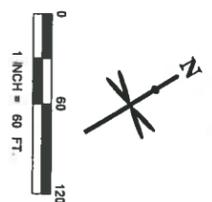


**PROFILE Little Dry Creek Centerline (STA. 134+00 TO 143+00)**

SCALE: 1"=60' HORIZONTAL, 1"=4' VERTICAL

**EXPLANATION OF SYMBOLS**

- EFFECTIVE 100-YR FLOODPLAIN
- PRE-PROJECT CORRECTED 100-YR FLOODPLAIN
- POST PROJECT FLOOD BOUNDARY
- FLOODWAY
- HEC-RAS CROSS SECTION
- EXISTING CONTOUR
- PROPOSED CONTOUR
- LIMITS OF REVISED MAPPING



**ENGINEER CERTIFICATION**  
 THE REVISED FLOODPLAIN INFORMATION ON THIS TOPOGRAPHIC WORK MAP HAS BEEN PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND IS CORRECT TO THE BEST OF MY KNOWLEDGE.

ENGINEER'S SIGNATURE AND DATE \_\_\_\_\_

**NOTES:**

1. ELEVATIONS REFERENCE NAD83, VERTICAL DATUM.
2. TOPOGRAPHIC DATA PREPARED BY DAVID ARCHER & ASSOCIATES, ARAPAHOE COUNTY.
3. PRE-PROJECT DATA SOURCE: ICON ENGINEERING, 2003 LDC PLAT.
4. LIMITS OF WORKMAP IS WITHIN THE CHERRY HILLS VILLAGE JURISDICTION.

<p><b>TOPOGRAPHIC WORK MAP</b></p> <p>CHERRY HILLS VILLAGE, COLORADO</p> <p><b>HELEN RESIDENCE</b></p>		<p><b>PRELIMINARY NOT FOR CONSTRUCTION</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">No.</th> <th style="width: 60%;">REVISION</th> <th style="width: 10%;">BY</th> <th style="width: 20%;">DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	REVISION	BY	DATE																
No.	REVISION	BY	DATE																				
<p>PROJECT NO. RMT 001.01</p> <p>DESIGNED BY: JSP</p> <p>DRAWN BY: BWS</p> <p>DATE: 12/29/2015</p> <p><b>C1.0</b></p> <p>SHEET 1 OF 4</p>																							

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# Phase III Drainage Report

**Helen Residence**

**1530 East Oxford Lane  
Cherry Hills Village, Colorado 80113**

**12/08/2015**

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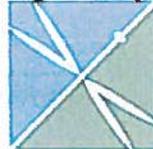
Prepared For:

**Ruggles Mabe Terrell**

3200 Cherry Creek South Drive, #410  
Denver, Colorado 80209

---

Prepared By:



**EES**

**Entitlement and Engineering  
Solutions, Inc.**

Jay Peters, P.E.

518 17<sup>th</sup> Street, Suite 1575

Denver, CO 80202

Phone: (303) 572-7997

Email: [jay.peters@ees.us.com](mailto:jay.peters@ees.us.com)

---

**CERTIFICATION STATEMENT:**

“I hereby affirm that this Phase III Drainage report and plan for the Helen Residence was prepared by me, or under my direct supervision, for the owners thereof, in accordance with the provisions of Arapahoe County Stormwater Management Manual and the Urban Drainage and Flood Control District Criteria Manual, and approved variance and exceptions thereto. I understand that Cherry Hills Village does not and will not assume liability for drainage facilities designed by others.”

SIGNATURE: \_\_\_\_\_  
Registered Professional Engineer  
State of Colorado No. \_\_\_\_\_  
(Affix Seal)

“Ruggles Mabe Terrell hereby certifies that the drainage facilities for Helen Residence shall be constructed according to the design presented in this report. I understand that Cherry Hills Village does not and will not assume liability for drainage facilities designed and/or certified by my engineer and that Cherry Hills Village reviews drainage plans pursuant to Colorado Revised Statutes Title 30, Article 28; but cannot, on behalf of the Ruggles Mabe Terrell guarantee that the final drainage design review will absolve Ruggles Mabe Terrell and/or their successors and/or assigns of future liability for improper design. I further understand that approval of the Final Plat, Final Development Plan and/or Subdivision Development Plan does not imply approval of my engineer’s drainage design.

Ruggles Mabe Terrell  
Name of Developer/Authorized Agent

\_\_\_\_\_  
Authorized Signature

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2. NRCS Soils Information
3. Geotechnical Report Excerpts
4. Rational Method Hydrology Calculations
5. EURV Calculations
6. EURV Orifice Plate Calculations
7. 100-Year Orifice Plate Calculations
8. Stage Storage Table
9. Pipe and Swale Hydraulic Calculations
10. Flood Insurance Rate Map
11. Drainage Map

## General Location and Description

### **a. Site Location**

The proposed Helen Residence is located at 1530 East Oxford Lane in Cherry Hills Village on the border of the Southeast and Southwest quarters of Section 2, Township 5 North, and Range 68 of the 6<sup>th</sup> Principal Meridian. The latitude and longitude for the site is 39.64157°, -104.96853°.

The site is bound to the south by a residence at 1550 East Oxford Lane, to the west by a residence at 1516 East Oxford Lane and South Humboldt Street, to the north and east by the Cherry Hills Country Club.

The existing site is a single family home that will be redeveloped into a new single family home. The surrounding area is made of up of other single family homes and the Cherry Hill Country Club.

### **b. Description of Property**

The parcel of land at 1530 East Oxford Lane is 2.7 acres, but the land impacted by the development of the Helen Residence will be east of the shared driveway.

The site is currently a house with a driveway. The remainder of the site is made up of landscaping and the shared driveway of East Oxford Lane. The site slopes 1 to 5% generally from the south to the north and east. A majority of the site is conveyed to an existing attenuation area before discharging to Little Dry Creek through a 12-inch outlet pipe.

The Project consists of demolishing the existing residence and constructing a new residence, including construction of a new pool, hardscape, and landscaping.

The Natural Resources Conservation Service (NRCS) defines the existing soils across the proposed site as Bresser-Truckton sandy loams at 3 to 5% slopes at the western end of the site near Humboldt Street, Nunn loam at 1 to 3% slopes for the majority of the construction area, and Loamy alluvial land along boundary with Little Dry Creek. The properties and qualities for such soils are well draining and categorized as Hydrologic Soil Groups B for the Bresser-Truckton, Group C for the Nunn Loam, and Group B for the Loamy alluvial. Nunn Loam makes up over 77% of the site.

A Geotechnical Engineering Report was prepared by ATEST, Inc. dated February 6, 2015 (Geotechnical Report). The borings on-site encountered mainly sandy clay soils around the proposed house with some areas of clayey sand to silty sand. The one borehole in the future lawn and pool area indicated a thin layer of sandy clay coving silty sand. Bedrock exists approximately 30-35 feet deep and is overlaid with silty sand or sandy clay. Groundwater was encountered at a depth of 5-15-feet below existing site grade. The higher ground water was encountered in the lower lying areas of the site proposed for the landscaping and the pool.

A portion of the property lies within Zone AE of the Little Dry Creek floodplain as illustrated by the FHAD and Flood Insurance Rate Map (FIRM). The flood information is found on the FIRM for Arapahoe County, Colorado and Incorporated Areas, Panel 164

of 725, Map Number 08005C0164K, map revised December 17, 2010. A floodplain study is being prepared separately to address grading and site work within the regulatory floodplain.

No irrigation canals or ditches exist on-site. Additionally, no significant geologic features exist on-site.

## **Drainage Basins and Sub-Basins**

### **a. Major Drainage Basins**

The site is located within the Little Dry Creek watershed. Little Dry Creek flows to the northwest to where it joins The South Platte River. UDFCD completed a FHAD for the the Creek in 2003. The channel is located on the Cherry Hills Country Club and flows near the east and north boundaries of the project site.

### **b. Minor Drainage Basins**

The site is an existing single family home with drainage patterns typically from the southwest to the north. Flow from the south of the existing home and portions of the driveway drains to an informal swale running along the southern property line to Little Dry Creek. The eastern half of the site drains north via a shallow swale within the property to small attenuation area at the north end of the site. The western half of the site drains north within the property boundary through swales running along the fence line and either side of the shared private drive (extension of Oxford Lane). A combination of a culvert and concrete pan connects these swales to the detention pond. The detention area connects to Little Dry Creek on the Cherry Hills Country Club through a 12-inch outlet pipe. The existing imperviousness of the site contributing to this pipe is 28%. There also is a swale and underdrain from the neighboring west property that appears to drain onto the site.

The intention is to maintain the existing drainage patterns on-site with a series of swales that will convey runoff into an improved detention and water quality pond at the current location on the northeast corner of the site.

## **Existing Stormwater Infrastructure**

### **a. Existing Stormwater Conveyance Facilities**

The existing conveyance infrastructure on-site consists of swales, a 12-inch culvert under the shared access road and a 12-inch outlet pipe to Little Dry Creek. The existing pipes will be left in place and utilized as part of the new storm system.

### **b. Existing Stormwater Storage Facilities**

There is an existing detention area at the north end of the site. Most runoff from the site is conveyed to this detention area. There is a 12-inch outlet pipe that connects directly to the Little Dry Creek Channel. This detention area will be improved to accommodate the required volume for the redevelopment and incorporate water quality treatment and EURV.

## Drainage Design Criteria

### **a. Regulations**

Drainage concepts and design for this project adhere to the standards and criteria set forth in the Arapahoe County Stormwater Management Manual (ACSMM) and Urban Drainage Flood Control District's (UDFCD) Urban Storm Drainage Criteria Manuals (UDSCM).

### **b. Drainage Studies, Outfall Systems Plans, Site Constraints**

No drainage studies or other drainage related reports are known to exist for the site.

### **c. Hydrology**

The runoff calculation method used to calculate peak flows for the site is the following Rational Method formula:

$$Q=CIA$$

Where:

Q = peak discharge (cfs)

C = runoff coefficient from Table Ro-5 of the UDSCM

I = rainfall intensity (inches/hour)

A = drainage area (acres)

See Appendix B for Rational Method Flow Calculations.

The minor and major storm frequencies for design are the 5-year and 100-year storm events, respectively. The 1-hour point rainfall depths for the 5-year and 100-year storms were analyzed as 1.38 and 2.67 inches, respectively in accordance with Arapahoe County criteria.

The detention volumes are calculated using the Full Spectrum Method contained in the UDFCD Workbook. The detention pond will be sized to include storage for the 100-year storm event while providing Water Quality Capture Volume (WQCV) and will release the Excess Urban Runoff Volume over 72 hours.

### **d. Hydraulics**

Pipe and swale capacities are determined using Manning's Equation and the Flowmaster software. The UDFCD workbooks are used for designing the detention pond orifice control plates.

### **e. Water Quality Enhancement**

Water quality for the site will be provided in accordance with current Arapahoe County and UDFCD Urban Storm Drainage Criteria Manual (USDCM) Volume 3. Low Impact

Development (LID) strategies are also incorporated into the site, and designed per UDFCD's Volume 3 manual.

**f. Groundwater Investigation**

The Geotechnical Report prepared by ATEST Inc, encountered groundwater at a depths of 5-15-feet below existing site grade. Groundwater was observed about 7 feet below grade at the location of the ground floor of the proposed residence. The shallowest ground water depths (5 feet) were at the north end of the site where the topography is lowest.

**Stormwater Management Facility Design**

**a. Stormwater Conveyance Facilities**

The proposed site is designed to drain in a northern direction toward the existing storm infrastructure located at the northern end of the site. Swales and culverts are incorporated into the storm system to convey runoff to the detention pond.

Appropriate groundwater management measures are included with the architectural and mechanical design of the residence. The lowest floor will be about 7 feet above the observed groundwater elevations. Drainage board and a perimeter drain will be installed around residence foundation and the ground floor to collect potential groundwater and convey to a sump pump. The sump pump will discharge collected groundwater directly to the 12-inch pvc storm pipe, or to a swale leading to the storm pipes. The sump pump discharge will be above the 100-year base flood elevation to prevent floodwaters from back flowing into the perimeter drain.

**b. Detention and Water Quality Facilities**

One detention pond will be incorporated into the site. It will provide water quality capture volume, EURV, and 100-year detention volume. A control structure will be constructed on the existing 12-inch outlet pipe to achieve the required release rates. The pond bottom will be excavated into native sand soils to provide infiltration. The pond bottom will be amended with compost to support native vegetation. Grass buffers and swales are incorporated into the site to reduce the overall directly connected imperviousness. The pond characteristics are summarized below.

- Total Imperviousness: 43%
- MDCIA: 30%

<b>Table 1 Release Rates</b>			
<b>Outfall</b>	<b>Watershed Area, acres</b>	<b>Peak Discharge, cfs</b>	<b>Release Rate, cfs/acre</b>
12-inch	1.41	1.41	1.0

Detention Type	Water Surface Elevation (ft)	Required Volume (CF)	Release Rate (cfs)
EURV	5356.90	1,700	0.01
100-year including WQCV	5357.5	3,267	1.41

The proposed improvements increase the imperviousness of the improvement area contributing to the pond from 33% for existing conditions to 43%.

The grading erosion and sediment control report for the site will address the requirements for erosion and water quality during construction.

#### Maintenance

Maintenance of the pond will be needed to ensure it functions properly and landscaping will be preserved. The water quality orifice plate will have relatively small holes, increasing the likelihood of plugging with debris. The orifice plate, well screen trash rack, and top trash rack need to be inspected after every appreciable runoff producing storm event. Debris in the orifice and on the trash racks needs to be removed during each inspection.

#### **c. Floodplain**

A portion of the site is within the Little Dry Creek Floodplain. Construction of a pool and landscaping will occur within the regulatory floodplain. A separate floodplain study is being prepared to address this work. The project will not increase floodplain water surface elevations, and have no adverse impact on the floodplain.

### Conclusion

#### **a. Compliance with Standards**

The proposed design will maintain existing drainage patterns and will control discharge per Arapahoe County Stormwater Management Manual (ACSMM) and Urban Drainage Flood Control District's (UDFCD) Urban Storm Drainage Criteria Manuals (UDSCM). The flow from the increased impermeable areas constructed as part of this project will be detained in the location of the existing pond.

#### **b. Variance**

No variances are requested at this time.

### References

1. Arapahoe County Stormwater Management Manual, Arapahoe County, Revised July 4, 2011.

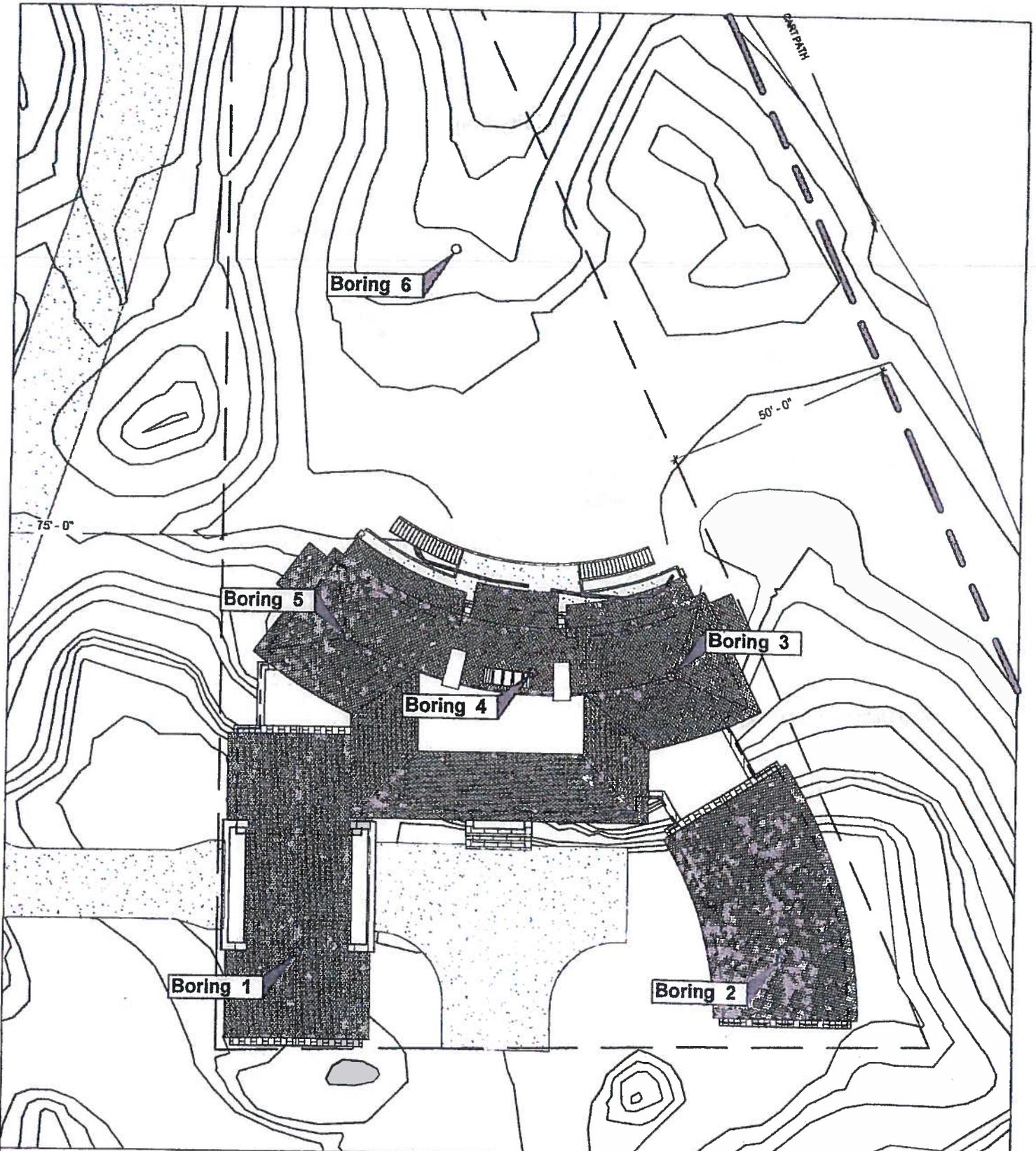
2. Urban Storm Drainage Criteria Manual, volumes 1, 2, and 3, Urban Drainage and Flood Control District, June 2001 with revisions to August 2013.
3. Natural Resources Conservation Center Web Soil Survey, United States Department of Agriculture, site visited May 2015.
4. Federal Emergency Management Agency Flood Insurance Rate Map, Community Panel Number 08005C0164K, Map Revised December 17, 2010.

## Appendix

# Vicinity Map



Map Data © 2014 Google



**SITE LOCATION PLAN**  
(From Ruggles Mabe Terrell Architecture)

Advanced  
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Engineering,  
Sciences and  
Technologies, Inc.

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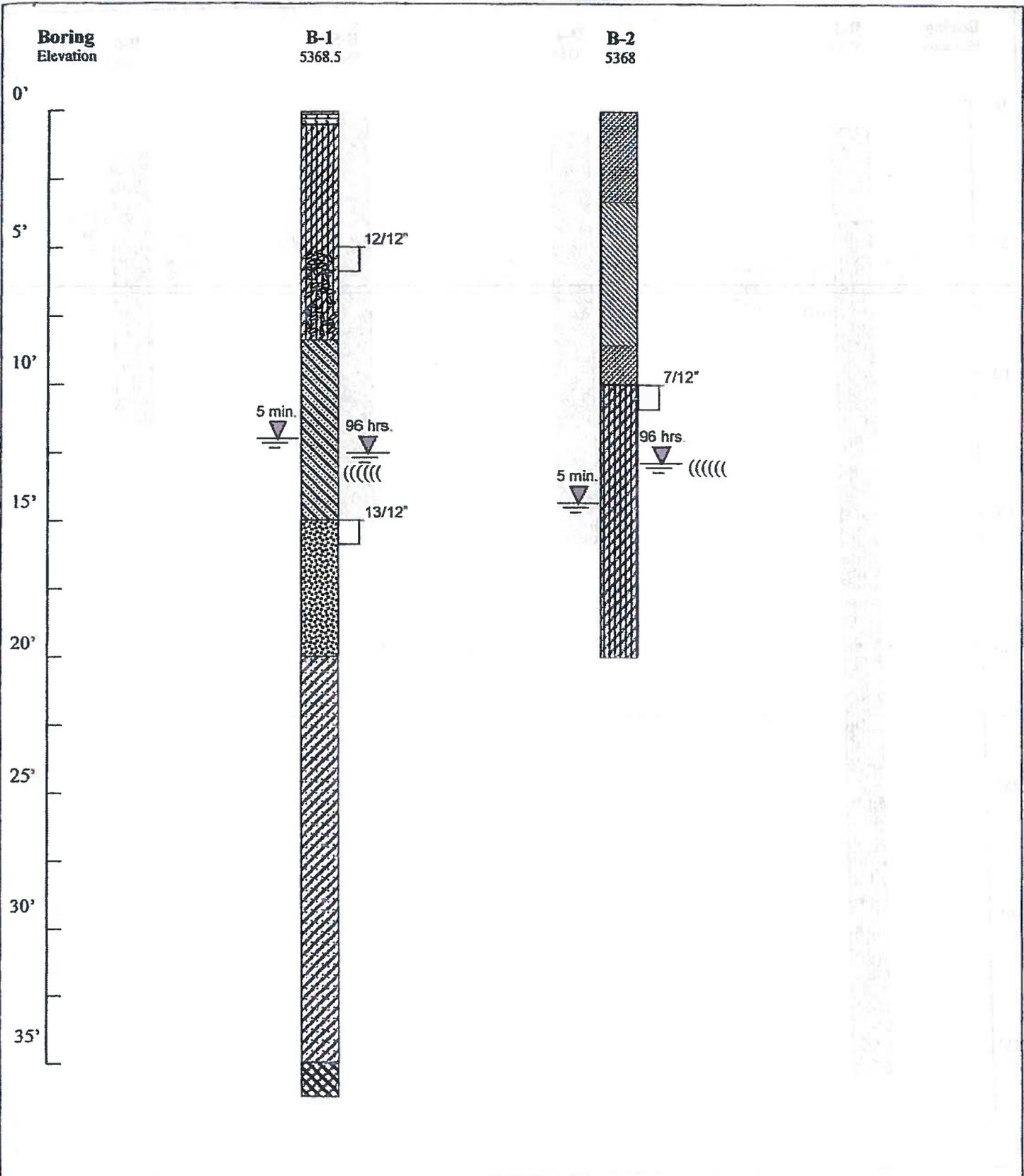
Soil and Foundation Investigation  
1530 East Oxford Lane  
Cherry Hills Village, Colorado

DRAWN BY: SD  
CHECKED BY: SD  
DATE: February 6, 2015

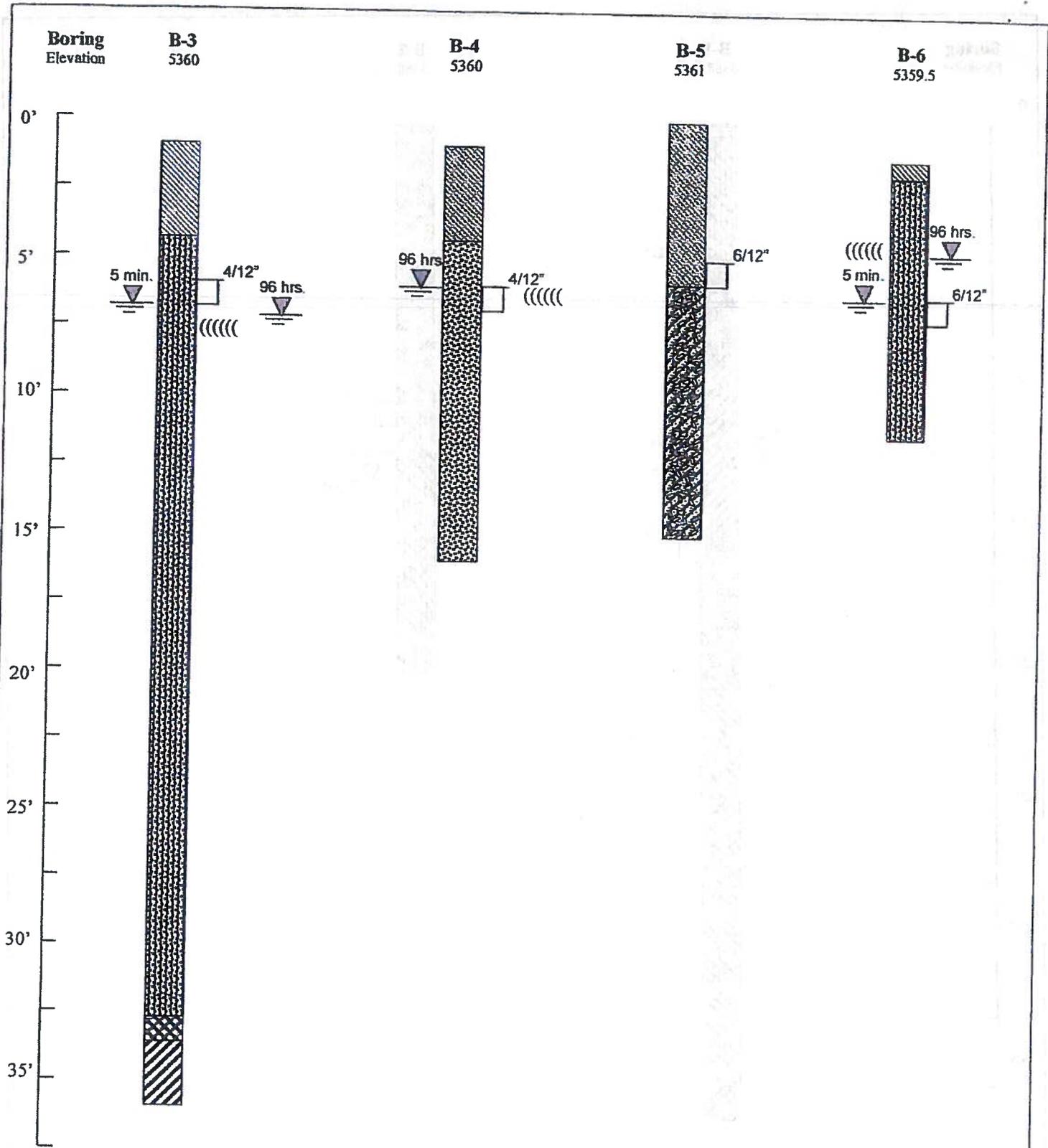
SCALE:  
Vertical:  
Horizontal: 1" = NTS

PROJECT NO: 34,580-G

FIGURE: 2



<b>BORING LOGS</b>		<b>Advanced Testing, Engineering, Sciences, and Technologies, Inc.</b> P.O. Box 632121 Highlands Ranch, Colorado 80163-2121 (303) 887-2782
		<b>DRAWN BY: YG &amp; KSJ</b> <b>CHECKED BY: SD</b> <b>DATE: February 6, 2015</b>
Soil and Foundation Investigation <b>1530 East Oxford Lane</b> Cherry Hills Village, Colorado	<b>PROJECT NO: 34,580-G</b>	<b>FIGURE: 3a</b>



**BORING LOGS**

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Technologies, Inc.

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1530 East Oxford Lane  
Cherry Hills Village, Colorado

DRAWN BY: YG & KSJ  
CHECKED BY: SD  
DATE: February 6, 2015

SCALE:  
Vertical: 1" = 5'  
Horizontal:

PROJECT NO: 34,580-G

FIGURE: 3b



Brick (3")

Concrete (5")

Clayey Sand to Silty Sand, brown to grayish brown, medium to firm, medium moist, gravel in the bottom three (3) feet brown (CL - SM).

Sandy Clay, brown, medium to firm, moist to wet, sandy clay (SC).

Sand a firm, medium moist to moist (SP).

Sandy Clay to Clayey Sand, light brown, firm to very firm, medium moist (SC - CL).

Sandy Clay Fill, light brown, soft to medium, moist, supporting domestic grasses (SC).

Sandy Clay Fill, dark brown to black, organic, soft to medium, moist (SC).

Sandy Clay, brown to light brown, soft to medium, moist (SC).

Clayey Sand to Silty Sand, brown, medium to very firm, moist to wet (CL - SM).

Clay Sand to Sandy Clay, dark brown, soft to medium, moist, supporting domestic grasses (SC - CL).

Silty Sand, dark grayish brown, soft to medium, moist to wet (SM).

Claystone bedrock, brown with dark brown inclusions, very firm to hard, medium moist to very moist.

Silty Claystone bedrock, dark grayish blue, hard, medium moist, silty claystone bedrock.

**LEGEND & NOTES**

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Soil and Foundation Investigation  
1530 East Oxford Lane  
Cherry Hills Village, Colorado

DRAWN BY: YG & KSJ  
CHECKED BY: SD  
DATE: February 6, 20155

SCALE:  
Vertical:  
Horizontal: NA

PROJECT NO: 34,580-G

FIGURE: 4a



Clayey Sand, dark brown to black, organic, soft to medium, moist, supporting domestic grasses (CL – GP).

Sand, brown, soft to medium, medium moist (SP).

Sandy Silt, brown to dark brown, soft to medium, medium moist to moist, supporting domestic grasses (SM).

Sandy Clay with Gravel, medium to firm, moist to wet (SC – GP).

Sandy Clay, brown, soft, moist, supporting domestic grasses (SC).

Silty Sand, light brown to brown, medium, moist to wet (SM).



5 min.  
Water level, time after drilling



Disturbed sample collected

Undisturbed sample collected

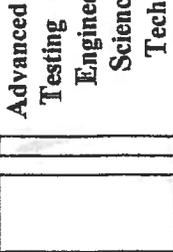
42/12" Blow counts; it took about forty two (42) blows to drive the sample 12 inches (ASTM D-1586)

(((((( Area of Caving Soils

**NOTES:**

1. The samples were collected on January 15, 2015 with a CME 45B on a Ford Super Duty 4x4 chassis.
2. The stratification lines represent the approximate boundary between soil types and the transition may be gradual.
3. The boring logs show subsurface conditions at the dates and locations indicated, and it is not warranted that they are representative of subsurface conditions at other locations or times.

<b>LEGEND &amp; NOTES</b>	 <b>Advanced Testing, Engineering, Sciences, and Technologies, Inc.</b>		P.O. Box 632121 Highlands Ranch, Colorado 80163-2121 (303) 887-2782
	Soil and Foundation Investigation 1530 East Oxford Lane Cherry Hills Village, Colorado	<b>DRAWN BY: YG &amp; KSJ</b> <b>CHECKED BY: SD</b> <b>DATE: February 6, 2015</b>	<b>SCALE:</b> Vertical: Horizontal: <b>NA</b>
	<b>PROJECT NO: 34,580-G</b>	<b>FIGURE: 4b</b>	



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**SUMMARY OF LABORATORY TEST RESULTS**

**PROJECT:** 1530 East Oxford Lane  
**LOCATION:** Cherry Hills Village, Colorado  
**SOURCE:** Lab Tests/Field Borings

**PROJECT NO:** 34,580-G  
**REPORT NO:** Final  
**SAMPLE:** As Shown

**DATE:** February 6, 2015  
**TIME:**  
**TECH:** YG

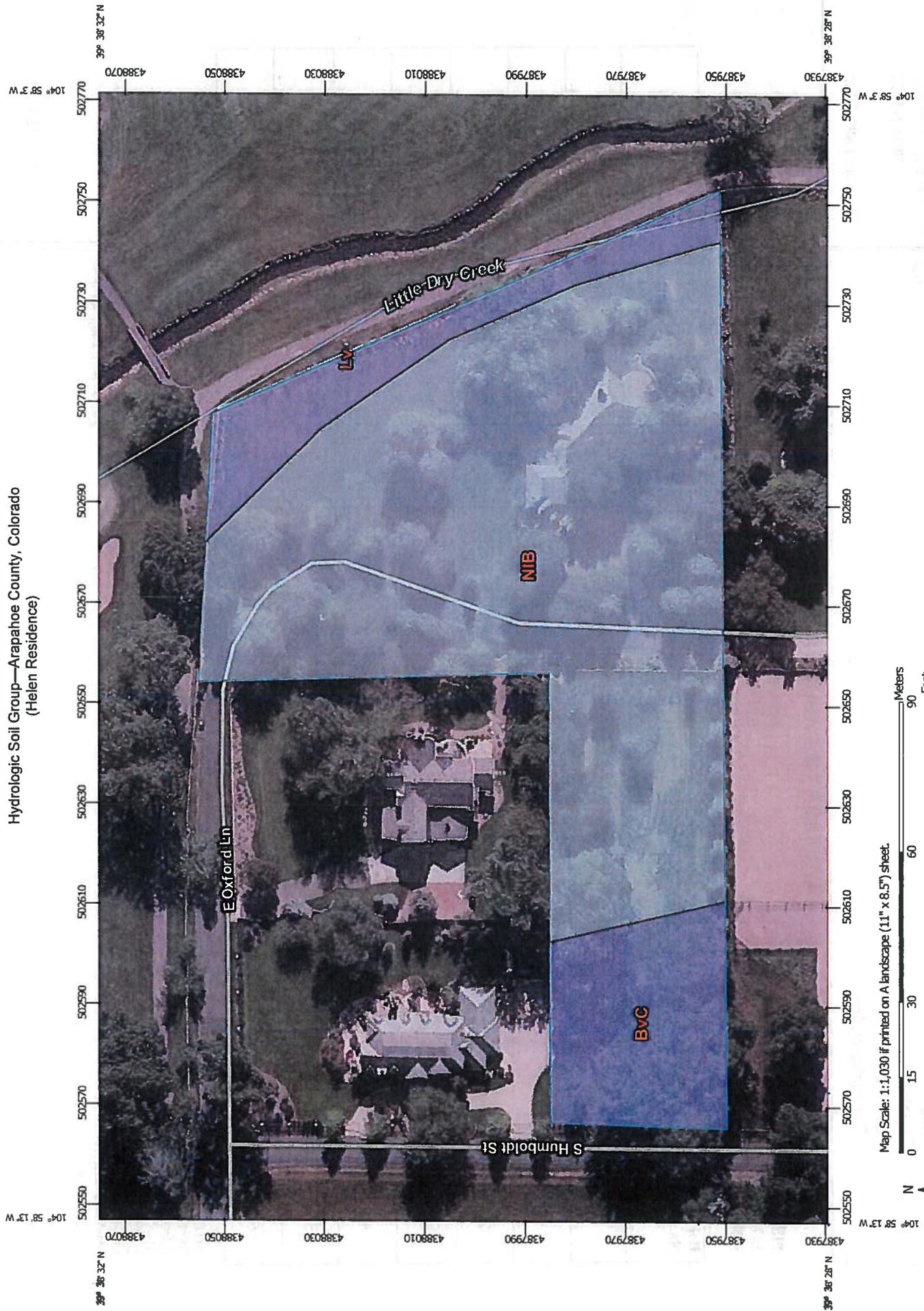
Boring No.	Sample No.	Depth in Feet	Sample Type (Note 1)	Nat. Dry Density (PSF)	Natural Moist. (%)	ATTERBERG LIMITS			% Fines	% Water Soluble Sulfates	Shear Strength (kSF) (Note 2)	Additional Test Results (Note 3)	Soil Description
						LL	PL	PI					
1	1	5'	CA	107.4	10.3	25.4	19.5	6.0	24.0			SW=-8.95%	Clayey Sand - Silty Sand
1	2	15'	CA	109.1	17.5			NP	8.0				Sand
2	1	10'	CA	103.8	9.0	22.5	15.4	7.1	17.0			SW=-6.07%	Clayey Sand - Silty Sand
3	1	5'	CA	90.0	16.7	26.4	21.1	5.3	49.3			SW = -3.80%	Clayey Sand - Silty Sand
4	1	5'	CA	94.0	8.9			NP	5.6				Sand
5	1	5'	CA	90.1	21.2			NP	64.7			SW = -1.68	Sandy Silt
6	1	5'	CA	96.3	23.7			NP	16.8				Silty Sand

**NOTE 1- Sample Type**  
BS=Bag Sample  
AS=Auger Sample  
ST=Shelby Tube  
CA=California Sample  
RM=Remodified Sample  
HD=Hand Drive  
AD=Air Dried

**NOTE 2-Shear Strength Tests**  
C1= Unconfined Compression  
C2=Miniature compression  
C3=Pocket Penetrometer  
C4=Pocket Valve

**NOTE 3- Additional Test Results**  
SW=Swell Consolidation Test  
TT=Triaxial Test  
PT=Proctor  
GA=Gradation Analysis  
CT=Consolidation Test  
RA=Radon Testing (pCi/L)

Hydrologic Soil Group—Arapahoe County, Colorado  
(Helen Residence)



Map Scale: 1:1,030 if printed on A landscape (11" x 8.5") sheet.



## MAP LEGEND

	Area of Interest (AOI)		C
	Area of Interest (AOI)		C/D
	Soils		D
	Soil Rating Polygons		Not rated or not available
	A		Water Features
	A/D		Streams and Canals
	B		Transportation
	B/D		Rails
	C		Interstate Highways
	C/D		US Routes
	D		Major Roads
	Not rated or not available		Local Roads
	Soil Rating Lines		Background
	A		Aerial Photography
	A/D		
	B		
	B/D		
	C		
	C/D		
	D		
	Not rated or not available		
	Soil Rating Points		
	A		
	A/D		
	B		
	B/D		

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Arapahoe County, Colorado  
 Survey Area Data: Version 10, Sep 23, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 10, 2014—Aug 21, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Arapahoe County, Colorado (CO005)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
BvC	Bresser-Truckton sandy loams, 3 to 5 percent slopes	B	0.4	13.2%
Lv	Loamy alluvial land	B	0.3	9.6%
NIB	Nunn loam, 1 to 3 percent slopes	C	2.1	77.2%
Totals for Area of Interest			2.7	100.0%

### Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

Table A-1  
 Summary of Site Hydrology  
 Helen Residence  
 Cherry Hills Village, Colorado

Design Point	Contributing Basins	Area (acres)	5-Year (cfs)	100-Year (cfs)
1	W1	0.21	0.4	1.1
2	W1,W2	0.38	0.8	1.9
3	W3	0.18	0.2	0.7
4	W1,W2,W4	0.52	0.9	2.4
5	W3,W5	0.38	0.5	1.5
6	E1	0.18	0.1	0.6
7	E2	0.27	0.2	1.0
8	E3	0.14	0.3	0.8
9	W1,W2,W3,W4,W5,B1,E3 (POND)	1.41	1.9	5.7

Table A-2  
C Value Calculations  
Helen Residence  
Denver, Colorado

Global Parameters <sup>1</sup>					
Land Use	% Imp.	C <sub>2</sub>	C <sub>5</sub>	C <sub>100</sub>	
Low Density Residential	35	0.25	0.33	0.57	
Medium Density Residential	50	0.34	0.40	0.60	
Apartment	80	0.60	0.63	0.74	
Parks/Open Space	2	0.04	0.15	0.50	
Roof/Roadway	90	0.71	0.73	0.81	

Subbasin	Total Area (acres)	Land Use Area per Sub-Basin												Composite Imperviousness			C Coefficient <sup>2</sup>		
		Residential				Parks/Open Space				Roof/Roadway				% Check	2-year	5-year	100-year		
		Low Density		Medium Density		Area (acres)		%		Area (acres)		%							
		Area (acres)	%	Area (acres)	%	Area (acres)	%	Area (acres)	%										
W1	0.21	0	0.0%	0.00	0.0%	0.00	0.0%	0.07	34.6%	0.14	65.4%	100.00%	0.48	0.53	0.70				
W2	0.17	0	0.0%	0.00	0.0%	0.00	0.0%	0.06	35.2%	0.11	64.8%	100.00%	0.47	0.53	0.70				
W3	0.18	0	0.0%	0.00	0.0%	0.00	0.0%	0.12	66.2%	0.06	33.8%	100.00%	0.27	0.35	0.60				
W4	0.14	0	0.0%	0.00	0.0%	0.00	0.0%	0.10	70.9%	0.04	29.1%	100.00%	0.23	0.32	0.59				
W5	0.20	0	0.0%	0.00	0.0%	0.00	0.0%	0.12	60.9%	0.08	39.1%	100.00%	0.30	0.38	0.62				
E1	0.18	0	0.0%	0.00	0.0%	0.00	0.0%	0.18	100.0%	0.00	0.0%	100.00%	0.04	0.15	0.50				
E2	0.27	0	0.0%	0.00	0.0%	0.00	0.0%	0.27	100.0%	0.00	0.0%	100.00%	0.04	0.15	0.50				
E3	0.14	0	0.0%	0.00	0.0%	0.00	0.0%	0.04	29.2%	0.10	70.8%	100.00%	0.51	0.56	0.72				
B1	0.37	0	0.0%	0.00	0.0%	0.00	0.0%	0.29	78.1%	0.08	21.9%	100.00%	0.19	0.28	0.57				
<b>Total</b>	<b>1.86</b>	<b>0.00</b>	<b>0.0%</b>	<b>0.00</b>	<b>0.0%</b>	<b>0.00</b>	<b>0.0%</b>	<b>1.25</b>	<b>67.1%</b>	<b>0.61</b>	<b>32.9%</b>	<b>100.00%</b>	<b>0.26</b>	<b>0.34</b>	<b>0.60</b>				

1. From Table RO-3 and RO-5 in the UDFCD USDCM  
2. C coefficients calculated by weighting global C values based on percentage of land use type.

Table A-3  
Rational Method Hydrologic Calculations  
Helen Residence  
Denver, Colorado

Design P	Basin ID	Area acres	C Values						Time of Concentration, Tc										Intensity, I			Peak Discharge, Q																			
			2-year		5-year		100-year		Overland Time (ti)			Travel Time (tt)			Tc				Final Tc			Intensity, I			Peak Discharge, Q																
			Q	Q	Q	Q	Q	Q	Length (300' max)	Slope	ti	Length	Slope	Velocity	ft	ft	ft	ft	ft	ft	ft	min	min	min	min	min	min	min	in/hr	in/hr	in/hr	in/hr	in/hr	in/hr	cfs	cfs	cfs	cfs	cfs	cfs	
1	W1	0.21	0.48	0.10	0.53	0.11	0.70	0.15	0.15	100	2.0%	8.3	0	2.0%	2.0	0.0	8.3	100	10.6	10.6	8.3	8.3	20	21	22	23	24	25	26	2.76	2.76	3.89	3.89	7.45	7.45	0.3	0.3	0.4	0.4	1.1	1.1
1	W1	0.21	0.48	0.10	0.53	0.11	0.70	0.15	0.15	100	2.0%	8.3	120	2.0%	3.0	0.7	9.0	220	11.2	11.2	8.3	8.3	20	21	22	23	24	25	26	2.76	2.76	3.89	3.89	7.45	7.45	0.3	0.3	0.4	0.4	1.1	1.1
1	W2	0.17	0.47	0.08	0.53	0.09	0.70	0.12	0.12	120	2.0%	9.2	0	2.0%	3.0	0.0	9.2	120	10.7	10.7	9.2	9.2	20	21	22	23	24	25	26	2.66	2.66	3.75	3.75	7.19	7.19	0.5	0.5	0.8	0.8	0.9	0.9
1	W3	0.38	0.48	0.18	0.53	0.20	0.70	0.27	0.27	100	2.0%	16.3	100	2.0%	2.0	0.8	17.1	320	11.8	11.8	16.3	16.3	20	21	22	23	24	25	26	2.66	2.66	3.75	3.75	7.19	7.19	0.5	0.5	0.8	0.8	0.9	0.9
1	W3	0.18	0.27	0.05	0.35	0.06	0.60	0.11	0.11	220	2.0%	16.3	170	2.0%	2.0	1.4	17.7	390	12.2	12.2	16.3	16.3	20	21	22	23	24	25	26	2.40	2.40	3.39	3.39	6.50	6.50	0.1	0.1	0.2	0.2	0.7	0.7
1	W3	0.18	0.27	0.05	0.35	0.06	0.60	0.11	0.11	220	2.0%	16.3	170	2.0%	2.0	1.4	17.7	390	12.2	12.2	16.3	16.3	20	21	22	23	24	25	26	2.40	2.40	3.39	3.39	6.50	6.50	0.1	0.1	0.2	0.2	0.7	0.7
2	W1	0.21	0.48	0.10	0.53	0.11	0.70	0.15	0.15	100	2.0%	8.3	220	2.0%	3.0	1.2	9.5	320	11.8	11.8	8.3	8.3	20	21	22	23	24	25	26	2.62	2.62	3.69	3.69	7.09	7.09	0.3	0.3	0.4	0.4	1.1	1.1
2	W2	0.17	0.47	0.08	0.53	0.09	0.70	0.12	0.12	120	2.0%	9.2	120	2.0%	3.0	0.7	9.8	240	11.3	11.3	9.2	9.2	20	21	22	23	24	25	26	2.59	2.59	3.65	3.65	7.00	7.00	0.2	0.2	0.3	0.3	0.8	0.8
2	W4	0.14	0.23	0.03	0.32	0.04	0.59	0.08	0.08	100	2.0%	11.4	0	2.0%	2.0	0.0	11.4	100	10.6	10.6	11.4	11.4	20	21	22	23	24	25	26	2.52	2.52	3.55	3.55	6.80	6.80	0.1	0.1	0.2	0.2	0.6	0.6
2	W4	0.52	0.41	0.22	0.47	0.25	0.67	0.35	0.35	100	2.0%	11.4	0	2.0%	2.0	0.0	11.4	100	10.6	10.6	11.4	11.4	20	21	22	23	24	25	26	2.52	2.52	3.55	3.55	6.80	6.80	0.5	0.5	0.9	0.9	2.4	2.4
3	W3	0.18	0.27	0.05	0.35	0.06	0.60	0.11	0.11	220	2.0%	16.3	170	2.0%	2.0	1.4	17.7	390	12.2	12.2	16.3	16.3	20	21	22	23	24	25	26	2.37	2.37	3.34	3.34	6.41	6.41	0.1	0.1	0.2	0.2	0.7	0.7
3	W5	0.20	0.30	0.06	0.38	0.08	0.62	0.13	0.13	50	2.0%	7.4	110	2.0%	2.0	0.9	8.4	160	10.9	10.9	7.4	7.4	20	21	22	23	24	25	26	2.75	2.75	3.88	3.88	7.44	7.44	0.2	0.2	0.3	0.3	0.9	0.9
3	W5	0.38	0.29	0.11	0.36	0.14	0.61	0.23	0.23	100	2.0%	11.4	0	2.0%	2.0	0.0	11.4	100	10.6	10.6	11.4	11.4	20	21	22	23	24	25	26	2.37	2.37	3.34	3.34	6.41	6.41	0.3	0.3	0.5	0.5	1.5	1.5
4	E1	0.18	0.04	0.01	0.15	0.03	0.50	0.09	0.09	120	2.0%	15.1	160	2.0%	2.0	1.3	16.5	280	11.6	11.6	15.1	15.1	20	21	22	23	24	25	26	2.42	2.42	3.42	3.42	6.56	6.56	0.0	0.0	0.1	0.1	0.6	0.6
4	E1	0.18	0.04	0.01	0.15	0.03	0.50	0.09	0.09	120	2.0%	15.1	160	2.0%	2.0	1.3	16.5	280	11.6	11.6	15.1	15.1	20	21	22	23	24	25	26	2.42	2.42	3.42	3.42	6.56	6.56	0.0	0.0	0.1	0.1	0.6	0.6
4	E2	0.27	0.04	0.01	0.15	0.04	0.50	0.13	0.13	60	4.0%	8.5	0	2.0%	2.0	0.0	8.5	60	10.3	10.3	8.5	8.5	20	21	22	23	24	25	26	2.73	2.73	3.85	3.85	7.39	7.39	0.0	0.0	0.2	0.2	1.0	1.0
4	E2	0.27	0.04	0.01	0.15	0.04	0.50	0.13	0.13	60	4.0%	8.5	0	2.0%	2.0	0.0	8.5	60	10.3	10.3	8.5	8.5	20	21	22	23	24	25	26	2.73	2.73	3.85	3.85	7.39	7.39	0.0	0.0	0.2	0.2	1.0	1.0
4	E3	0.14	0.51	0.07	0.56	0.08	0.72	0.10	0.10	100	2.0%	7.9	120	2.0%	3.0	0.7	8.5	220	11.2	11.2	7.9	7.9	20	21	22	23	24	25	26	2.73	2.73	3.85	3.85	7.39	7.39	0.2	0.2	0.3	0.3	0.8	0.8
4	E3	0.14	0.51	0.07	0.56	0.08	0.72	0.10	0.10	100	2.0%	7.9	120	2.0%	3.0	0.7	8.5	220	11.2	11.2	7.9	7.9	20	21	22	23	24	25	26	2.73	2.73	3.85	3.85	7.39	7.39	0.2	0.2	0.3	0.3	0.8	0.8
4	W1	0.21	0.48	0.10	0.53	0.11	0.70	0.15	0.15	100	2.0%	8.3	390	2.0%	3.0	2.2	10.5	490	12.7	12.7	8.3	8.3	20	21	22	23	24	25	26	2.52	2.52	3.56	3.56	6.83	6.83	0.3	0.3	0.4	0.4	1.0	1.0
4	W2	0.17	0.47	0.08	0.53	0.09	0.70	0.12	0.12	120	2.0%	9.2	290	2.0%	3.0	1.6	10.8	410	12.3	12.3	9.2	9.2	20	21	22	23	24	25	26	2.50	2.50	3.52	3.52	6.75	6.75	0.2	0.2	0.3	0.3	0.7	0.7
4	W3	0.18	0.27	0.05	0.35	0.06	0.60	0.11	0.11	220	2.0%	16.3	200	2.0%	2.0	1.7	17.9	420	12.3	12.3	16.3	16.3	20	21	22	23	24	25	26	2.36	2.36	3.32	3.32	6.38	6.38	0.1	0.1	0.2	0.2	0.7	0.7
4	W4	0.14	0.23	0.03	0.32	0.04	0.59	0.08	0.08	100	2.0%	11.4	180	2.0%	3.0	1.0	12.4	280	11.6	11.6	11.4	11.4	20	21	22	23	24	25	26	2.42	2.42	3.42	3.42	6.56	6.56	0.1	0.1	0.5	0.5	1.5	1.5
4	W5	0.20	0.30	0.06	0.38	0.08	0.62	0.13	0.13	50	2.0%	7.4	130	2.0%	3.0	1.8	9.2	260	11.4	11.4	7.4	7.4	20	21	22	23	24	25	26	2.65	2.65	3.74	3.74	7.18	7.18	0.2	0.2	0.3	0.3	0.9	0.9
4	E3	0.14	0.51	0.07	0.56	0.08	0.72	0.10	0.10	100	2.0%	7.9	130	2.0%	3.0	0.7	8.6	230	11.3	11.3	7.9	7.9	20	21	22	23	24	25	26	2.72	2.72	3.84	3.84	7.37	7.37	0.2	0.2	0.3	0.3	0.9	0.9
4	B1	0.37	0.19	0.07	0.28	0.10	0.57	0.21	0.21	200	2.0%	16.9	0	2.0%	2.0	0.0	16.9	200	11.1	11.1	16.9	16.9	20	21	22	23	24	25	26	2.46	2.46	3.47	3.47	6.66	6.66	0.2	0.2	0.4	0.4	1.4	1.4
4	B1	1.41	0.33	0.47	0.40	0.57	0.63	0.89	0.89	200	2.0%	16.9	0	2.0%	2.0	0.0	16.9	200	11.1	11.1	16.9	16.9	20	21	22	23	24	25	26	2.36	2.36	3.32	3.32	6.38	6.38	1.1	1.1	1.9	1.9	5.7	5.7

Notes:

- Flows calculated using the rational method, based on the methods provided in chapter 4 section 4 (rainfall), and Chapter 5 Section 2 (runoff) of the USDCM by UDFCD (2008).
- $I = 28.5P / (10 + T_c)^{0.78}$
- $Q = 0.395(1.1 - C5)(L)^{0.5} / S^{0.33}$
- Minimum Tc is 5.0 minutes for urban areas.

Table A-4  
Rainfall Data  
Denver, Colorado

Recurrence Interval (yrs)	1-hr Rainfall Depth (in)
2	0.95
5	1.34
10	1.55
25	2.00
50	2.25
100	2.57

Note: From UDFCD Criteria Manual

# DETENTION VOLUME BY THE FULL SPECTRUM METHOD

Project: Helen Residence - full site (w/o Basin E1)  
 Basin ID: all but E1

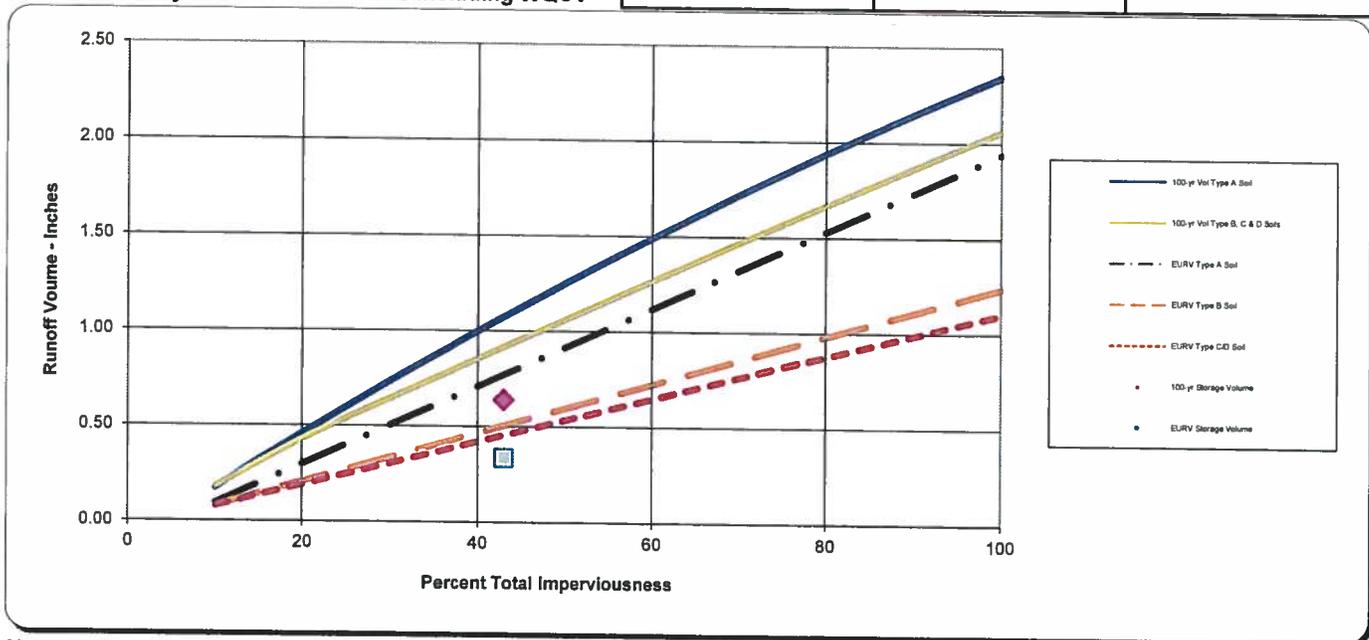
\* User input data shown in blue.

Area of Watershed (acres)	1.41	
Subwatershed Imperviousness	43.0%	
Level of Minimizing Directly Connected Impervious Area (MDCIA)	2	2 ▼
Effective Imperviousness <sup>1</sup>	29.8%	
Hydrologic Soil Type	Percentage of Area	Area (acres)
Type A		0.0
Type B		0.0
Type C or D	100.0%	1.4

Recommended Horton's Equation Parameters for CUHP		
Infiltration (inches per hour)		Decay Coefficient-- <i>a</i>
Initial-- <i>f<sub>i</sub></i>	Final-- <i>f<sub>o</sub></i>	
3	0.5	0.0018
Detention Volumes <sup>2,5</sup>		Maximum Allowable Release Rate, cfs <sup>3</sup>
(watershed inches)	(acre-feet)	
0.34	0.039	
0.64	0.075	1.41

Excess Urban Runoff Volume<sup>4</sup>

100-year Detention Volume Including WQCV<sup>5</sup>



**Notes:**

- 1) Effective imperviousness is based on Figure ND-1 of the Urban Storm Drainage Criteria Manual (USDCM).
- 2) Results shown reflect runoff reduction from Level 1 or 2 MDCIA and are plotted at the watershed's total imperviousness value; the impact of MDCIA is reflected by the results being below the curves.
- 3) Maximum allowable release rates for 100-year event are based on Table SO-1. Outlet for the Excess Urban Runoff Volume (EURV) to be designed to empty out the EURV in 72 hours. Outlet design is similar to one for the WQCV outlet of an extended detention basin (i.e., perforated plate with a micro-pool) and extends to top of EURV water surface elevation.
- 4) EURV approximates the difference between developed and pre-developed runoff volume.
- 5) 100-yr detention volume includes EURV. No need to add more volume for WQCV or EURV

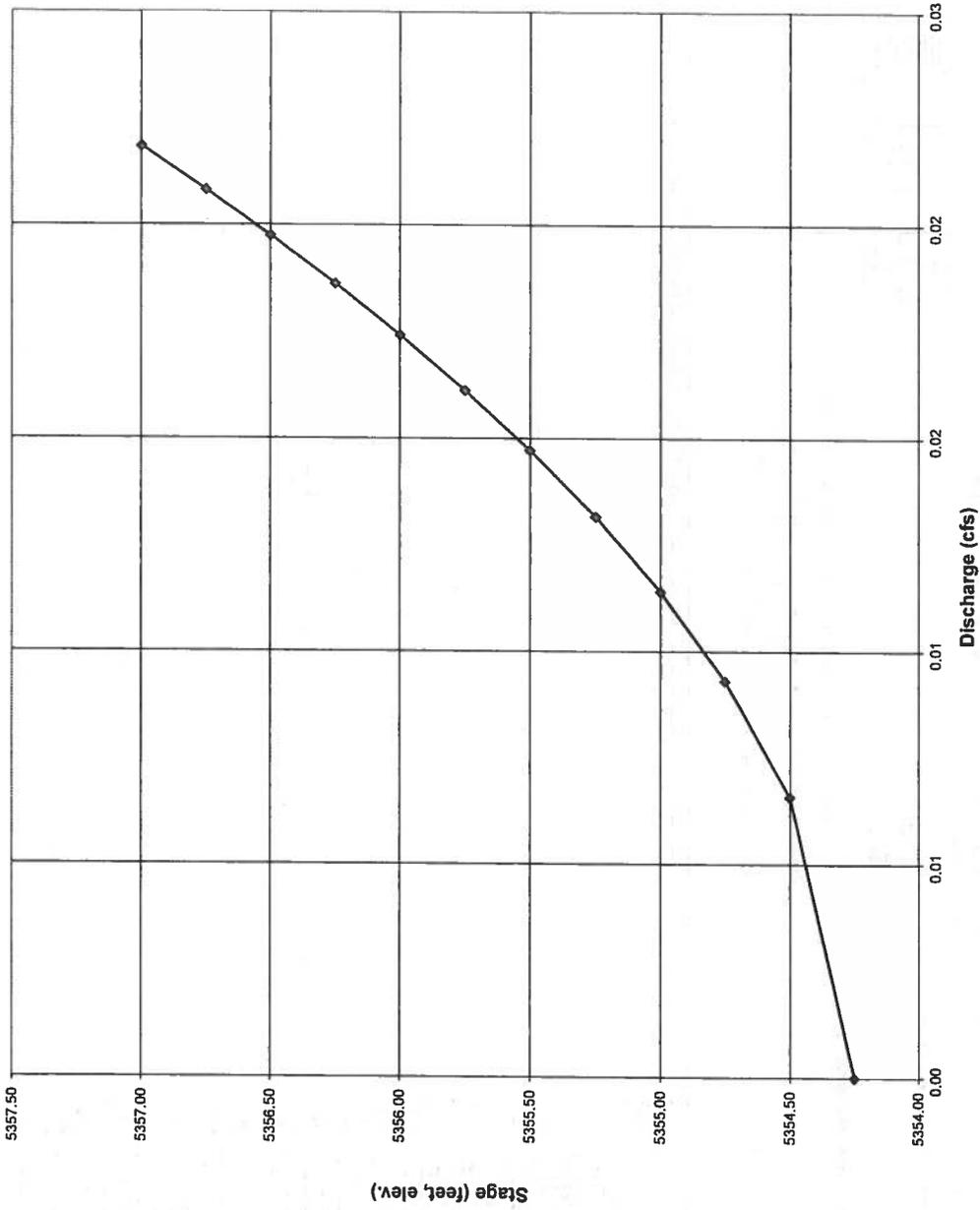


STAGE-DISCHARGE SIZING OF THE WATER QUALITY CAPTURE VOLUME (WQCV) OUTLET

Project: Helen Residence

Basin ID:

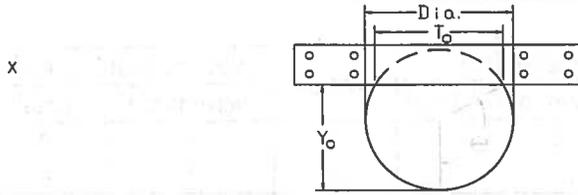
STAGE-DISCHARGE CURVE FOR THE WQCV OUTLET STRUCTURE



# RESTRICTOR PLATE SIZING FOR CIRCULAR VERTICAL ORIFICES

Project: **Helen Residence**

Basin ID: \_\_\_\_\_



**Sizing the Restrictor Plate for Circular Vertical Orifices or Pipes (Input)**

Water Surface Elevation at Design Depth  
 Pipe/Vertical Orifice Entrance Invert Elevation  
 Required Peak Flow through Orifice at Design Depth  
 Pipe/Vertical Orifice Diameter (inches)  
 Orifice Coefficient

	#1 Vertical Orifice	#2 Vertical Orifice	
Elev. WS =	5,357.50		feet
Elev. Invert =	5,354.25		feet
Q =	1.41		cfs
Dia =	12.0		inches
C <sub>o</sub> =	0.62		

**Full-flow Capacity (Calculated)**

Full-flow area  
 Half Central Angle in Radians  
 Full-flow capacity

A <sub>f</sub> =	0.79		sq ft
Theta =	3.14		rad
Q <sub>f</sub> =	6.5		cfs
Percent of Design Flow =	460%		

**Calculation of Orifice Flow Condition**

Half Central Angle (0<Theta<3.1416)  
 Flow area  
 Top width of Orifice (inches)  
 Height from Invert of Orifice to Bottom of Plate (feet)  
 Elevation of Bottom of Plate  
 Resultant Peak Flow Through Orifice at Design Depth

Theta =	1.07		rad
A <sub>o</sub> =	0.16		sq ft
T <sub>o</sub> =	10.50		inches
Y <sub>o</sub> =	0.26		feet
Elev Plate Bottom Edge =	5,354.51		feet
Q <sub>o</sub> =	1.4		cfs

Width of Equivalent Rectangular Vertical Orifice  
 Centroid Elevation of Equivalent Rectangular Vertical Orifice

Equivalent Width =	0.62		feet
Equiv. Centroid El. =	5,354.38		feet

Table 2  
 Stage, Storage Data  
 Helen Residence Pond

Elevation (ft., NAVD88)	Description	Depth (ft.)		Area (sf)	Volume (cubic-feet) <sup>1</sup>		Volume AF
		Incremental	Total		Incremental	Total	
5354.5	Pond Bottom	0	0	0	0	0	0.000
5355.0		0.5	0.5	30	5	5	0.000
5355.5		0.5	1	125	36	41	0.001
5356.0		0.5	1.5	905	228	269	0.006
5356.5		0.5	2	1,768	656	925	0.021
5357.0	EURV	0.5	2.5	2,337	1,023	1,948	0.045
5357.5	100-Year	0.5	3	3,420	1,431	3,379	0.078
5358.0	Emergency Overflow	0.5	3.5	4,528	1,981	5,359	0.123

1. Calculated using the Conical method.

## Rating Curve for Circular Pipe - 1

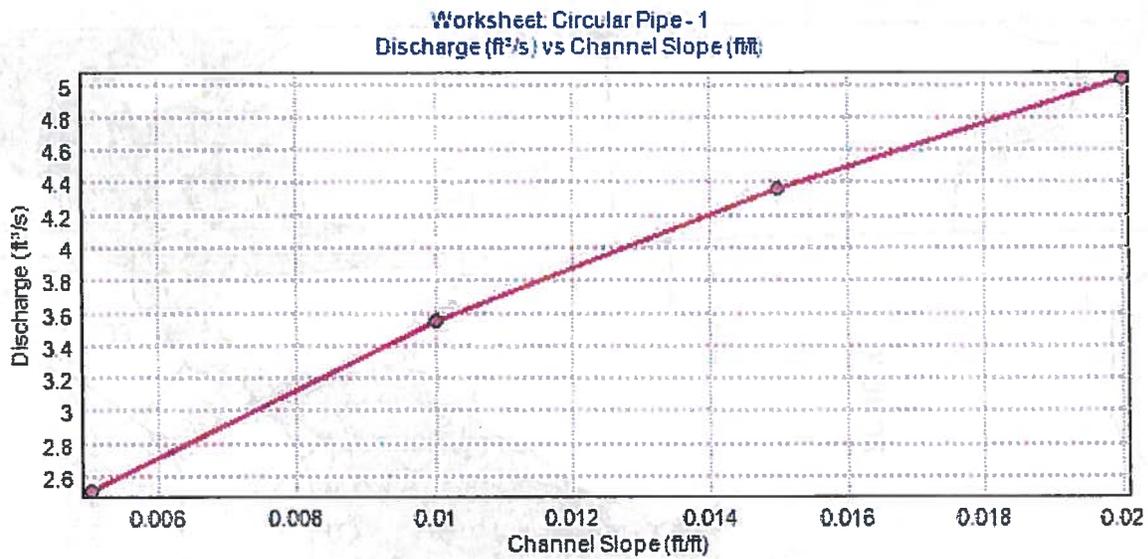
### Project Description

Friction Method                      Manning Formula  
Solve For                                Full Flow Capacity

### Input Data

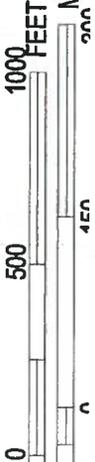
Roughness Coefficient                      0.013  
Channel Slope                                0.00500    ft/ft  
Normal Depth                                1.00    ft  
Diameter                                        1.00    ft  
Discharge                                      2.52    ft<sup>3</sup>/s

### Rating Curve Plot





MAP SCALE 1" = 500'



PANEL 0164K

# FIRM FLOOD INSURANCE RATE MAP ARAPAHOE COUNTY, COLORADO AND INCORPORATED AREAS

PANEL 164 OF 725  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ARAPAHOE COUNTY	080011	0164	K
CHERRY HILLS VILLAGE	080013	0164	K
CITY OF ENGLEWOOD	080074	0164	K

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

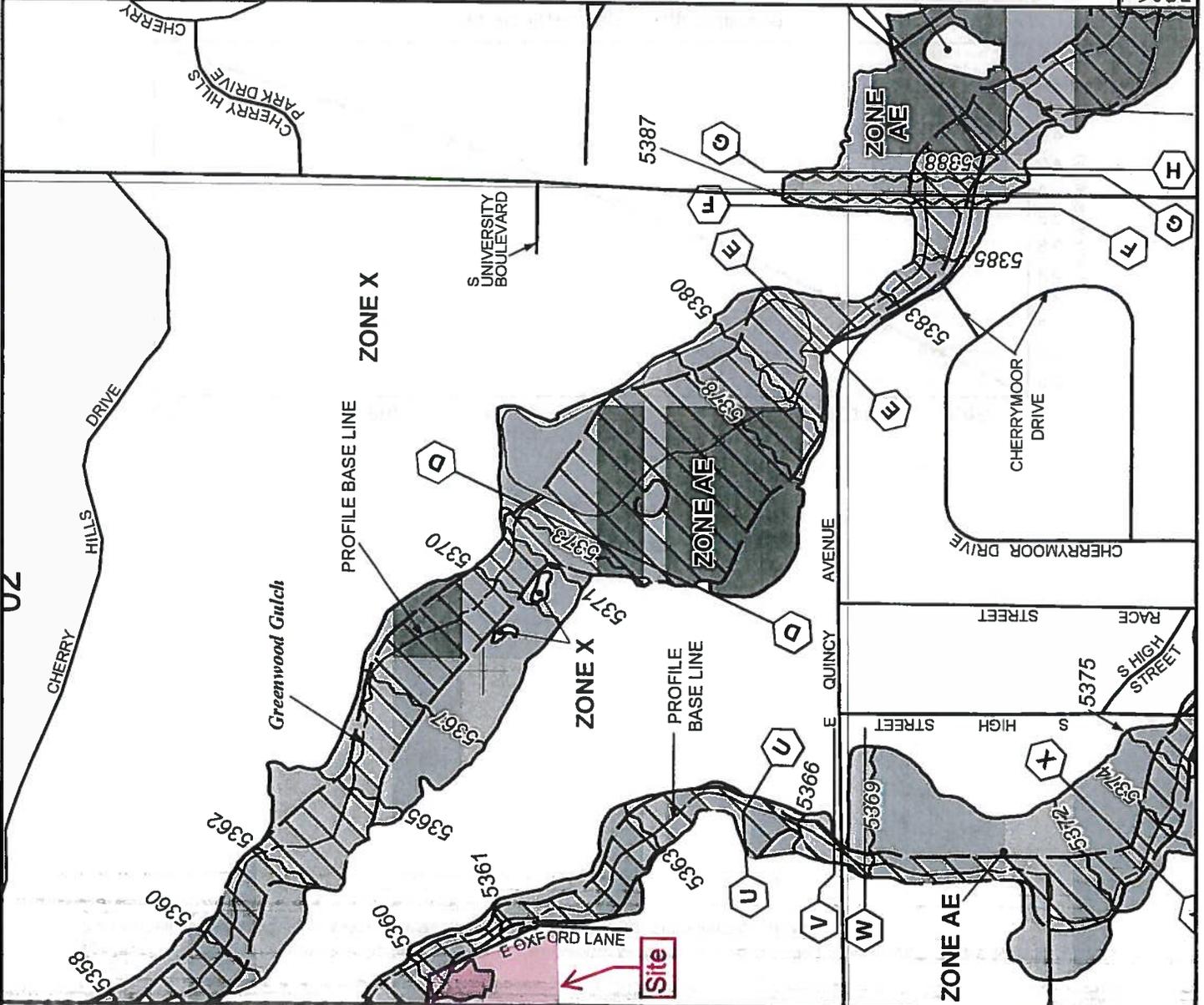


MAP NUMBER  
08005C0164K  
MAP REVISED  
DECEMBER 17, 2010

Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



JOINS PANEL 0163



Minutes of the  
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado  
Held on Tuesday, January 12, 2016 at 6:30 p.m.  
At the Village Center

**CALL TO ORDER**

Community Development Director Rob Zuccaro stated that in the absence of Chair Savoie, an interim chair would need to be appointed for the meeting.

Commissioner Lucas made a motion, which was seconded by Commissioner LaMair, to nominate Commissioner Blum as the interim chair.

The motion passed unanimously.

Interim Chair Blum called the meeting to order at 6:30 p.m.

**ROLL CALL**

Present at the meeting were the following Planning and Zoning Commissioners: Interim Chair 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; Deputy City Attorney Marcus McAskin; Troy Carmann, City Engineer; and Cesarina Dancy, Community Development Clerk.

**APPROVAL OF MINUTES**

Commissioner Niederman made a motion, which was seconded by Commissioner Wyman, to approve the November 10, 2015 minutes as written.

The motion passed unanimously.

**AGENDA ITEMS**

a. 1530 E. Oxford Lane Floodplain Development Permit

Mr. Zuccaro stated that Staff is presenting for review a Floodplain Development Permit pursuant to Article XVII of the Zoning Ordinance to allow site grading, a detention pond and construction of a swimming pool and pool decking within the Special Flood Hazard Area (SFHA). He stated that this is a revised application and that the applicant had previously submitted in October 2015. He continued to say that a new home is also proposed on the property outside of the SFHA.

Planning and Zoning Commission Meeting

January 12, 2016

Mr. Zuccaro stated that the applicant has submitted a floodplain development study and a letter from their engineer certifying that the proposed development would cause no rise to the base flood elevations.

Mr. Zuccaro displayed a vicinity map of the property and indicated the special flood hazard area. He stated that the lot is located in the R-1 Zone District, is 2.7 acres and is irregularly shaped.

Mr. Zuccaro stated that the current proposal is for a detention pond, swimming pool, and pool decking in the floodplain.

Mr. Zuccaro displayed a revised map provided by the applicant which indicated the new location of the main residence out of the floodplain and the location of the proposed structures. He stated that the applicant has provided revised engineering studies and no rise certifications which were approved by the City Engineer.

Mr. Zuccaro stated that Staff has made recommended findings based on the Floodplain Development Permit Review Criteria found in Table 1 of the Staff Memorandum. He continued to say that the review criteria are outlined in Section 16-17-70 of the Municipal Code.

Mr. Zuccaro stated that staff finds that several criteria were not met. He continued to say that there are alternative locations for the accessory structure outside of the SFHA, that good and sufficient cause does not exist, exceptional hardship was not found, and that the Master Plan of the City discourages new structures and improvements within a floodplain.

Mr. Zuccaro displayed Figure 2 of the Staff Memorandum and indicated the approximate primary building and accessory structure envelopes as well as a potential accessory structure location which is located out of the SFHA.

Commissioner Wyman asked if Humboldt is a public street.

Mr. Zuccaro replied that he is not certain of the status of Humboldt.

Commissioner Niederman asked if the house was located outside of the floodplain.

Mr. Zuccaro replied that the house was located out of the floodplain.

Mr. Zuccaro stated that the applicant is no longer proposing an amendment to the floodplain map. He continued to say that the current application is only for the pool, pool decking, grading and detention pond to be located in the floodplain.

Planning and Zoning Commission Meeting

January 12, 2016

Interim Chair Blum asked for clarification on the various lines on the floodplain map.

Troy Carmann, City Engineer, stated that the broken blue line is the effective 100 year floodplain. He continued to say that this is FEMA's representation of the 100 year floodplain boundary. He stated that FEMA and other local partners have studied and designated this area as the regulatory boundary. He stated that the solid light blue line is the pre-project/corrected 100 year floodplain which is the result of topography and hydraulic changes. He stated that this is a data point within the floodplain permit process and is used as informational for engineers to make recommendations based on the changes since the regulatory floodplain was drawn.

Interim Chair Blum asked if a LOMR would be necessary.

Mr. Carmann replied that FEMA does not have a process for map revisions due to natural changes over time and a LOMR would not be required. He continued to say that there are many variables which can cause the boundary line to change.

Interim Chair Blum asked if approved, would the no rise to base elevations apply.

Mr. Carmann replied that the no rise regulations ensure that nothing in the floodplain will impact other property. He continued to say that confirmation of no rise certification is in the City's code and the applicant's engineer has provided the certification.

Commissioner Niederman asked if there are no map revisions, what are the FEMA requirements regarding accessory structures in the floodplain.

Mr. Carmann replied that all regulations are in Chapter 16 of the City's code. He continued to say that one of the criteria is if the proposed structure is reasonably safe from flooding. Mr. Carmann continued to say that the pool mechanical features will be placed out of the floodplain.

Commissioner Niederman asked why no map amendment is required.

Mr. Carmann replied that the map revision that would be required would make an inconsequential change to the floodplain. He continued to say that the only property affected is the applicant's and that no other properties would be affected.

Interim Chair Blum asked if a LOMR was completed could the pool be brought out of the floodplain.

Planning and Zoning Commission Meeting

January 12, 2016

Mr. Carmann replied that yes there is a process by which the pool could be raised and the floodplain could be minimized, but that the same criteria would need to be met and the process would be the same as what is currently proposed, as it is still development within the floodplain.

Commissioner Kaplan asked if the proposal meets the requirements of the insurance program and the no rise criteria.

Mr. Carmann replied yes.

Commissioner Wyman stated that the piping to the pool would still be in the floodplain even though the mechanical equipment would not be.

Mr. Carmann replied that there would still be the physical connection to the pool located in the floodplain.

Interim Chair Blum asked if there was any concern of pool chemicals being discharged in case of a flood.

Mr. Carmann replied that the water from the pool would likely be very diluted and could be considered a reasonably safe pollutant.

Commissioner Wyman asked if there was any issue with a detention pond in the floodplain.

Mr. Carmann replied no.

Interim Chair Blum asked if the detention pond was part of the application.

Mr. Zuccaro replied that all improvements are part of the application, including the detention pond and grading.

Commissioner Kaplan asked when the applicant would start work once the permit was granted.

Mr. Zuccaro replied that he would defer to the applicant.

David Foster, attorney for the applicant, stated that he was hired by the property owners after the last meeting of the Planning and Zoning Commission. He continued to say that he was joined this evening by the applicant, the architectural firm that designed the home and accessory structure, and the engineer.

Planning and Zoning Commission Meeting

January 12, 2016

Mr. Foster stated that after the previous application was denied, the application was significantly revised as the house has been reduced in size in order to be out of the floodplain, while still meeting the setback, bulk plane and FAR requirements.

Mr. Foster stated that the location of the pool is important to the applicant, as it is the only logical location.

Mr. Foster stated that much discussion was given to the idea of exceptional hardship. He continued to say that the applicants meet the exceptional hardship criteria found in the Municipal Code used in variance determinations. He continued to say that variance determinations related to exceptional hardships only require one of three criteria to be met, and he feels that the applicant meets two of the three. He stated that they have a very unusual property boundary and the existence of the floodplain makes it a difficult parcel to develop.

Commissioner Kaplan asked what was the code section referred to.

Mr. Foster replied Section 16-3-50.

Commissioner Kaplan stated that the definition of hardship includes “excessive and unnecessary hardship”.

Mr. Foster stated that the property boundary is very unusual, as the driveway divides the property, and is shared with another property. He continued to say that placing the pool on the “finger” portion of the lot is the least attractive location, and poses a safety threat as the driveway that would need to be crossed is shared with other properties. He stated that all other alternate locations would pose problems with the adjoining neighbors, as it would be immediately adjacent to the golf course or essentially in the backyards of the adjacent neighbors.

Mr. Foster stated that the location identified by the architect is the only logical place to put the pool and that if there had been any other location for the pool that would have made sense it would have been identified.

Commissioner Lucas asked if there was a possibility to vacate Oxford Lane and turn the finger portion of the property into the driveway.

Mr. Foster replied that he was unsure if a new driveway would make sense and that would require approval by the neighbors with whom the driveway is currently shared.

Mr. Foster stated that Mr. Carmann had stated that the pool would make no impact on the floodplain. He continued to say that there was no other structure better suited to be in the floodplain than a pool or detention pond. He stated that a pool which does not flood is suited to be placed within the floodplain.

Mr. Foster stated that the applicant has met criterion (c) which states that the authorization will not result in any threats to public safety, public expenses, or create any nuisances.

Interim Chair Blum asked about the criterion not met regarding the Master Plan.

Mr. Foster replied that the criterion regarding the Master Plan was met in the previous submittal by the applicant. He continued to say that the language was very circular, as the criterion stated that improvements are discouraged unless found to be in compliance with the Village's floodplain regulations. He stated that seeking the permit was part of being compliant with the floodplain regulations.

Commissioner LaMair asked if there were any examples of exceptional hardship provided by case law.

Mr. Foster replied that the determination is subjective and given to the Commission to make. He continued to say that he could find examples of case law, but that the code gives direction in determining hardship.

Commissioner Niederman asked at what point in purchasing the property was the applicant aware of the issues and what was disclosed in the process of due diligence.

Mr. Foster stated that he was not counsel for the applicant at that time. He continued to say that it was not an important issue as there is a certain expectation in the City to be able to build a residence in the R-1 Zone District that was 8,000, 10,000 or 12,000 square feet on a lot that is 2.7 acres. He continued to say that anyone who would want to develop on this property would need to be afforded some degree of relief.

Commissioner LaMair stated that Mr. Foster asked what would be better in the floodplain than a pool. He continued to say that nothing at all in the floodplain would be better than any structure. He continued to say that building in the floodplain is discouraged as it is a public safety issue.

Mr. Foster replied that some jurisdictions do not allow any development at all in the floodplain. He continued to say that the City has a process for development to allow reasonable development.

Planning and Zoning Commission Meeting

January 12, 2016

Commissioner Niederman asked if there were any concerns of neighbors for any liability.

Mr. Zuccaro replied that all public hearing notice requirements were met and the City did not receive any comments from neighbors.

Interim Chair Blum asked if the applicant wanted to speak.

Mr. Foster replied no.

Steve Elken, of 5 South Lane, stated that he has known the applicant for years and that he recommends approval of the proposal within the regulations. He stated that new homes are an investment in the City and that the pool is a reasonable request. He stated that there would be no liability and no debris from the pool.

Commissioner Lucas thanked the applicant and stated that Mr. Foster's memo was very clear and made good points. He stated that he had walked the site and that it is a very unique property. He continued to say that the topography on the lot drops off significantly and the proposed pool location is a very natural location. He continued to say that it appears that the neighbors are not in opposition to the proposal. He stated that it was a thoughtful application and he was in support of the application.

Commissioner Lucas stated that the applicant may want to consider vacating the road to provide more flexibility.

Commissioner Kaplan stated that she did not walk the property but she drove by and it is a very verdant and pristine site.

Interim Chair Blum asked if the driveway was moved and the pool was moved what the setbacks would be.

Mr. Zuccaro replied that the setbacks from the front property line are 75 feet for both primary and accessory structures.

Commissioner LaMair stated that the exceptional hardship was difficult to define. He continued to say that there were alternative locations but they were not ideal. He asked if the City Attorney had any cases or language to further explain exceptional hardship.

Deputy City Attorney McAskin replied that there is not a definition in the code of exceptional hardship.

Commissioner Lucas stated that Staff has a responsibility to provide the alternatives listed in the memo.

Commissioner Wyman stated that if the application was approved it could set a precedent. Interim Chair Blum asked if the application would move forward to City Council.

Mr. Zuccaro replied that if it was approved it would move to City Council, and if it was denied the applicant could choose if they would still like to move it forward to City Council.

Commissioner LaMair asked if there were any similar applications in the past and what the outcome was.

Mr. Zuccaro replied that there were not many floodplain development applications in recent years, and there were none with this same situation. He continued to say that each case has unique circumstances and stands alone.

Interim Chair Blum asked if a LOMR was provided would staff recommend the application.

Mr. Zuccaro replied that map revision was proposed in the application submitted in October and that application was denied based on the exceptional hardship criteria.

### **EXECUTIVE SESSION**

Commissioner Lucas made a motion, which was seconded by Commissioner LaMair, to move into executive session with the City Attorney for legal advice related to the review criteria per C.R.S. 24-6-402(4)(b).

The motion passed unanimously.

### **OPEN MEETING**

Commissioner Lucas made a motion, which was seconded by Commissioner Niederman, to approve the application based on affirmative criteria and the testimony of Mr. Foster and the applicant's team.

Commissioner Wyman stated that it is not prudent to allow development in the floodplain. He continued to say that while approval may not set legal precedent, he does feel as though a precedent would be set.

Commissioner Kaplan stated that she agreed with Commissioner Wyman.

Commissioner LaMair stated that the proposed location of the pool is likely the best location but the exceptional hardship is not present.

Commissioner Lucas stated that the City Engineer reported that a pool would have a neutral effect on the floodplain. He continued to say that the property had one of the strangest property lines in the City and that constitutes a hardship.

The following votes were recorded:

- Wyman: no
- Lucas: yes
- Kaplan: no
- Blum: yes
- Niederman: yes
- LaMair: no

Interim Chair Blum stated that the motion was defeated with a vote of 3-3.

Commissioner Lucas asked if there were any amendments that could be made that would make the Commission feel more comfortable to vote for the proposal.

Commissioner Wyman replied no.

Interim Chair Blum asked if the application could move forward to City Council with a 3-3 vote.

Deputy City Attorney McAskin replied that the applicant could request another hearing when all members of the Commission could be in attendance.

Mr. Foster stated that the applicant would like to present their application to City Council with the 3-3 vote. He thanked the Commission for all of their comments and feedback and stated all information was helpful.

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

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MEMORANDUM

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

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

**SUBJECT:** CONTRACT FOR SERVICES WITH THOUTT BROTHERS CONCRETE CONTRACTORS INC. FOR THE 2016 STREET IMPROVEMENT CONCRETE REPLACEMENT PROJECT

**DATE:** MARCH 15, 2016

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On March 1, 2016 the City accepted bids for the 2016 Street Improvement Program's Concrete Replacement Project. The 2016 Concrete Project consists of the removal and installation of +/- 400 yards of concrete. Exhibit A outlines the streets that are scheduled for concrete replacement in 2016. This year's project includes the improvement of the drainage at Quincy west of University in addition to normal curb and gutter replacement. The bids were solicited through the Rocky Mountain Online Bid System. The following bids were received:

<u>Company</u>	<u>Bid Amount</u>
Thoutt Bros. Concrete	\$197,745
Chavez Services, LLC	\$229,291 (Excludes Traffic Control)
PLM Asphalt	\$298,753
Silva Construction Inc.	\$307,990
CEI Construction Inc.	\$389,400
KECI Colorado	\$601,300

Thoutt Brothers Concrete was the low bid for the 2016 project and the contractor that staff is recommending to City Council for approval. The City has used Thoutt Brothers in the past including the 2011, 2012, 2013 and 2014 projects. Thoutt Brothers has produced a quality product in the past and are familiar with the City's expectations and requirements.

A portion of the 2016 Concrete CIP includes improvements on Monroe Street adjacent to the Denver First Church (Item 3 on the bid sheet). For the initial contract approval with Thoutt Brothers Concrete, the Monroe Street portion of the work will be excluded. Staff is requesting approval of the Contract for Services with Thoutt Brothers Concrete in the amount of \$159,745.00 plus a 10% contingency for a not to

exceed amount of \$175,720.00. If City Council approves an amendment to the Monroe Street Agreement in the future the expenditure of funds from the remaining escrow account related to this street will later be added as a change order. Additionally, there are some paving costs associated with Monroe Street that will be contracted for separately outside of the Asphalt Paving Contract that City Council will see in the near future. These additional costs on Monroe Street will be a pass through with no additional funding required by the City.

There is a total of \$650,000.00 in the 2016 combined CIP funds. Once the final details are worked out for the Asphalt and Chipseal contracts staff will be bringing forward to Council a total of \$632,331.00 of proposed CIP projects, which includes Concrete. Additionally, staff has applied for a Safe Routes to School grant that if awarded would further offset the cost of the improvements being proposed at the University Quincy intersection. Regardless of the outcome of that process the total for all of the Capital Improvement Projects will be within budget for 2016.

**STAFF RECOMMENDATION**

Staff recommends that City Council approve contract items 1, 1a, 2, 4 and 5 with Thoutt Brothers Concrete Inc. in the amount of \$159,745.00 plus a 10% contingency for a total maximum expenditure of \$175,720.00 and authorize the expenditure of funds for this project.

**RECOMMENDED MOTION**

“I move to approve the contract for services with Thoutt Brothers Concrete Contractors Inc. in the amount of \$159,745.00 plus a 10% contingency for a total maximum expenditure of \$175,720.00 and authorize the expenditure of these funds.”

**ATTACHMENTS**

- Exhibit A: Description of Concrete Project Areas
- Exhibit B: Contract for Services with Thoutt Brothers Concrete

## Exhibit A

### Project Description:

**Item # 1. University Avenue and Quincy Avenue intersection cross pan. Demo existing asphalt roadway and adjoining curb and gutters, and sidewalks, on all four corners. Installation at this intersection will include a fifty (50) foot by eight (8) foot by ten (10) inch thick cross pan, on Quincy Avenue running from south to north, on the west side of the intersection, per engineer design. The supporting curb and gutters, and sidewalks will need to be constructed to match / support the new cross pan. Approximately thirty (30) cubic yards of new concrete installation is expected. This site will also include the new installation of a chase drain approximately 100 feet north of the new cross pan on University Avenue per engineer design. The chase drain will be in an eighteen (18) inch setback from the University curb and gutter, at a 45 degree angle, and include three 8 inch high by 18 inch wide chase drains under the existing sidewalk. Approximately three (3) cubic yards of concrete installation needed for the chase drain. All four corners at this intersection will need to be constructed at CDOT ADA standards with trunkcated domes. All concrete installed at this intersection will need to be High Early for rapid set and meet 4,000 psi by 24 hours. All supporting asphalt at this location will need to be performed by the contractor, approximately twenty (20) tons. This projects (Item # 1) timeframe will be in the early summer months (June or July) when the three surrounding schools are on summer break. The goal is to complete this project over a two day weekend (start 7:00 pm Friday and end by 4:00 am Monday) re-opening all roadways. The City will provide all follow landscape repairs in support of this project.**

**Item # 1 a. University Avenue and Quincy Avenue intersection cross pan, supporting curb and gutter, sidewalks, west side ADA ramps, chase drain, and east side ADA ramps (north and south). Traffic control for the demo and new installation will include a daytime and nighttime road closure and detours of Quincy Avenue on the west side of the intersection. The traffic control plan will include periodic single lane closures of both south bound and north bound University Blvd, slow lane. It will be the responsibility of the Contractor to secure all State Highway (CDOT) Right of Way Permits. There will be a Traffic Control Plan submitted with the contract. Please see Form of Bid, Summary of Work for more Traffic Control information. Item # 1a, will be the only portion of this contract that will be open as a line item for traffic control bidding.**

**Item # 2. E. Jefferson Avenue, curb and gutter, and valley pan. New installation of approximately twelve hundred (1,200) feet of two and a half (2.5) foot curb and gutter, and approximately one hundred (100) feet of three (3) foot valley pan, following existing grade. This installation will start at the intersection of E. Jefferson Avenue and S. Colorado Blvd and go west, on the north side of E. Jefferson to S. Monroe Street. The curb and gutter will transition into valley pan to match the existing landscape and grade, draining into an existing storm sewer drop grate. The City will provide all the follow up asphalt and landscape repairs in support of this project. The City estimates approximately 60 cubic yards of new concrete installation at this site. This projects (Item # 2) timeframe will be in the months of March, April, or May 2016, ahead of scheduled asphalt paving overlay.**

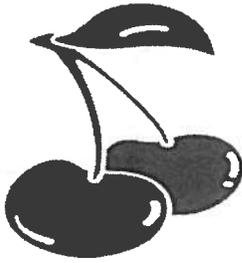
**Item # 3. S. Monroe Street, curb and gutter, driveway, valley pan, and flatwork. New installation of approximately four hundred and seventy (470) feet of new two and a half (2.5) foot curb and gutter following existing grade. This installation will start at the intersection of E. Jefferson Ave. and S. Monroe Street and go north on the east side of Monroe Street to Denver First Church driveway entrance. The City estimates approximately 22 cubic yards of new concrete for this portion of installation. This installation will include the flatwork from the back of the newly constructed curb head on Monroe Street to the back of the existing curb head of the Denver First Church parking lot.**

**This flatwork will be four hundred and seventy (470) feet, by eight (8) feet, by four (4) inches in depth. The City estimates approximately 50 cubic yards of new concrete for this portion of the installation. This installation will include new construction of a twenty eight (28) foot wide (length will be determined at time of installation) and eight (8) inch thick driveway curb cut on the south end of Monroe Street into the Denver First Church parking lot. The City estimates approximately 6 cubic yards of new concrete for this portion of installation. This installation will include new construction of a three (3) foot wide valley pan running south approximately twenty (20) feet from the new driveway curb cut to existing storm sewer grate. The City estimates approximately 2 cubic yards of concrete for this portion of installation. Total estimated new concrete for Item # 3 is approximately 80 cubic yards of concrete. The City will provide all follow up asphalt and landscape repairs in support of this project. This projects (Item # 3) timeframe will be in the months of March, April, or May 2016, ahead of scheduled asphalt paving overlay.**

**Item # 4. Highway 285 Hampden Avenue, Highway 177 University Blvd, and Highway 88 Belleview Avenue. Removal and replacement of approximately fifteen hundred (1,500) feet of sidewalk (varies from 6 to 10 feet wide) at four (4) inches depth. Total estimated new concrete for Item #4 is 170 cubic yards. Many portions of Item # 4 are not easily assessable from the adjoining State Highway. This project will require single lane closures (slow lane) on all three State Highways. It will be the Contractors responsibility to secure all needed State Highway Right of Way Permits, provide a State Certified Traffic Control Supervisor (TCS), State Certified Flaggers, all traffic control devices, and work within the guidelines and timeframes of the State Highway Permits. A Pre Bid Tour is strongly recommended. The Contractor is responsible for ALL LANDSCAPE and IRRIGATION repairs at this project. The City will provide any follow up asphalt repairs at this project if needed. The timeframe for this project (Item #4) is open for the duration of the Contract.**

**Item # 5. Covington Lane, Covington Court, and Jackson Street. Removal and replacement of approximately nine hundred (900) feet of three and a half (3.5) feet of mountable curb and gutter. The City estimates approximately 60 cubic yards of replacement at this project. The City will provide all routine follow up asphalt and landscape repairs at this project. ALL IRRIGATION and egregious landscape damage (sidewalk or driveway damage) will be the responsibility of the Contractor for repair. The timeframe for this project (Item # 5) will be March, April, or May 2016, ahead of Chip Sealing overlay.**

## STANDARD FORM OF CONSTRUCTION CONTRACT

CITY OF  
CHERRY HILLS VILLAGE

City of Cherry Hills Village Project No. 2016-003

CONSTRUCTION CONTRACT  
FOR THE FOLLOWING PROJECT:**2016 Concrete Replacement and New Installation**

This Construction Contract ("Contract"), effective this 15<sup>th</sup> day of March, 2016, is made and entered into by and between Thoutt Bros. Concrete, Inc. (hereinafter, "Contractor"), a(n) corporation organized pursuant to the laws of the State of Colorado and having a principal office address of 5460 Tennyson Street, Denver, CO 80212 and the **CITY OF CHERRY HILLS VILLAGE** (hereinafter, "City" or "Owner"), a home-rule municipal corporation of the State of Colorado, having an address of 2450 East Quincy Avenue, Cherry Hills Village, Colorado 80113 (collectively, the City and Contractor are referred to herein as the "Parties").

In consideration of the mutual covenants hereinafter set forth, the Parties agree as follows:

**PART 1 – WORK; TIME**

1.01 The Contractor agrees to furnish all of the technical, administrative, professional, and other labor, all supplies and materials, equipment, printing, vehicles, local travel, office space and facilities, testing and analyses, calculations, and any other facilities or resources necessary to perform in a workmanlike manner all Work required by the Contract Documents.

1.02 The Contractor agrees to undertake the performance of the Work within **One Hundred and Twenty (120)** days following the Notice of Award and agrees that the Work will be completed within **Ninety (90)** working days (**weekends, holidays, and inclement weather not included**) of the date of the Notice to Proceed unless the contract time is extended by the City as provided in the Contract Documents.

1.03 The Parties agree that, in any section in which the Contractor prepares any document for "the approval of the City," such subsequent approval by the City does not mean that City is responsible for the accuracy, thoroughness, or judgment contained in the document. The City does not waive the right to hold the Contractor responsible for the accuracy, thoroughness, or judgment expressed in the document, as it is expressly agreed by the Parties that the City is relying on the expertise of the Contractor for the timely completion of the Work required by the Contract Documents.

**PART 2 – CONTRACT PRICE AND PAYMENT**

2.01 The City shall pay the Contractor for performance of the Work in accordance with the Contract Documents the amount(s) shown on Contractor's Form of Bid (Excluding bid item #3 S. Monroe Street), not to exceed one hundred fifty nine thousand seven hundred forty five Dollars (\$159,745.00).

2.02 The City shall make payments as set forth in Article 9 of the General Conditions, subject to the City's obligation to retain a portion of the payments until final completion and acceptance by the City of all Work included in the Contract Documents.

2.03 Prior to final payment, all Work specified by the Contract Documents must be completed. Payment shall be made only after the procedure specified by the General Conditions is completed.

2.04 The City represents that either an appropriation for the price specified in this Construction Contract has been made by the City Council or that sufficient funds have otherwise been made available for the payment of this Construction Contract.

2.05 The Parties understand and acknowledge that the City of Cherry Hills Village 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 Contract. It is understood and agreed that this Contract does not create a multi-fiscal year direct or indirect debt or obligation within the meaning of TABOR and, therefore, notwithstanding anything in this Contract to the contrary, all payment obligations of the City are expressly dependent and conditioned upon the continuing availability of the 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 of Cherry Hills Village and other applicable law. Upon the failure to appropriate such funds, this Contract shall be terminated.

### **PART 3 – CONTRACTOR'S REPRESENTATIONS**

3.01 In order to induce the City to enter into this Construction Contract, the Contractor makes the following representations:

(a) The Contractor has familiarized itself with the nature and the extent of the Contract Documents, Work, the location and site of the Work and any and all local conditions and federal, state and local laws, ordinances, rules and regulations that in any manner may affect cost, progress or performance of the Work.

(b) Contractor has carefully studied all physical conditions at the site and existing facilities affecting cost, progress or performance of the Work.

(c) Contractor has given the City written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and, if applicable, the written resolution(s) thereof by the City is/are acceptable to the Contractor.

(d) Contractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract. Contractor shall not contract with a subcontractor that fails to certify to the Contractor that the subcontractor shall not knowingly employ or contract with any illegal aliens to perform work under this Contract. By entering into this Contract, Contractor certifies as of the date of this Contract that has confirmed the employment eligibility of all employees who are newly hired for employment and who will perform work under the public contract for services through participation in the e-verify program or department program. The Contractor is prohibited from using either the e-verify

program or the department program procedures to undertake pre-employment screening of job applicants while this Contract is being performed. If the Contractor obtains actual knowledge that a subcontractor performing work under this Contract knowingly employs or contracts with an illegal alien, the Contractor shall be required to notify the subcontractor and the City within three (3) days that the Contractor has actual knowledge that a subcontractor is employing or contracting with an illegal alien. The Contractor 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 Contractor's actual knowledge. The Contractor shall not terminate the subcontract if, during such three (3) days, the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien. The Contractor is required to comply with any reasonable request made by the Department of Labor and Employment made in the course of an investigation undertaken to determine compliance with this provision and applicable state law. If the Contractor violates this provision, the City may terminate this Contract, and the Contractor may be liable for actual and/or consequential damages incurred by the City, notwithstanding any limitation on such damages otherwise provided by this Contract.

3.02 Contractor agrees to remedy all defects appearing in the Work or developing in the materials furnished and the workmanship performed under this Construction Contract for a period of one (1) year or such other time that is specified in the Contract Documents after the date of acceptance of the Work by the City, and further agrees to indemnify and save the City harmless from any costs encountered in remedying such defects. Contractor shall provide a performance, payment, maintenance and warranty bond that shall remain in effect until all defects are corrected as required by this paragraph.

3.03 Contractor is an independent contractor and nothing herein contained shall constitute or designate the Contractor or any of its employees or agents as agents or employees of the City.

#### **PART 4 - CONTRACT DOCUMENTS**

4.01 The Contract Documents, which comprise the entire Construction Contract between the City and the Contractor, are attached to this Construction Contract and made a part hereof, including:

- |   |        |
|---|--------|
| Invitation for Bids                                 | Other: |
| Instructions to Bidders                             |        |
| Bid Bond  |        |
| Bid Form  |        |
| Notice of Award                                     |        |
| Notice to Proceed                                   |        |
| Construction Contract                               |        |
| Construction Drawings                               |        |
| Specifications                                      |        |
| Performance, Payment, Maintenance and Warranty Bond |        |
| General Conditions, including table of contents     |        |
| Special Conditions                                  |        |
| Addendum  |        |
| Change Orders                                       |        |
| Insurance Certificates                              |        |
| Tax-Exempt Certificates                             |        |

In the event of an inconsistency between any provisions of the Contract Documents, the more specific provisions shall govern the less specific provisions, and written addenda, change orders, or other modifications approved in writing by both Parties subsequent to the date of this Contract as set forth on page 1 hereof shall govern the original Contract Documents.

4.02 There are no Contract Documents other than those listed above. The Contract Documents may only be altered, amended or repealed by a modification, in writing, executed by the City and the Contractor.

## **PART 5 - PROJECT MANAGER**

5.01 The Project Manager, for the purposes of the Contract Documents, is the following, or such other person or firm as the City may designate in writing:

Name: Ralph Mason  
Address: 2450 East Quincy Avenue, Cherry Hills Village, Colorado 80113  
Telephone: 303-591-4746  
Email: rmason@cherryhillsvillage.com

The Project Manager is authorized to represent and act as agent for the City with respect to City's rights and duties under the Contract Documents, provided, however, the Project Manager shall not have any authority to approve any Change Order or approve any amendment to the Construction Contract or Contract Documents, except for those minor Change Orders defined in paragraph 7.4.1 of the General Conditions, such authority being specifically reserved to the duly authorized official of the City having such approval authority pursuant to the City's Charter and ordinances. In the event of doubt as to such authority, the Contractor may request a written representation from the City Manager resolving such doubt and designating the person with authority under the circumstances, which written representation shall be conclusive and binding upon the City.

## **PART 6 - ASSIGNMENT**

6.01 No assignment by a party hereto of any rights under or interest in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically, but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. This restriction on assignment includes, without limitation, assignment of the Contractor's right to payment to its surety or lender.

6.02 It is agreed that this Construction Contract shall be binding on and inure to the benefit of the parties hereto, their heirs, executors, administrators, assigns and successors.

## **PART 7 - GOVERNING LAW AND VENUE**

7.01 This Construction Contract shall be governed by the laws of the State of Colorado and the Charter and ordinances of the City of Cherry Hills Village.

7.02 This Construction Contract shall be deemed entered into in Arapahoe County, State of Colorado, as the City is located in said county. The location for settlement of any and all claims, controversies and disputes arising out of or related to this Construction Contract or any breach thereof, whether by alternative dispute resolution or litigation, shall be proper only in Arapahoe County.

## **PART 8 - LIQUIDATED DAMAGES**

8.01 The City and the Contractor recognize that time is of the essence in this Construction Contract and that the City will suffer financial loss if the Work is not substantially completed within the time specified in paragraph 1.02 above, plus any extensions thereof allowed by the City by written Change Order. They also recognize the delays, expense, and difficulties involved in proving, in a legal or arbitration proceeding, the actual loss suffered by the City if the Work is not substantially complete on time. Accordingly, rather than requiring any such proof, the City and the Contractor agree that as liquidated damages for delay (but not as a penalty) the Contractor shall pay the City the applicable amount set forth in the General Conditions for each day that expires after the time specified in paragraph 1.02 until the Work is complete. It is agreed that this is a reasonable estimate of the damages likely to be suffered by the City for late completion of the Work. If the Contractor shall fail to pay such liquidated damages promptly upon demand therefor, the Surety on the Performance, Payment, Maintenance and Warranty Bond shall pay such damages. In addition, and at the City's option, the City may withhold all or any part of such liquidated damages from any payment due the Contractor.

#### **PART 9 - MODIFICATIONS**

This Construction Contract shall be modified only by written Change Orders or Addenda agreed upon by the Parties hereto, duly issued in form approved by the City Attorney and in conformance with the other Contract Documents.

#### **PART 10 - CONTINGENCY**

This Construction Contract is expressly contingent upon the approval of the City of all of the terms set forth herein. In the event this Construction Contract is not approved in its entirety by the City, neither Party shall be bound to the terms of this Construction Contract.

The person or persons signing and executing this Construction Contract on behalf of each Party, do hereby warrant and guarantee that he/she or they have been fully authorized to execute this Construction Contract and to validly and legally bind such Party to all the terms, performances and provisions herein set forth.

No officer or employee or agent of the City shall be personally responsible for any liability arising under or growing out of the Contract.

**INSURANCE CERTIFICATES REQUIRED BY THE GENERAL CONDITIONS OF THIS CONTRACT SHALL BE SENT TO THE PUBLIC WORKS DEPARTMENT, CITY OF CHERRY HILLS VILLAGE, ATTENTION: RALPH MASON, PROJECT MANAGER**



**III. FORM OF BID**

Bidder: Thoutt Bros. Concrete Contractors, Inc.

City of Cherry Hills Village Project No. **2016-003**

This Bid is dated March 1, 2016

To: The City of Cherry Hills Village, State of Colorado.

**BASE BID**

Item #	Description	Estimated Quantity	Unit	Unit Cost	Cost Extended
1	University and Quincy Intersection	33cy High Early		515.00	16,995.00
1 a	University and Quincy Installation	Traffic Control		5,000.00	5,000.00
2	E. Jefferson Avenue	60 cy		475.00	28,500.00
3	S. Monroc Street	80 cy		475.00	38,000.00
4	Hampden, University, Belleview	170 cy		475.00	80,750.00
5	Covington Ln, Covington Ct, & Jackson St	60 cy		475.00	28,500.00
6					

Total Base Bid 197,745.00

**Summary of Work**

The City of Cherry Hills Village reserves the right to delete portions or quantities of this Bid / Project at any time.

The above quantities are estimates only. It is the Contractors responsibility to view the proposed construction project sites at their discretion prior to bidding. A City representative can be available Tuesday thru Friday for a Pre-Bid project tour per appointment. Appointments must be scheduled 48 hours in advance. Contact Project Manager, Ralph Mason, 303-591-4746 for appointments.

The City does not recognize Mobilization, Re-mobilization, or De-mobilization as a line item.

The City does not recognize Tear Out / Demo of concrete, asphalt, or sub-grade as a line item.

The City does not recognize Traffic Control as a line item except as expressly allowed herein.

Portions of this these Projects (Items # 1 and # 4) will require single lane closures, intersection closure, detours, and timeframe restrictions on State Highways. It will be the Contractors responsibility to secure all needed State Right of Way Permits, provide a State Certified Traffic Control Supervisor (TCS), State Certified Flaggers, all traffic control devices, and work within the guidelines and timeframes of the State Highway Permits.

On Item # 1 a. A Traffic Control Plan will be submitted with this Contract. Item # 1a, will be the only portion of this contract that will be open as a line item for traffic control bidding. A Pre-Bid project tour is strongly recommended for this phase of project bidding.

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)

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MEMORANDUM

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

**FROM:** ROBERT ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT:** COMMUNITY DEVELOPMENT DEPARTMENT MONTH END REPORT FOR FEBRUARY 2016

**DATE:** MARCH 15, 2016

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**BUILDING PERMITS SUMMARY:**

	<i>February 2016</i>	<i>YTD 2016</i>	<i>YTD 2015</i>	<i>YTD % Change</i>
Total Permits	53	105	119	-12%
Total Revenue	\$58,591	\$79,751	\$75,719	5%
New Home Permits	2	2	1	100%
New Home Revenue	\$30,866	\$30,866	\$18,479	67%
Remodel/Addition Permits	10	20	23	-13%
Remodel/Addition Revenue	\$15,748	\$29,279	\$28,671	2%

**PLANNING AND ZONING COMMISSION:**

- February 9, 2016 Regular Meeting: The meeting was cancelled due to a lack of agenda items.

**BOARD OF ADJUSTMENT AND APPEALS:**

- February 4, 2016 Regular Meeting: The meeting was cancelled due to lack of agenda items.

**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

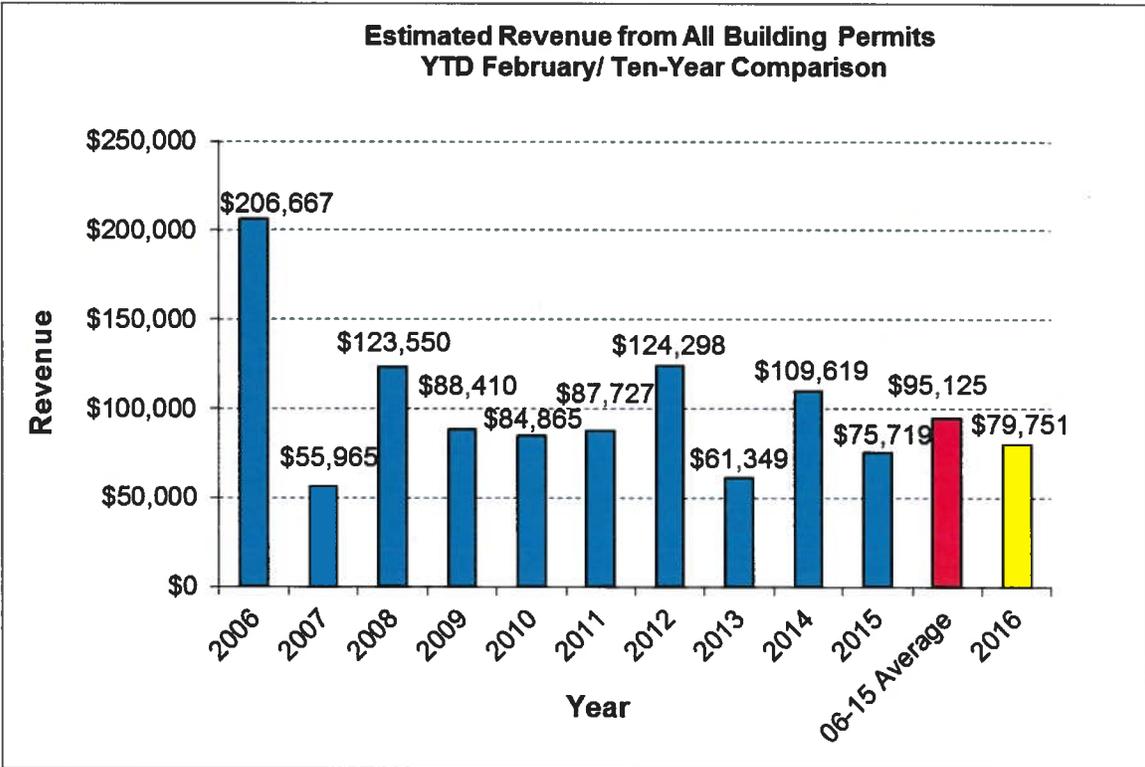
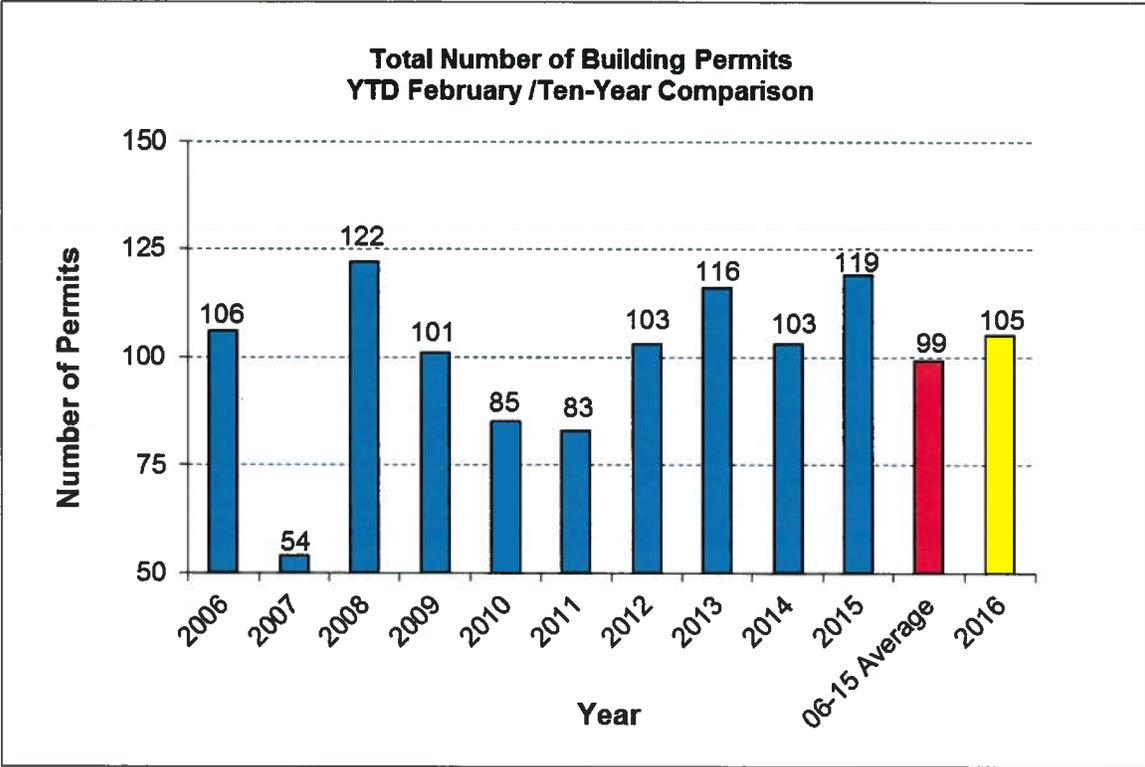
## Planning Project Activity List Community Development Department

Report Date: March 9, 2016

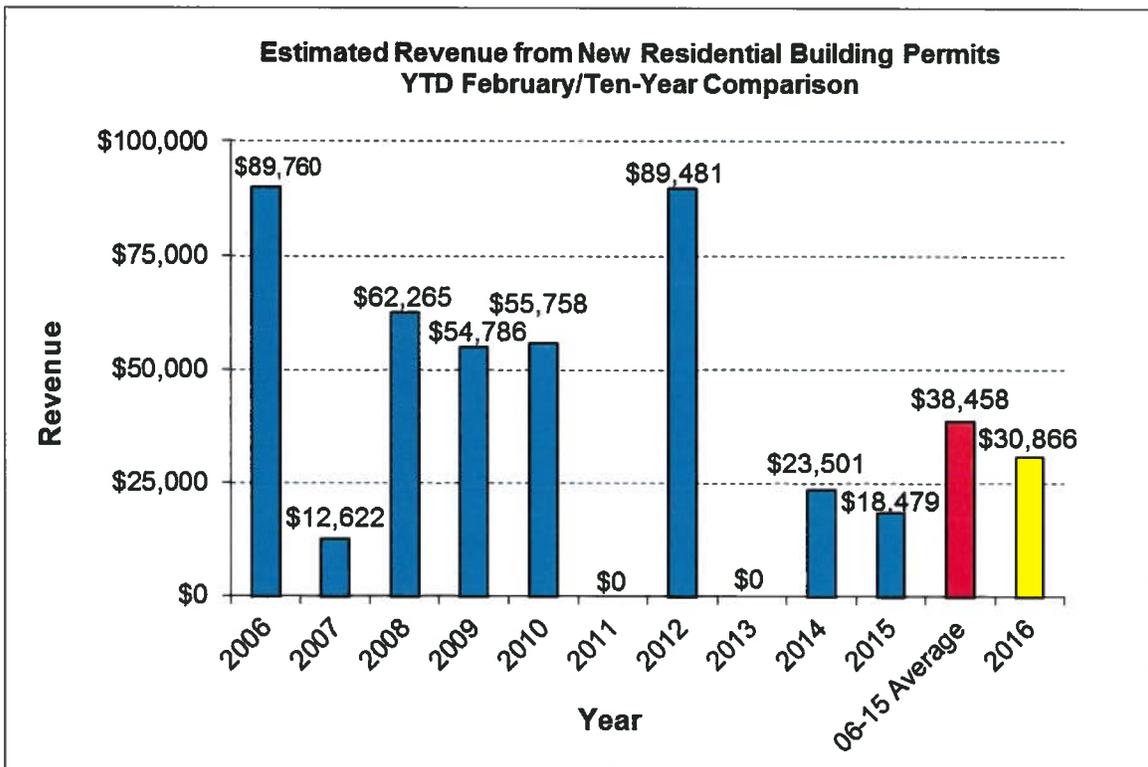
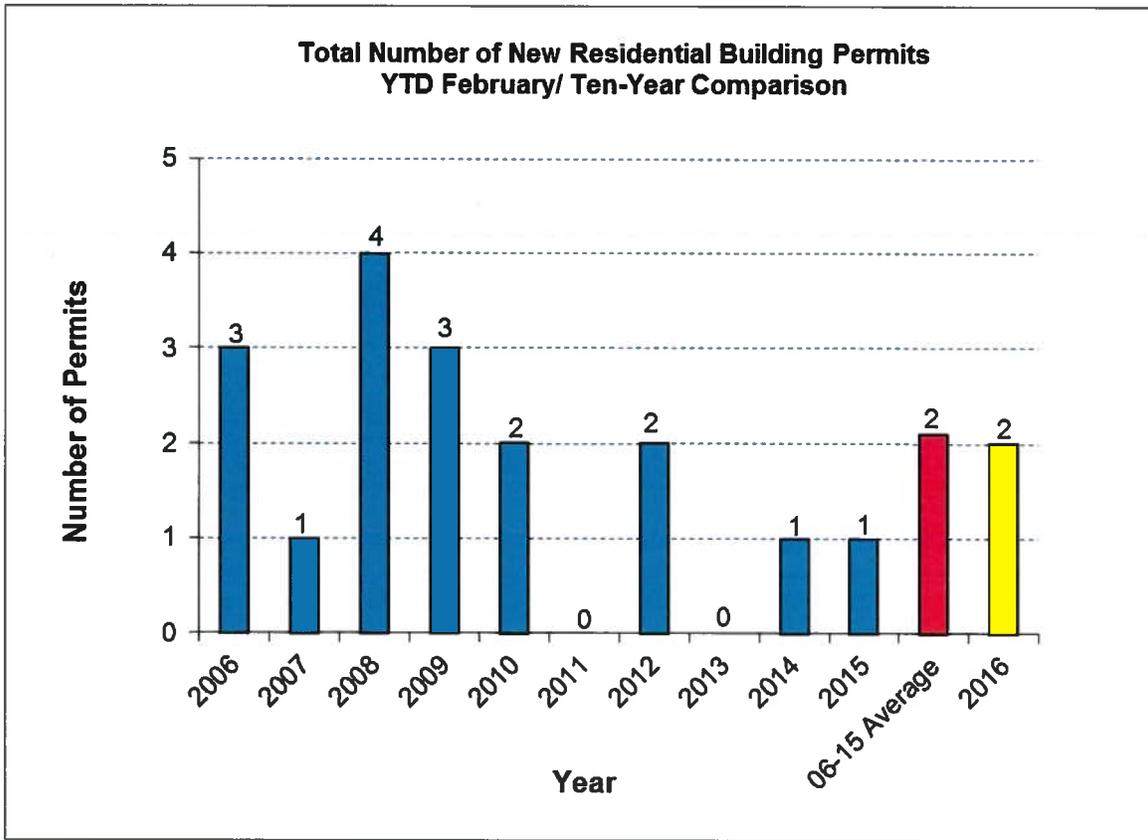
*City Council and Planning and Zoning Commission Members are advised to avoid discussing quasi-judicial land use matters with any person outside of the public hearing process. The restriction on discussion of quasi-judicial matters is generally considered to take effect when a formal application has 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					
<i>Applicant</i>	<i>Address</i>	<i>Description</i>	<i>PTRC Review</i>	<i>P&amp;Z Review</i>	<i>Council Review</i>
Helen	1530 E. Oxford Lane	Floodplain Development Permit and Boundary Amendment for New Home	n/a	10/13/15 01/12/16	3/15/16
City Council	4400 E. Quincy Avenue	Quincy Farms Rezoning (O-2)	Pending	Pending	Pending
Maven Properties, LLC	2 Tenaya Ln/5050 Quincy Ave	Minor Subdivision Amendment, Cantitoe – Vacation and Relocation of Trail Easement	Pending	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					
<i>Applicant</i>	<i>Address</i>	<i>Description</i>	<i>PTRC Review</i>	<i>P&amp;Z Review</i>	<i>Council Review</i>
Bulk Plane/FAR Study Group Initiated	n/a	Amendment to Bulk Plane Measurement Method for Larger Lots	n/a	03/08/16 04/12/16	Pending
City Council Initiated	n/a	Quincy Farm Property (O-2) Zoning Category	3/10/16	4/12/16	5/17/16
Board of Adjustment and Appeals Cases					
<i>Applicant</i>	<i>Address</i>	<i>Description</i>	<i>BOAA Review</i>		

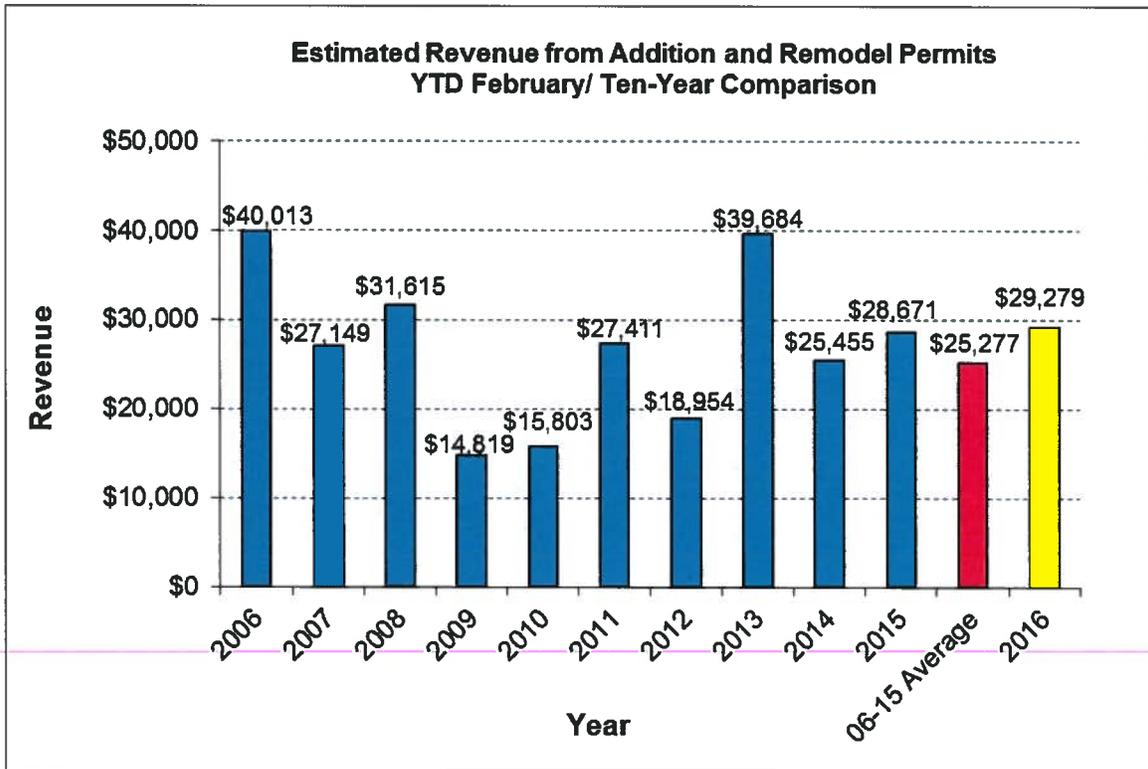
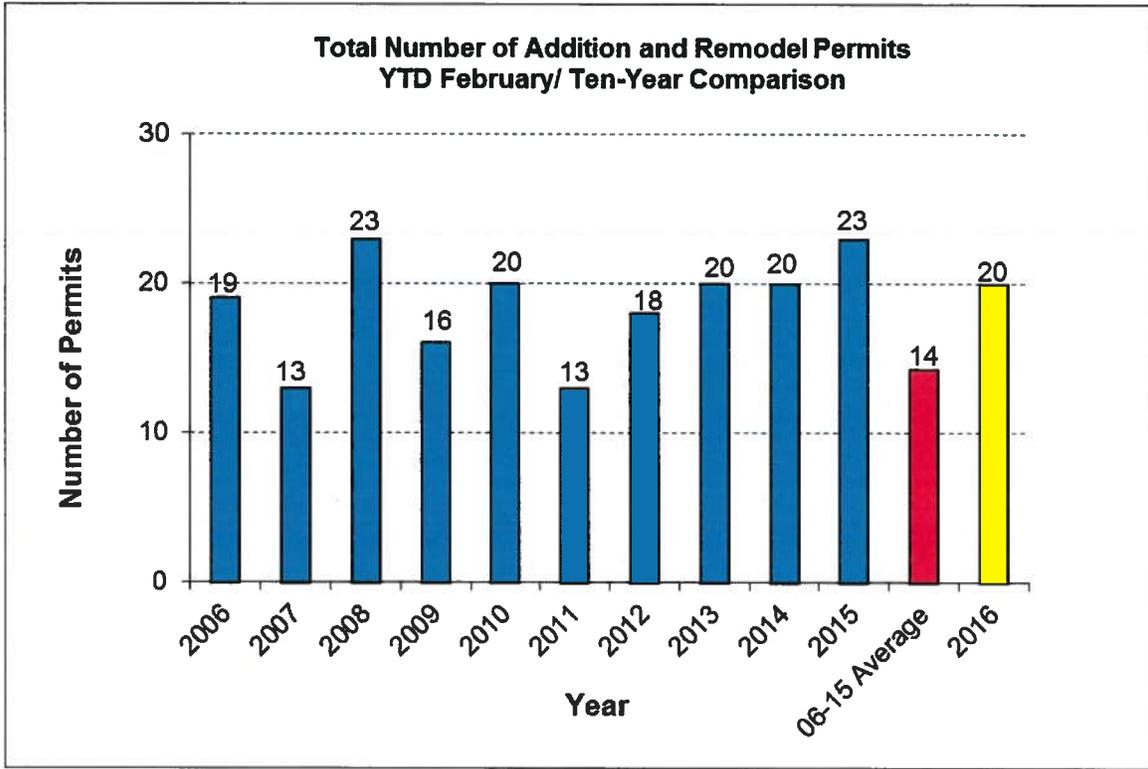
**TOTAL PERMITS  
YTD THROUGH FEBRUARY  
10 YEAR COMPARISON**



**NEW RESIDENCES  
YTD THROUGH FEBRUARY  
10 YEAR COMPARISON**



**ADDITIONS & REMODELS  
YTD THROUGH FEBRUARY  
10 YEAR COMPARISON**





**Grouped By:** Permit Type (Asc)  
**Sorted By:** Work Start (Asc)  
**Parameters:** Date Issued Is between 2/1/2016 and 2/29/2016

**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
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<b>Accessory Structure</b>				
76918 92 Accessory Structure 1/6/16 2/8/16	1610 E STANFORD AVE ENGLEWOOD, CO 80113-6033	R-1	GRAVES, CHRIS / GRAVES, CHRIS / MOUNTAIN MACK CONSTRUCTION / 303-82 Active	80,000 / 1,545.60 2/8/16 / 8/9/17
<b>Description of Work: CONSTRUCT CONCRETE POOL AND SPA TO ENGINEERED PLANS</b>				
76961 627 Accessory Structure 1/27/16 2/10/16	3800 S CORONA ST ENGLEWOOD, CO 80113-7513	R-3	GASTIS, GEORGE & LAURA LEE / 303-358-4 GASTIS, GEORGE & LAURA LEE / 303-358-4 DESIGNS BY SUNDOWN / 303-434-3532 Active	1,000 / 322.50 2/10/16 / 8/11/17
<b>Description of Work: INSTALL PATIO AND FIREPIT</b>				
76973 523 Accessory Structure 2/3/16 2/19/16	21 CHERRY HILLS FARM DR ENGLEWOOD, CO 80113-7170	R-3 Council District 1 Chry Hls Farm Flng 4	DIGBY, KELLEY / 303-881-8325 DIGBY, KELLEY / 303-881-8325 COLORADO CUSTOM DECKS / 303-790-9090 Active	20,000 / 525.00 2/19/16 / 8/20/17
<b>Description of Work: DECK REPLACEMENT</b>				
76968 1127 Accessory Structure 1/28/16 2/19/16	3663 S ALBION ST ENGLEWOOD, CO 80113-4237	R-3 Council District 1	WHITE, BRIAN & HALLIE / 303-335-5018 WHITE, BRIAN & HALLIE / 303-335-5018 DESIGNS BY SUNDOWN / 303-789-4400 Active	10,700 / 420.38 2/19/16 / 8/20/17
<b>Description of Work: REMOVE AND REPLACE DRIVEWAY, FRONT ENTRY AND BACK PATIO TO INCLUDE OUTDOOR KITCHEN AND FIRE PIT AS ACC</b>				
76986 1297 Accessory Structure 2/11/16 2/26/16	4285 S BELLAIRE CIR ENGLEWOOD, CO 80113-5030	R-4	TERRY, SETH S & JENNIFER A / 303-871-048 TERRY, SETH S & JENNIFER A / 303-871-048 OLD GREENWICH BUILDERS / 303-875-4073 Active	75,000 / 1,143.75 2/25/16 / 8/26/17
<b>Description of Work: OUTDOOR FIREPLACE WITH TERRACE. FLAT ROOF COVER OVER EXISTING PATIO/PORCH</b>				

Total Permits Issued (Accessory Structure) : 5      Total Cost: 186,700.00      Total Fees: 3,957.23

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
<b>Building Permit - Other</b>				
76978 885 Building Permit - Other 2/8/16	5052 E PRINCETON AVE ENGLEWOOD, CO 80113-5020	R-4	STRAUSS, ERIC L & / STRAUSS, ERIC L & / PLUMBLINE SERVICES / 303-766-7500	2,000 / 20.00 2/8/16 / 8/9/17 Active
<b>Description of Work: 50 GAL HOT WATER HEATER REPLACEMENT</b>				
76979 1777 Building Permit - Other 2/8/16	6435 E TUFTS AVE ENGLEWOOD, CO 80111-1165	R-4	MOORE, LAURA A / MOORE, LAURA A / STONE AND CONCRETE / 720-450-7819	1,100 / 20.00 2/8/16 / 8/9/17 Complete
<b>Description of Work: SEWER REPAIR IN PROPERTY. 8' LONG; 9' DEEP</b>				
76956 1719 Building Permit - Other 1/26/16	5700 E STANFORD DR ENGLEWOOD, CO 80111-7200	R-1 Council District 5 Chardou Park Amnd	EBER, ALAN / 303-770-5020 EBER, ALAN / 303-770-5020 RENEWAL BY ANDERSEN / 303-945-1519	65,406 / 1,035.82 2/10/16 / 8/1/17 Active
<b>Description of Work: REPLACE 27 WINDOWS AND 3 DOORS. ONE WINDOW OPENING TO BE ENLARGED. ALL OTHERS LIKE FOR LIKE</b>				
76987 810 Building Permit - Other 2/11/16	3535 S FRANKLIN ST ENGLEWOOD, CO 80113-4005	R-1	ZILIS, SALLY / ZILIS, SALLY / PELLA WINDOWS & DOORS / 303-253-0150	16,131 / 181.47 2/1/16 / 8/12/17 Active
<b>Description of Work: REPLACING ONE DOOR AND 5 WINDOWS LIKE FOR LIKE, SIZE FOR SIZE. U FACTOR .28, .30</b>				
76872 217 Building Permit - Other 12/8/15	26 VIKING DR ENGLEWOOD, CO 80113-7002	R-3	MOORHEAD, SUSAN K / MOORHEAD, SUSAN K / AAA SERVICE PLUMBING INC / 720-317-278:	13,440 / 151.20 2/17/16 / 8/18/17 Active
<b>Description of Work: INSTALL 116K BTU FURNACE AND 16 SEER AC UNIT</b>				
76991 2477 Building Permit - Other 2/12/16	4501 E MANSFIELD AVENUE CHERRY HILLS VILLAGE, CO 80		WALL, WILLIAM / 303-324-5662 WALL, WILLIAM / 303-324-5662 VILLA MASONRY LLC / 303-324-6533	8,000 / 90.00 2/17/16 / 8/18/17 Complete
<b>Description of Work: 3X3X6 MASONRY COLUMNS</b>				
76996 800 Building Permit - Other 2/17/16	11 SUNRISE DR ENGLEWOOD, CO 80113-4107	R-1 Council District 2 Reserve	GIORDANO, MARSHA / 303-886-3241 GIORDANO, MARSHA / 303-886-3241 PREMIER EXCAVATION SERVICES / 303-211	3,100 / 34.88 2/17/16 / 8/18/17 Complete
<b>Description of Work: SEWER REPLACEMENT IN YARD ONLY. INSTALLING DUAL SWEEP CLEAN OUTS.</b>				
77001 1239 Building Permit - Other 2/18/16	3777 S ALBION ST ENGLEWOOD, CO 80113-4206	R-3 Council District 4	BARSCHE, THOMAS F & KAREN L / BARSCHE, THOMAS F & KAREN L / BUILDER'S HEATING / 303-722-7183	11,215 / 126.17 2/18/16 / 8/16/17 Complete
<b>Description of Work: MODIFY BEDROOM AIR CONDITIONING</b>				

Permit Listing - Monthly Report

Permits Issued

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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
77007 1280 Building Permit - Other 2/19/16	3941 S CHERRY ST ENGLEWOOD, CO 80113-5033	R-5	PETTJOHN, DAVID E & EILEEN H / PETTJOHN, DAVID E & EILEEN H / RENEWAL BY ANDERSEN / 303-945-1519	8,389 / 94.38 2/19/16 / 8/20/17 Active
<b>Description of Work:</b> REPLACING WINDOWS LIKE FOR LIKE. U FACTOR .30 OR BETTER.				
77011 433 Building Permit - Other 2/22/16	4765 S CLAYTON CT ENGLEWOOD, CO 80113-7108	R-3	JANIK, JAMES E & / JANIK, JAMES E & / DOCTOR FIX IT PLUMBING HEATING AND EL Active	2,565 / 28.86 2/22/16 / 8/23/17 Active
<b>Description of Work:</b> REPLACE 2 50 GAL WATER HEATERS				
77017 1511 Building Permit - Other 2/24/16	5934 E PRINCETON CIR ENGLEWOOD, CO 80111-1039	R-4	KING, JAMES M / 303-756-6583 KING, JAMES M / 303-756-6583 BELL PLUMBING & HEATING / 303-757-5661	1,500 / 20.00 2/24/16 / 8/25/17 Active
<b>Description of Work:</b> 50 GALLON BTU 40K WATER HEATER				
77020 1331 Building Permit - Other 2/25/16	4191 S COLORADO BLVD ENGLEWOOD, CO 80113-5039	R-1 Council District 2 Smith's Gardens	CARSON, STANLEY D & BONITA S / CARSON, STANLEY D & BONITA S / RENEWAL BY ANDERSEN / 303-945-1519	17,837 / 200.67 2/25/16 / 8/26/17 Active
<b>Description of Work:</b> REPLACING WINDOWS LIKE FOR LIKE I LIVING ROOM, 3 KITCHEN. U FACTOR OF .30 OR BETTER				

Total Permits Issued (Building Permit - Other) : 12

Total Cost: 150,683.00

Total Fees: 2,003.45

Permit Listing - Monthly Report

Permits Issued

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
77000 Demo 2/18/16	2180 43 COVINGTON CT ENGLEWOOD, CO 80113-4143	R-3A	JEBLON, MATT / 508-344-2557 JEBLON, MATT / 508-344-2557 CARTER DESIGN BUILDERS / 720-346-1040	29,000 / 20.00 2/18/16 / 8/19/17 Active
<b>Description of Work: DEMOLITION- NO DRYWALL REMOVAL</b>				
77003 Demo 2/18/16	295 8 VIKING DR ENGLEWOOD, CO 80113-7025	R-3 Allen	BEIRNE, PATRICK J & MARIAN J / BEIRNE, PATRICK J & MARIAN J / ADI CUSTOM / 720-641-5912	3,000 / 20.00 2/18/16 / 8/19/17 Active
<b>Description of Work: DEMO CABINETS, FIXTURES AND TILE.</b>				
77019 Demo 2/25/16	510 85 GLENMOOR PL ENGLEWOOD, CO 80113-7122	R-3	CLARKE, ROBERT / CLARKE, ROBERT / CORNERSTONE CUSTOM HOMES / 303-783 Active	3,200 / 32.00 2/25/16 / 8/26/17 Active
<b>Description of Work: DEMO FIREPLACE AND DRYWALL FOR HALLWAY UPSTAIRS</b>				
<b>Total Permits Issued (Demo) : 3</b>			<b>Total Cost: 35,200.00</b>	<b>Total Fees: 72.00</b>

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
<b>Electrical</b>				
76984 472 Electrical 2/9/16 2/9/16	4663 S ELIZABETH CT ENGLEWOOD, CO 80113-7106	R-3A	PEARL, KAREN & JEFFREY / 303-978-2151 PEARL, KAREN & JEFFREY / 303-978-2151 FULL CONTACT ELECTRICAL SYSTEMS LLC	26,000 / 565.50 2/9/16 / 8/10/17 Active
<b>Description of Work: ELECTRICAL FOR REMODEL</b>				
76985 457 Electrical 2/9/16 2/9/16	48 GLENMOOR CIR ENGLEWOOD, CO 80113-7121	R-3 Council District 3	DONOVAN, JEFF / DONOVAN, JEFF / HALLMARK ELECTRIC / 303-458-1509	3,800 / 87.00 2/9/16 / 8/10/17 Active
<b>Description of Work: ELECTRICAL FOR REMODEL</b>				
76981 553 Electrical 2/9/16 2/9/16	4915 S GAYLORD ST ENGLEWOOD, CO 80113-7131	R-3 Council District 1	CHAIKOVSKY, CAROL / 303-783-9967 CHAIKOVSKY, CAROL / 303-783-9967 VISION ELECTRICAL SERVICES LLC / 720-3-Active	2,000 / 55.00 2/9/16 / 8/10/17 Active
<b>Description of Work: ELECTRICAL FOR BATH REMODEL</b>				
76983 1229 Electrical 2/9/16 2/9/16	4085 S DEXTER ST ENGLEWOOD, CO 80113-5123	R-5	BRENNAN, DAVID WAYNE & / BRENNAN, DAVID WAYNE & / ANTONELLA BRENNAN / 303-758-1357	2,300 / 65.25 2/9/16 / 8/9/17 Active
<b>Description of Work: ELECTRICAL FOR REMODEL #15-76881</b>				
76980 1236 Electrical 2/9/16 2/9/16	4071 S DAHLIA ST ENGLEWOOD, CO 80113-5145	R-5	ACCOLA, AREND / 303-253-2147 ACCOLA, AREND / 303-253-2147 BRANT ELECTRIC / 720-641-2189	3,000 / 65.25 2/9/16 / 8/10/17 Active
<b>Description of Work: REWIRE BATH, BEDROOM AND MISC.</b>				
76989 1698 Electrical 2/12/16 2/12/16	58 CHARLOU CIR ENGLEWOOD, CO 80111-1103	R-3	EKSTROM, GAVIN / EKSTROM, GAVIN / JAYCO ELECTRIC LLC / 303-570-3197	3,000 / 65.25 2/12/16 / 8/13/17 Active
<b>Description of Work: ELECTRICAL FOR BASEMENT FINISH</b>				
76992 1314 Electrical 2/16/16 2/16/16	10 CHERRY LANE DR ENGLEWOOD, CO 80113-4234	R-2 Council District 6 Chry Hills Annex	DRAGUL, GARY J / DRAGUL, GARY J / PICUCCI ELECTRIC / 303-628-7576	14,000 / 304.50 2/16/16 / 8/17/17 Active
<b>Description of Work: ADD 125 AMP PANEL ON ROOF; WIRE 18' CONDENSING UNITS; ADD 3 60 AMP PANELS FROM EXISTING FEEDERS.</b>				
76995 198 Electrical 2/17/16 2/17/16	10 VIKING DR ENGLEWOOD, CO 80113-7025	R-3 Council District 4 Harper 2	COOPER, MIKE LEE / COOPER, MIKE LEE / TELLER PARK ELECTRIC / 719-520-9999	1,500 / 55.00 2/17/16 / 8/18/17 Active
<b>Description of Work: INSTALL SUBPANEL AND ARC FAULT BREAKERS, INTERCONNECTED SMOKES AND CO DETECTORS, NEW 20A SPRINKLER (</b>				

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
77006 Electrical 2/18/16	1443 25 MARTIN LN ENGLEWOOD, CO 80113-4826	R-3 Council District 1	DADOURIAN, PETER / 908-510-7935 DADOURIAN, PETER / 908-510-7935 SJO ELECTRIC LLC / 303-400-4321	41,000 / 440.45 2/18/16 / 8/19/17 Active
<b>Description of Work: ELECTRIC FOR NEW BUILD</b>				
77004 Electrical 2/18/16	3991 1/2 S HOLLY WAY ENGLEWOOD, CO 80113		CHERRY HILLS NORTH HOA / CHERRY HILLS NORTH HOA / COLORADO LIGHTING, INC / 303-288-3152	3,720 / 87.00 2/18/16 / 8/19/17 Active
<b>Description of Work: ADD LIGHTING TO MONUMENT SIGN</b>				
77010 Electrical 2/22/16	2091 5100 E CHENANGO AVE ENGLEWOOD, CO 80121-2038	R-1 Council District 5 Tambllyn	STURM, ROBERT / 303-394-4248 STURM, ROBERT / 303-394-4248 DIRECT ENERGY SERVICES / 303-901-5467	6,760 / 152.25 2/22/16 / 8/23/17 Complete
<b>Description of Work: ADDING 5 20 AMP CIRCUITS FOR NEW STEAM HUMIDIFIERS AND 60 AMP SUBPANEL IN GARAGE</b>				
77012 Electrical 2/23/16	1535 6051 S HAPPY CANYON DR ENGLEWOOD, CO 80111-1010	R-4	BLUE, SARA / BLUE, SARA / JNB ELECTRIC INC / 303-378-9094	7,000 / 152.25 2/23/16 / 8/23/17 Active
<b>Description of Work: ELEC HOUSE REMODEL - NEW KITCHEN - CHANGE OUT PANEL - MISC REMODEL 2ND LEVEL - MISC REMODEL MAIN LEVEL</b>				
77014 Electrical 2/23/16	1214 3700 S COLORADO BLVD ENGLEWOOD, CO 80113-4212	R-3	HAKANSON, MARIGOLD ANN / HAKANSON, MARIGOLD ANN / ELECTRICAL SERVICE SPECIALISTS / 303-7 Active	11,655 / 261.00 2/23/16 / 8/23/17
<b>Description of Work: NEW OUTDOOR 200A METER/MAIN PANEL, SUB PANEL LAUNDRY ROOM, SUB PANEL IN BASEMENT FURNACE ROOM, RESIF</b>				
77018 Electrical 2/24/16	1985 63 GLENMOOR DR ENGLEWOOD, CO 80113-7116	R-3	KASPAREK, SAM / 303-781-4270 KASPAREK, SAM / 303-781-4270 SC ELECTRIC / 303-435-5074	6,400 / 152.25 2/24/16 / 8/25/17 Active
<b>Description of Work: ELECTRICAL FOR BASEMENT REMODEL.</b>				

Total Permits Issued (Electrical) : 14

Total Cost: 132,135.00

Total Fees: 2,507.95

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
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Fence/Wall/Gate

76964 Fence/Wall/Gate 1/28/16	464 3 HUNTWICK LN ENGLEWOOD, CO 80113-7110	R-3 Council District 1 Chrymoor South Flng 3	UNTERMAYER, BRIAN / 303-588-0448 UNTERMAYER, BRIAN / 303-588-0448 RMB FENCE AND DECK / 720-224-8170	4,500 / 50.63 2/9/16 / 8/10/17 Active
76982 Fence/Wall/Gate 2/9/16	1379 3910 S CLARKSON ST ENGLEWOOD, CO 80113-4814	R-3 Chry Hls East 1st Flng	COLORADO HOLDINGS / 719-491-2347 COLORADO HOLDINGS / 719-491-2347 COLORADO HOLDINGS / 719-491-2347	0 / 56.25 2/10/16 / 8/11/17 Active

Description of Work: FENCE

Total Permits Issued (Fence/Wall/Gate) : 2

Total Cost: 4,500.00

Total Fees: 106.88

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
<b>Interior Remodel</b>				
76935 457 Interior Remodel 1/13/16 2/4/16	48 GLENMOOR CIR ENGLEWOOD, CO 80113-7121	R-3 Council District 3	DONOVAN, JEFF / DONOVAN, JEFF / KRH CUSTOM BUILDERS INC / 720-280-5028	85,000 / 1,256.25 2/4/16 / 8/5/17 Active
<b>Description of Work: KITCHEN/BASEMENT REMODEL + ALL NEW WINDOWS LIKE FOR LIKE</b>				
76929 553 Interior Remodel 1/12/16 2/4/16	4915 S GAYLORD ST ENGLEWOOD, CO 80113-7131	R-3 Council District 1	CHAIKOVSKY, CAROL / 303-783-9967 CHAIKOVSKY, CAROL / 303-783-9967 KITCHEN DISTRIBUTORS INC / 303-795-0661	23,560 / 565.05 2/4/16 / 8/5/17 Active
<b>Description of Work: MASTER BATH REMODEL</b>				
76942 1698 Interior Remodel 1/19/16 2/4/16	58 CHARLOU CIR ENGLEWOOD, CO 80111-1103	R-3	EKSTROM, GAVIN / EKSTROM, GAVIN / COHESIVE CONSTRUCTION / 720-233-4504	50,000 / 862.50 2/4/16 / 8/5/17 Active
<b>Description of Work: BASEMENT FINISH</b>				
76947 2180 Interior Remodel 1/20/16 2/8/16	43 COVINGTON CT ENGLEWOOD, CO 80113-4143	R-3A	JEBLON, MATT / 508-344-2557 JEBLON, MATT / 508-344-2557 CARTER DESIGN BUILDERS / 720-346-1040	250,000 / 3,262.50 2/8/16 / 8/9/17 Active
<b>Description of Work: INTERIOR REMODEL AND EXTERIOR COSMETIC WORK</b>				
76963 1126 Interior Remodel 1/27/16 2/10/16	3920 S ASH ST ENGLEWOOD, CO 80113-5000	R-5	NISBET, SCOTT E & KATHLEEN R / NISBET, SCOTT E & KATHLEEN R / SEAN MAGGARD / 303-358-9450	36,000 / 705.00 2/10/16 / 8/11/17 Active
<b>Description of Work: BATHROOM REMODEL</b>				
76957 966 Interior Remodel 1/26/16 2/10/16	5062 E PRINCETON AVE ENGLEWOOD, CO 80113-5020	R-4	BD ACQUISITIONS LLC / 303-520-5228 BD ACQUISITIONS LLC / 303-520-5228 BD ACQUISITIONS LLC / 303-520-5228	120,000 / 1,650.00 2/10/16 / 8/11/17 Active
<b>Description of Work: REMODEL KITCHEN AND MASTER BATH, REMOVE INTERIOR WALLS</b>				
76971 1061 Interior Remodel 2/1/16 2/19/16	4920 E PRINCETON AVE ENGLEWOOD, CO 80113-5018	R-4	CREASMAN, JENNIFER / CREASMAN, JENNIFER / DESIGN PLATFORM / 720-939-9988	68,000 / 1,065.00 2/19/16 / 8/20/17 Active
<b>Description of Work: INTERIOR REMODEL</b>				
76976 1369 Interior Remodel 2/5/16 2/22/16	1500 E OXFORD LN ENGLEWOOD, CO 80113-4828	R-1	POCHE, LISA / 720-560-6492 POCHE, LISA / 720-560-6492 KD PROJECT DESIGN / 303-242-5438	200,000 / 2,550.00 2/22/16 / 8/23/17 Active
<b>Description of Work: INTERIOR REMODEL OF MAIN LEVEL AND BASEMENT. SIDE PORTICO TO REPLACE EXISTING.</b>				

**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
76993 295 Interior Remodel 2/16/16 2/26/16	8 VIKING DR ENGLEWOOD, CO 80113-7025	R-3 Allen	BEIRNE, PATRICK J & MARIAN J / BEIRNE, PATRICK J & MARIAN J / ADI CUSTOM / 720-641-5912	30,000 / 637.50 2/26/16 / 8/27/17 Active
<b>Description of Work:</b> DEMO CABINETS, TILE AND PLUMBING FIXTURES. REPAIR AND REPLACE EXISTING.				
<b>Total Permits Issued (Interior Remodel) : 9</b>			<b>Total Cost: 862,560.00</b>	<b>Total Fees: 12,553.80</b>

**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
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**Minor Addition**

76977 318 Minor Addition 2/5/16	5 CHERRYMOOR DR ENGLEWOOD, CO 80113-6001	R-3 Council District 1 Chrymoor South	PASHEL, ZACH / 303-810-6366 PASHEL, ZACH / 303-810-6366 ZACH PASHEL / 303-810-6366	350,000 / 4,709.70 2/22/16 / 8/23/17 Active
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**Description of Work: INTERIOR REMODEL AND ENCLOSE COVERED ENTRY**

Total Permits Issued (Minor Addition) : 1

**Total Cost: 350,000.00**

**Total Fees: 4,709.70**

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
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76972 Roof 2/3/16	4775 S OGDEN ST ENGLEWOOD, CO 80113-5906	R-3 Chry Hls Farm Flng 1	BERENSTEN, KARMEN / 303-763-9114 BERENSTEN, KARMEN / 303-763-9114 INTERSTATE ROOFING / 303-763-9114	22,320 / 251.10 2/3/16 / 8/4/17 Active
<b>Description of Work: REROOF. NO WEIGHT CHANGE.</b>				
76975 Roof 2/4/16	4 LYNN RD ENGLEWOOD, CO 80113-4902	R-1 Council District 2	COOK ISLANDS TRUST LIMITED / COOK ISLANDS TRUST LIMITED / ARAPAHOE ROOFING & SHEET METAL INC . Active	129,954 / 1,461.98 2/4/16 / 8/5/17
<b>Description of Work: REMOVE SHAKE SHINGLES, INSTALL NEW FELTS AND FLASHINGS, INSTALL NEW SLATE TEK ROOFING 180 SQ. STRUCTUR,</b>				
76988 Roof 2/11/16	5410 NASSAU CIR E ENGLEWOOD, CO 80113-5134	R-4 Council District 1	LIPKIN, ALAN F 5% INT & / LIPKIN, ALAN F 5% INT & / HORN BROTHERS ROOFING / 720-231-5784 Complete	32,667 / 367.50 2/11/16 / 8/12/17
<b>Description of Work: REROOF. NO WEIGHT INCREASE.</b>				
77005 Roof 2/18/16	5705 DUNBARTON DR ENGLEWOOD, CO 80111-1117	R-1 Council District 5	GOODING, NANCY A / GOODING, NANCY A / ACADEMY ROOFING INC / 303-360-0708	108,800 / 1,224.00 2/18/16 / 8/19/17 Active
<b>Description of Work: REMOVE AND REPLACE EXISTING ROOFING. NO WEIGHT INCREASE.</b>				
77016 Roof 2/24/16	10 RANDOM RD ENGLEWOOD, CO 80113-6106	R-1 Council District 1 Petty-Gamsey Resub	MATHERLY, JASON CROMER / MATHERLY, JASON CROMER / HORN BROTHERS ROOFING / 720-231-5784 Active	29,622 / 333.25 2/24/16 / 8/25/17
<b>Description of Work: REROOF. NO WEIGHT INCREASE.</b>				

Total Permits Issued (Roof) : 5

Total Cost: 323,363.00

Total Fees: 3,637.83

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
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Single Family Residence

76672	2487	4 CHERRY HILLS FARM CT ENGLEWOOD, CO 80113	CHERRY HILLS FARM CT LLC / 303-783-8661 CHERRY HILLS FARM CT LLC / 303-783-8661 CORNERSTONE CUSTOM HOMES / 303-435 Active	1,375,000 / 28,383.85 2/4/16 / 8/5/17
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Description of Work: SINGLE FAMILY RESIDENCE

76828	1842	4601 E BELLEVIEW AVE LITTLETON, CO 80121-8107	VILLAGE TENNIS, RIDING AND / 303-771-8113 VILLAGE TENNIS, RIDING AND / 303-771-8113 CBM CONTRACTORS / 303-947-9247	200,000 / 4,976.20 2/17/16 / 8/18/17 Active
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Description of Work: SINGLE FAMILY RESIDENCE

Total Permits Issued (Single Family Residence) : 2

Total Cost: 1,575,000.00

Total Fees: 33,360.05

**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
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Total Permits Issued : 53

Total Cost: 3,620,141.00

Total Fees: 62,908.89

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)

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MEMORANDUM

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL  
**FROM:** MICHELLE TOVREA, POLICE CHIEF  
**SUBJECT:** FEBRUARY REPORT  
**DATE:** MARCH 15, 2016

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In February several members of the Department observed a lock down drill at Kent Denver School. The drill went well and staff was able to make some suggestions for further improvement. In addition, I tagged along with Sergeant Parker and School Resource Officer Flaum for a meeting with Ms. Cryor at St. Mary's Academy. The conversation focused on school security issues with regard to locking doors and access for police personnel. Additionally, they have had some recent issues with and a problem ex-student. Since the meeting there have not been any further reports of problems with the ex-student.

Several members of the PD and other City departments attended a meeting with Judge Turre. The discussion centered on how fines were issued for various code issues. Judge Turre reported that his continues to be pleased with Department staff with regard to the officer's demeanor and quality of summons issued.

Officer Stremel did some excellent work and was able to secure two grants for the Department. The first is a grant called "High Visibility Enforcement" from the state. This is a grant that provides funds for increased DUI patrol. It pays the officers overtime rate. We will be executing this grant at various times of the year. The second is a "Seatbelt Occupancy Enforcement Grant", also known as "Click-it-or-Ticket". This is also a state grant which will be executed for two weeks in May.

**Investigations Case Summary:**

**There was 1 fraud report in the month of February:**

- The victim stated that she noticed she was not receiving any phone calls on her home phone and after contacting the telephone company, she discovered that someone canceled her phone service and changed it to a different service provider. A few weeks later the same situation occurred again, and the victim also received a notification in the mail that someone opened a credit card using her husband's personal information. Someone then used the credit card for a purchase of \$450.00. **This case remains under investigation.**

**There was 1 trespass report in the month of February:**

- The victim reported that a male individual was on a second story balcony trying to gain access to the residence. Officers arrested the male subject when he tried to flee as they arrived at the residence. The male subject was jailed on multiple charges. **This case is cleared by arrest.**

**There was 1 criminal mischief report in the month of February:**

- The victim stated that someone damaged her mailbox with an unknown tool while trying to gain access to mail. The damage to the mailbox is estimated at \$20.00. **This case is inactive – no new leads.**

**There was 1 burglary report in the month of February:**

- The victim reported that someone gained access to a residence under construction by breaking a window. The victim also stated that his sliding doors had pry marks and gouges. Several miscellaneous tools were stolen from the residence. The tools were valued at approximately \$3,540.00. The damage to the doors and window is estimated at \$2,400.00. **This case is inactive – no new leads.**

**There was 1 theft report in the month of February:**

- The reporting party stated that someone stole two hand-held two-way radios from a storage area inside the church. Value estimated at \$225.00. **This case is inactive – no new leads.**

**There was 1 menacing report in the month of February:**

- The victim stated that while driving another vehicle almost hit her vehicle. While stopped for a traffic signal words were exchanged between the two drivers when the suspect driver brandished a handgun. The license plate number provided by the victim was faulty with no record on file at DMV. **This case is inactive – no new leads.**

**There was 1 drug possession report in the month of February:**

- Officers responded to a traffic accident involving two vehicles. When officers arrived at the accident location, a male and female subject ran from one of the vehicles. Both individuals were located and officers discovered that the female suspect was in possession of illegal drugs and an illegal weapon. The female was jailed on several criminal charges. **This case is cleared by arrest.**

**There were 7 mail theft reports in the month of February:**

- The victim received a phone call from her bank stating someone was attempting to cash a check. The victim stated that she never wrote a check to the individual identified by the bank. The bank refused to pay the amount on the check to the male subject and the fraudulent check was turned over to an officer. The Investigation Unit identified the suspect in this crime and several criminal charges were filed with the District Attorney's Office. **This case is cleared by arrest.**
- The victim reported that someone stole several pieces of mail from his mailbox, including a check mailed to him by his business partner. Officers advised the victim to alert his bank and credit card companies as he could be a victim of identity theft. **This case remains under investigation.**
- The victim reported that she recently mailed several checks and that she was notified that none of these checks arrived at their destination. A representative of MidFirst Bank then contacted her and advised her someone tried to unsuccessfully cash one of the mailed checks at a local supermarket. According to the bank, several changes were made to the check. The victim already closed the bank account. **This case remains under investigation.**
- The victim stated someone gained access to his locked mailbox by breaking the locking mechanism and stole several pieces of mail. **This case remains under investigation.**

**In addition to the four mail thefts listed above, the following mail theft cases all belong to the same mail theft incident:**

- Officers were notified that someone observed an individual breaking into mailboxes and removing the mail. Officers responded to the area, but were unable to locate the individuals or the vehicle described by the witness. One victim was able to identify several pieces of mail as belonging to her.
- The victim contacted the Police Department to enquire about the recent mail thefts and that he was currently out of town. The victim's mailbox was damaged and several pieces of mail may have been taken. The victim stated that he instructed the United States Postal Service to hold all his mail until his return home.

- Officers contacted another victim by phone and the victim met with officers at the Police Department where they returned several pieces of mail found beneath one of the damaged mailboxes.

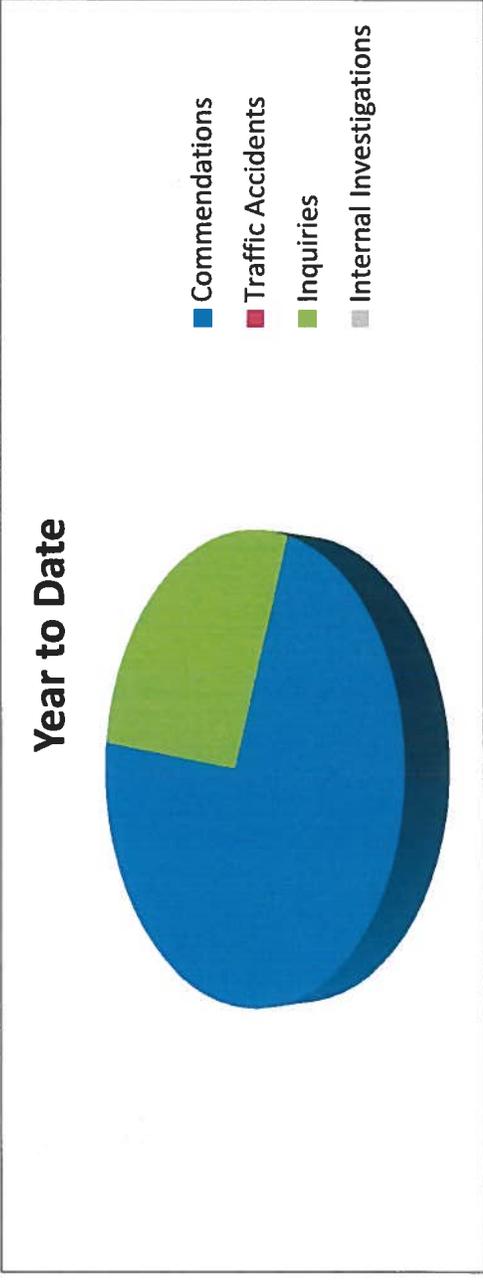
**All these cases remain under investigation.**

## CHERRY HILLS POLICE DEPARTMENT STATISTICS

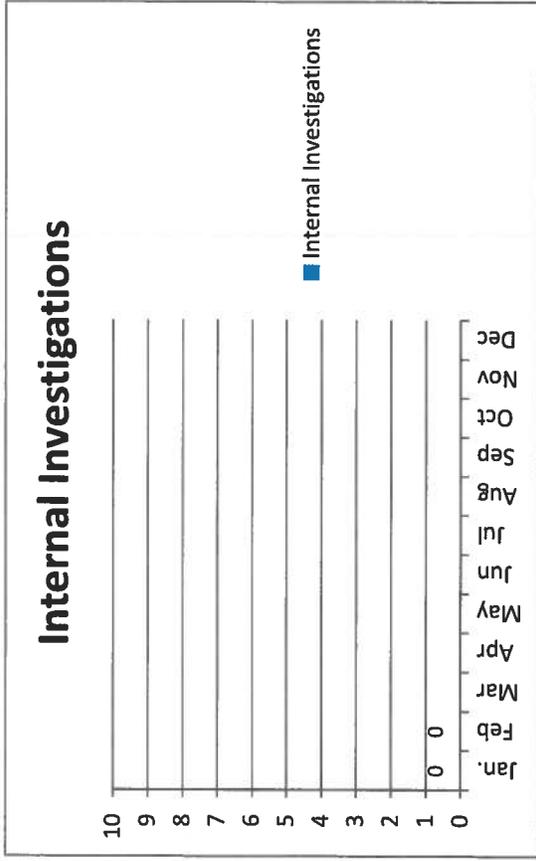
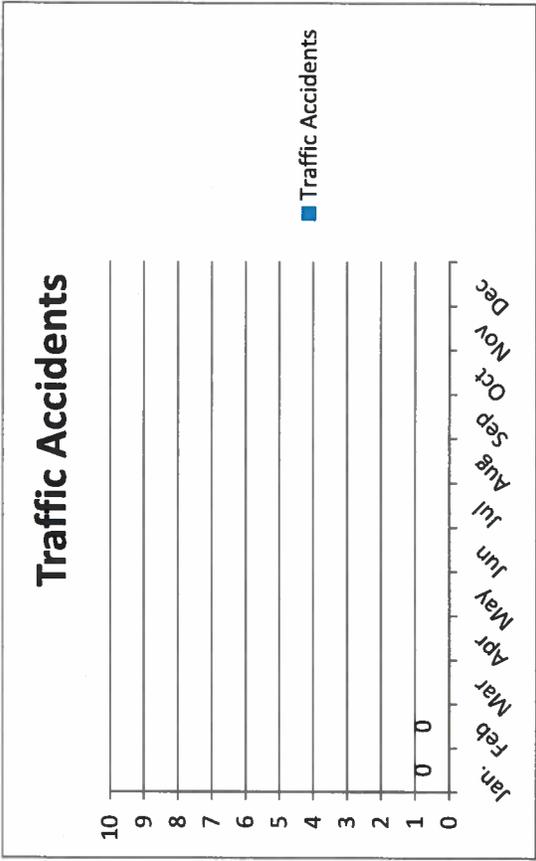
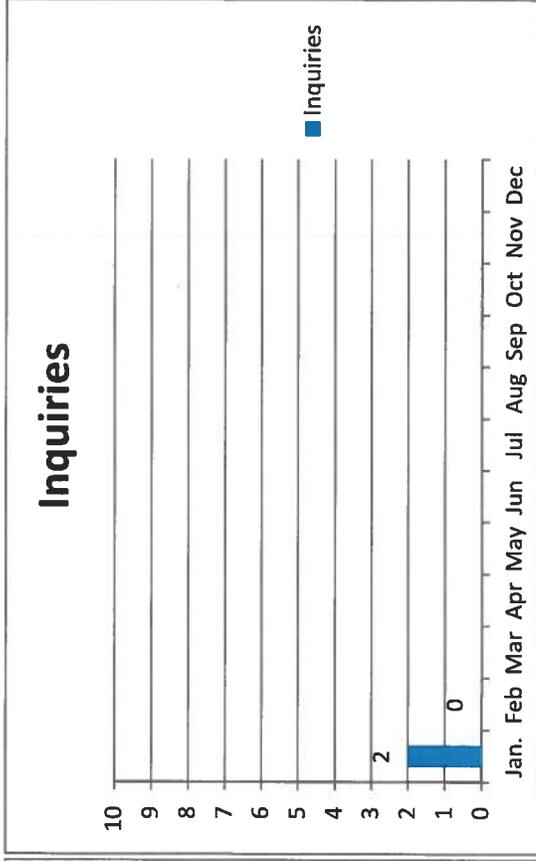
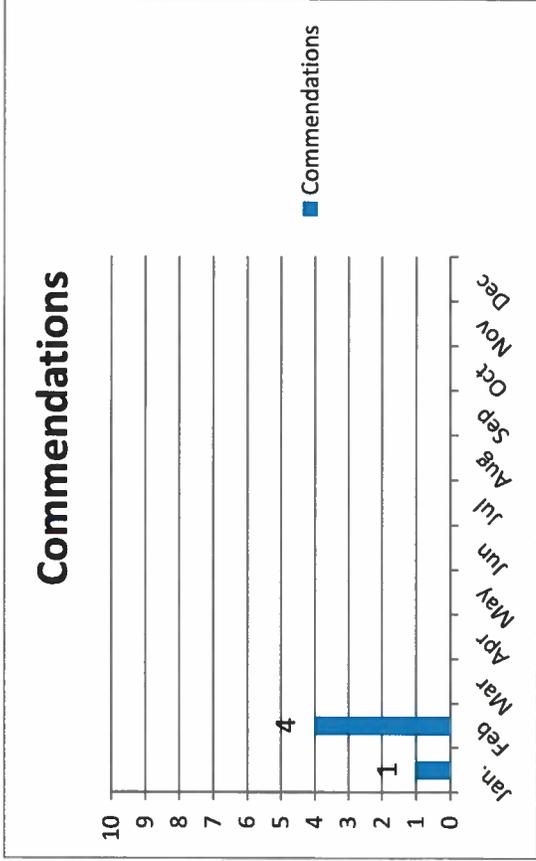
	Feb 2016	YEAR TO DATE 2016	YEAR TO DATE 2015	PERCENT CHANGE
TRAFFIC ACCIDENT	19	35	49	-29%
ALL CITATIONS	220	427	362	18%
PARKING TICKETS	12	19	15	27%
TRAFFIC WARNINGS	145	290	215	35%
DUI ARRESTS	3	6	5	20%
DUS ARRESTS	14	20	15	33%
# CRIME REPORTS	14	29	16	81%
# ALARMS	36	61	51	20%
# ARRESTS (INCLUDES DUI'S & DUS's)	22	37	23	61%
CITIZEN ASSISTS	12	23	30	-23%
ASSIST TO OTHER AGENCY	9	24	34	-29%
PROPERTY CHECKS (HW&BLDG)	1986	3972	2966	34%
CRIME PREVENTION NOTICES	26	61	110	-45%
FIELD INTERVIEW CARDS	10	11	12	-8%

# Cherry Hills Village Police Personnel Summary Report 2016

Month	Commendations	Traffic Accidents	Inquiries	Internal Investigations
Jan.	1	0	2	0
Feb	4	0	0	0
Mar				
Apr				
May				
Jun				
Jul				
Aug				
Sep				
Oct				
Nov				
Dec				
<b>Year to Date</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>0</b>

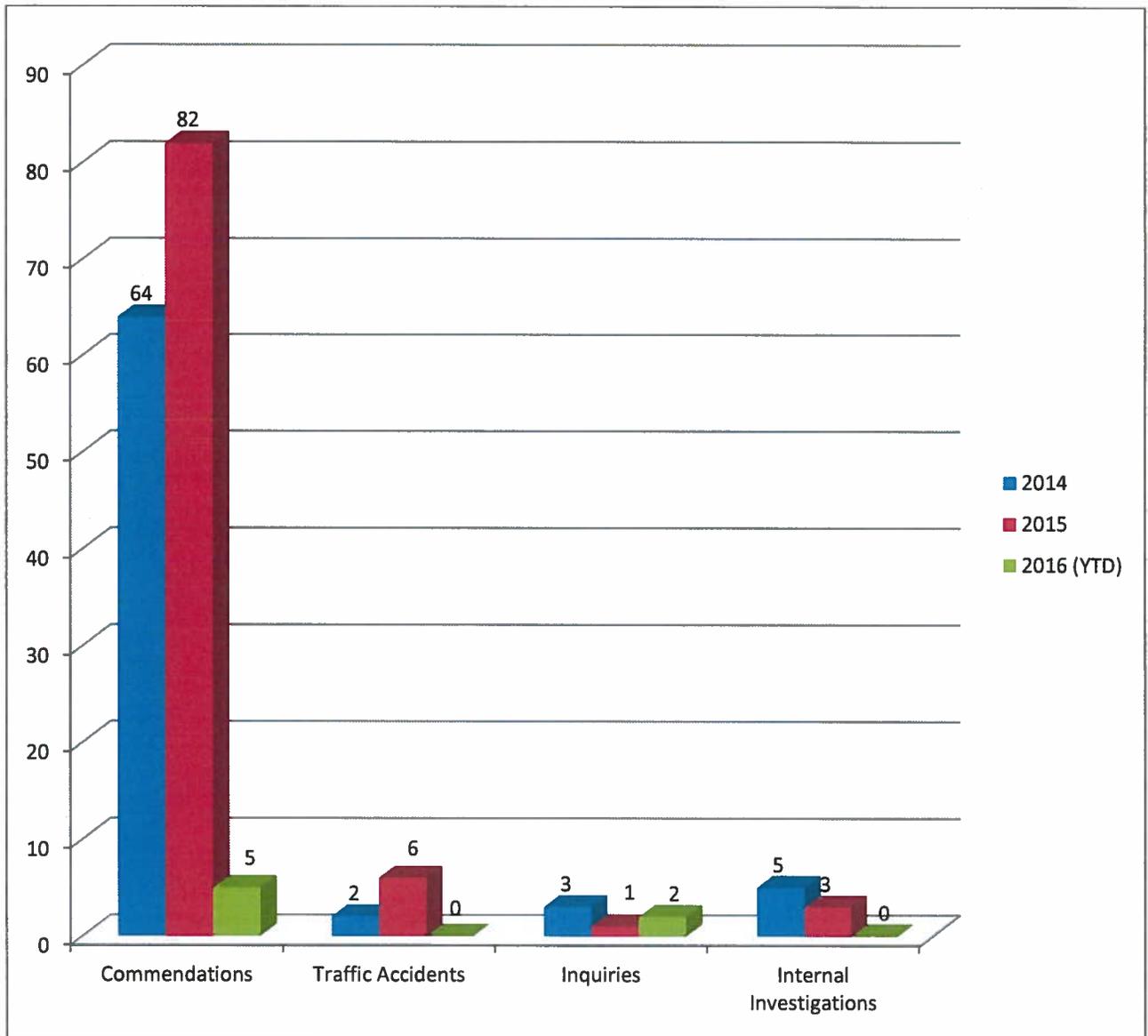


# Cherry Hills Village Police Personnel Summary Report 2016



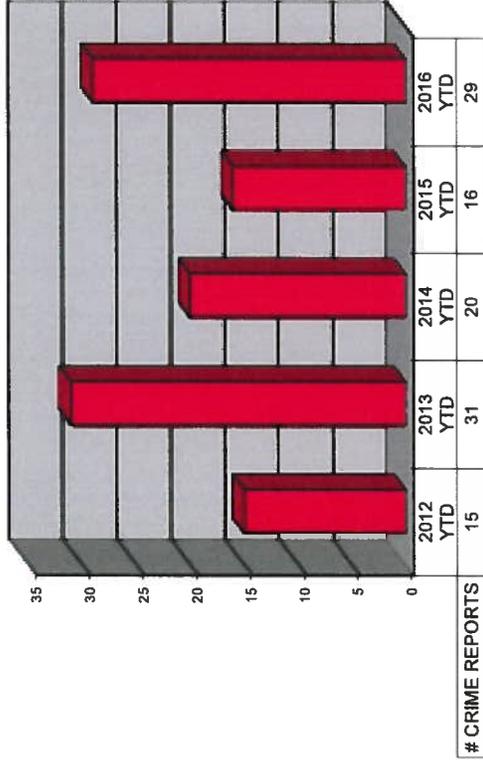
# Cherry Hills Village Police Personnel Summary Comparison

Year	Commendations	Traffic Accidents	Inquiries	Internal Investigations
2014	64	2	3	5
2015	82	6	1	3
2016 (YTD)	5	0	2	0

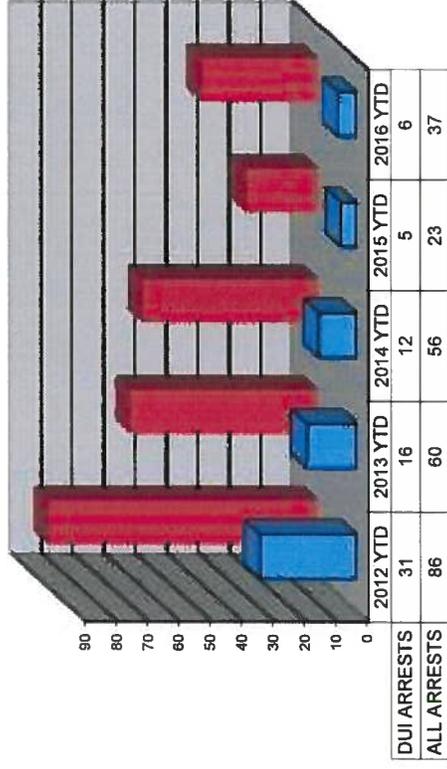


# CHERRY HILLS VILLAGE / YEAR-TO-DATE THROUGH FEBRUARY (2012-2016)

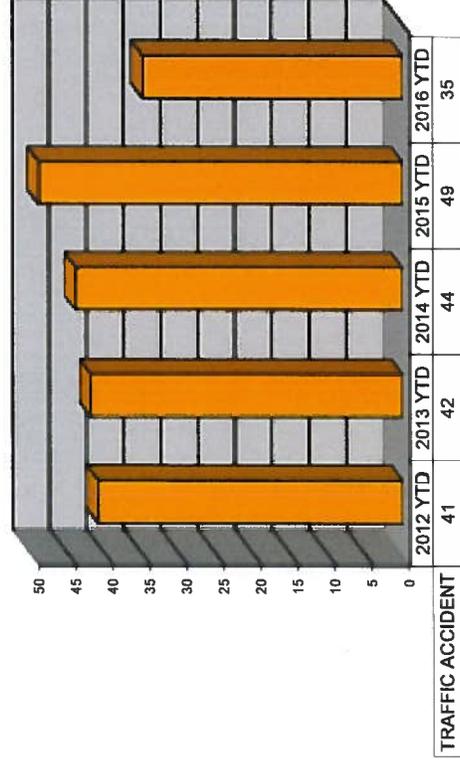
## CRIME REPORTS



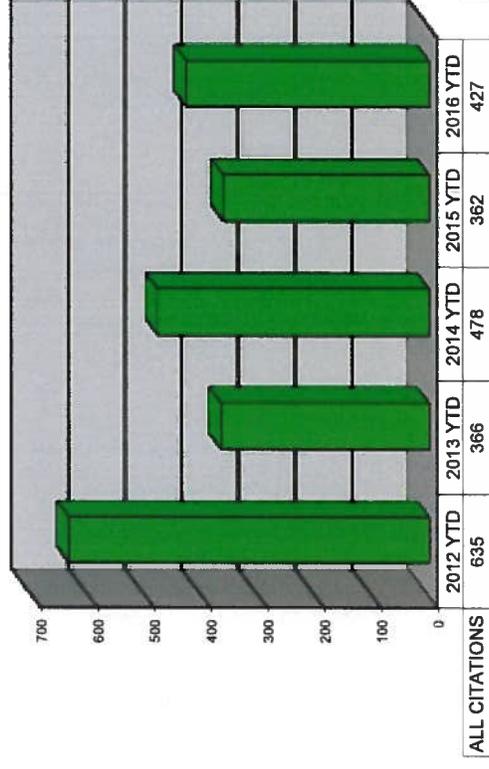
## ARRESTS



## TRAFFIC ACCIDENTS



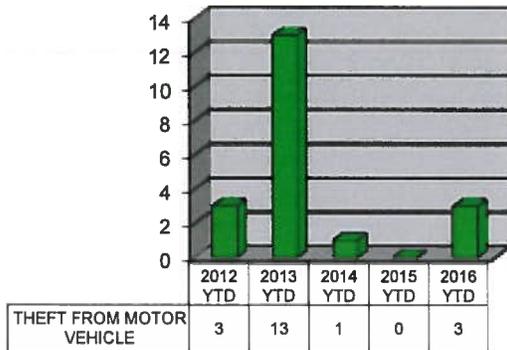
## CITATIONS



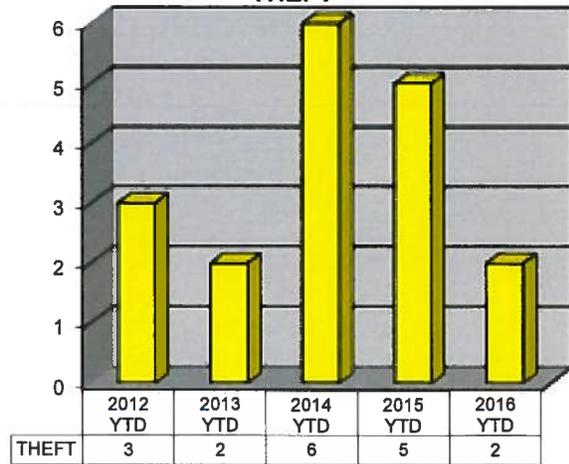
# Cherry Hills Village Crime Statistics

## YEAR-TO-DATE THROUGH FEBRUARY (2012-2016)

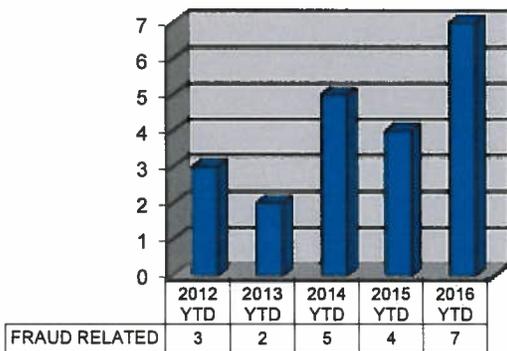
### THEFT FROM MOTOR VEHICLE



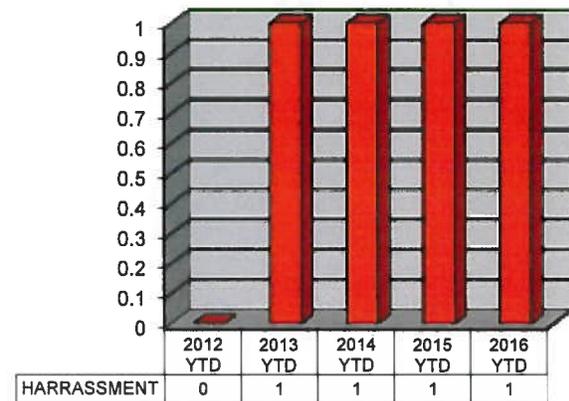
### THEFT



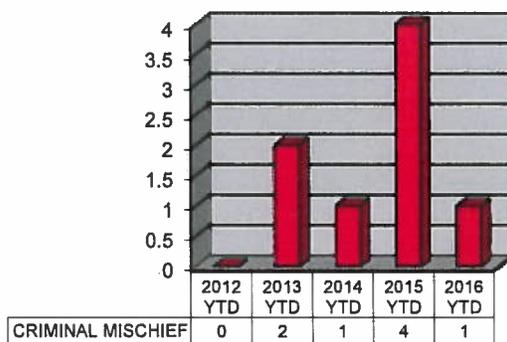
### FRAUD RELATED



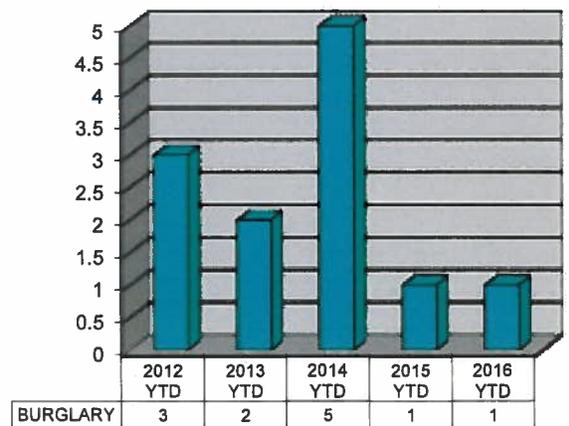
### HARRASSMENT



### CRIMINAL MISCHIEF



### BURGLARY



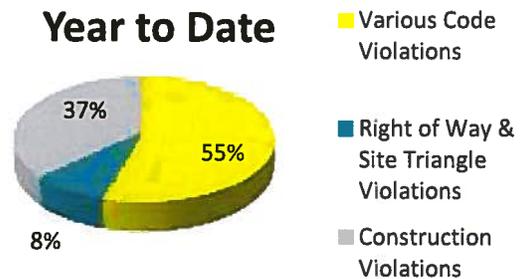
# Cherry Hills Village Code Enforcement Statistics February 2016

Code Enforcement Issues	Month	YTD
On View Violations	37	70
Requests for Service	16	28
Sight Triangle Violations	1	1
Construction Site Violations	26	54
Permit Violations	3	4
Stop Work Orders Served	1	2
Fence Violations	0	0
Weed Violations	0	0
Trash, Debris and Junk	1	1
Trees/Bushes Violations	1	1
Zoning Violations	1	2
Right of Way Violations	9	13
Roll-offs/Port-a-let Violations	2	3
Sign Violations	14	35
Warnings/Personal Contacts	41	69
Letters/Posted Notices	4	9
Summons Issued	3	4
Notice of Violations	0	7
Misc. Code Violations	34	47

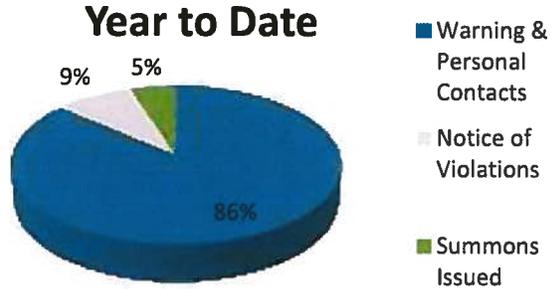
### Year To Date



### Year to Date

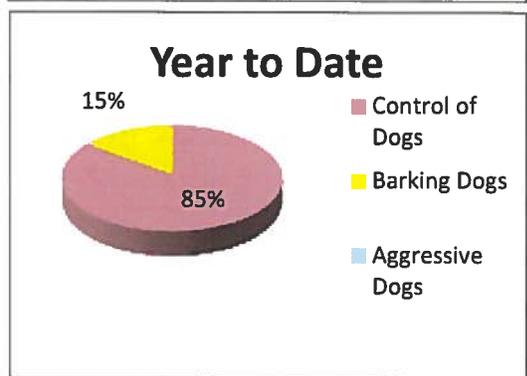
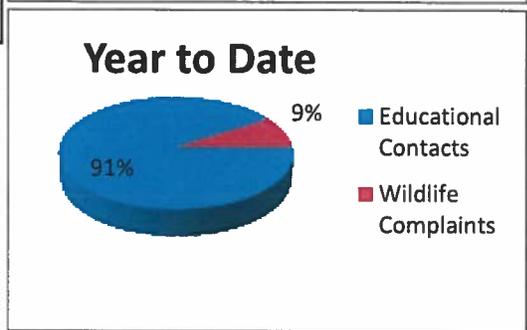
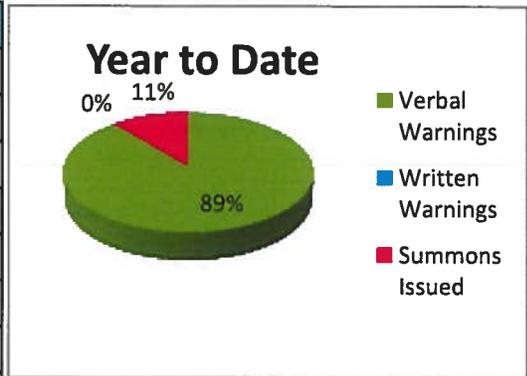


### Year to Date



# Cherry Hills Village Animal Control Statistics February 2016

Animal Control Issues	Month	YTD
Educational Contacts	5	10
Control of Dogs	10	17
Barking Dogs	2	3
Aggressive Dogs	0	0
Wildlife Complaints	1	1
Verbal Warnings	8	16
Written Warnings	0	0
Summons Issued	1	2



**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)

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**MEMORANDUM**

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL  
**FROM:** TERRI LITTLEFORD, MUNICIPAL COURT CLERK  
**SUBJECT:** MUNICIPAL COURT MONTH END REPORT FOR FEBRUARY 2016  
**DATE:** MARCH 15, 2016

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**DISCUSSION**

**Municipal Court Statistics**

<b>Monthly Totals</b>	<b>2016</b>	<b>2015</b>	<b>Difference</b>
Citations filed	192	150	28%
Court appearances/guilty to original	102	98	4%
Plea by mail letters sent	126	78	62%
Revenue	\$20,885.00	\$18,735.00	\$2,150.00

**BUDGET IMPACT STATEMENT**

Through February 2016 the Municipal Court has collected 15% of the total budgeted revenue amount.

**ATTACHMENTS**

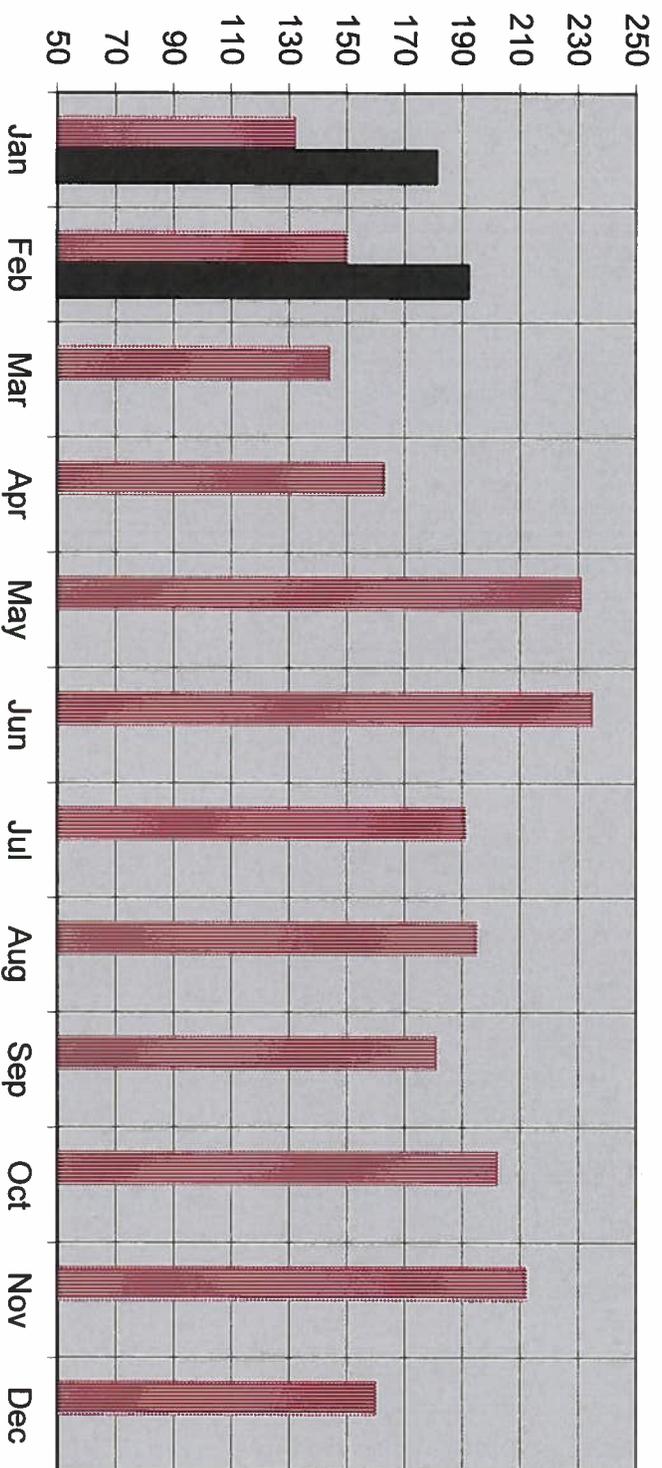
Exhibit A: Municipal Court Monthly Activity and Graphs

**CHERRY HILLS VILLAGE MUNICIPAL COURT  
MONTHLY ACTIVITY  
February-16**

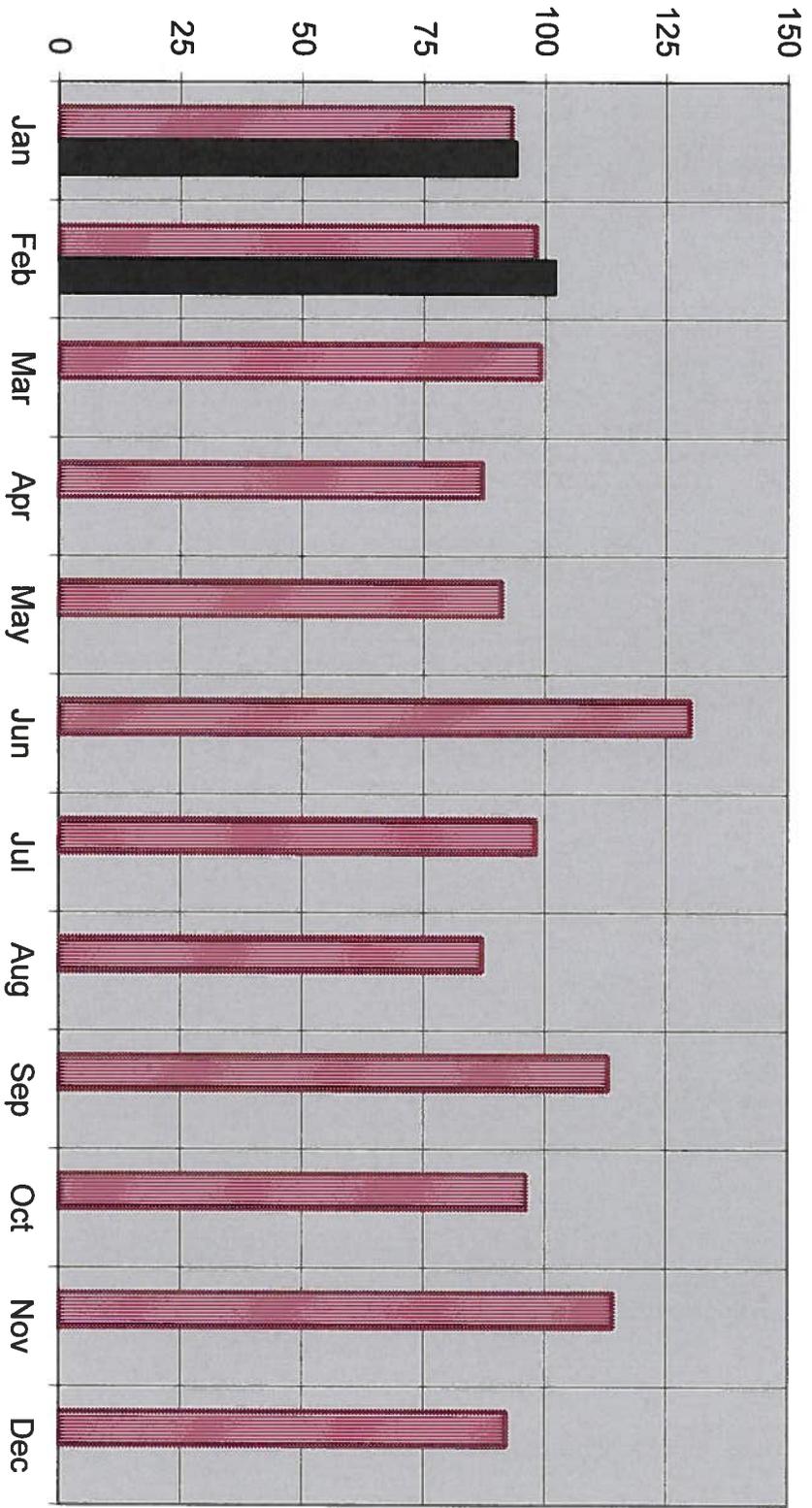
	MONTH	YTD	PRIOR YTD
<b><u>COMPLAINTS FILED</u></b>			
TRAFFIC	168	335	264
PARKING	12	19	9
DOG	1	2	2
OTHER	11	17	7
<b>TOTAL</b>	<b>192</b>	<b>373</b>	<b>282</b>
<b><u>CLOSED BY CLERK</u></b>			
CLOSED BY CLERK	17	26	37
<b>TOTAL</b>	<b>17</b>	<b>26</b>	<b>37</b>
<b><u>PLEA BY MAIL</u></b>			
GLTY PLEA BY MAIL	109	212	116
<b>TOTAL</b>	<b>109</b>	<b>212</b>	<b>116</b>
<b><u>COURT ACTIVITY</u></b>			
GLTY TO ORIG	23	42	41
GUILTY TO AMENDED	50	106	91
DEFERRED JUDGMENTS	9	15	8
NOT GUILTY (set to trial)	2	4	3
NOT GUILTY (set to jury)	0	0	0
DISMISSED (proof of ins provided)	12	19	31
DISMISSED	6	10	2
SHOW CAUSE HEARINGS	0	0	1
<b><u>TRIAL TO COURT</u></b>			
CONVICTIONS	0	0	0
AQUITTALS	0	0	0
DISMISSED	0	0	0
<b><u>TRIAL TO JURY</u></b>			
CONVICTIONS	0	0	0
ACQUITTALS	0	0	0
DISMISSED	0	0	0
MISTRIALS	0	0	0
<b>NUMBER OF PEOPLE IN COURT</b>	<b>102</b>	<b>196</b>	<b>177</b>
<b><u>TOTAL MONEY COLLECTED</u></b>	<b>\$20,885.00</b>	<b>\$40,315.00</b>	

# Citations Filed

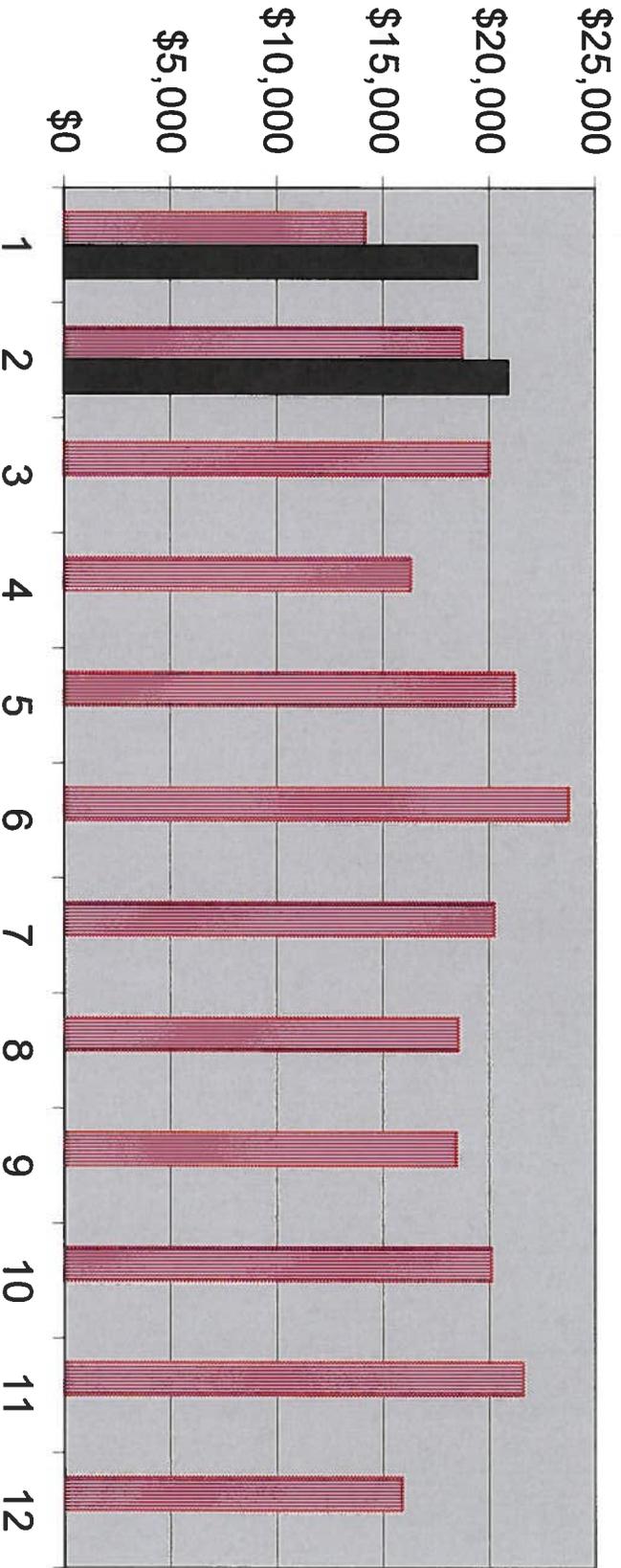
■ 2015 ■ 2016



# Court Appearances

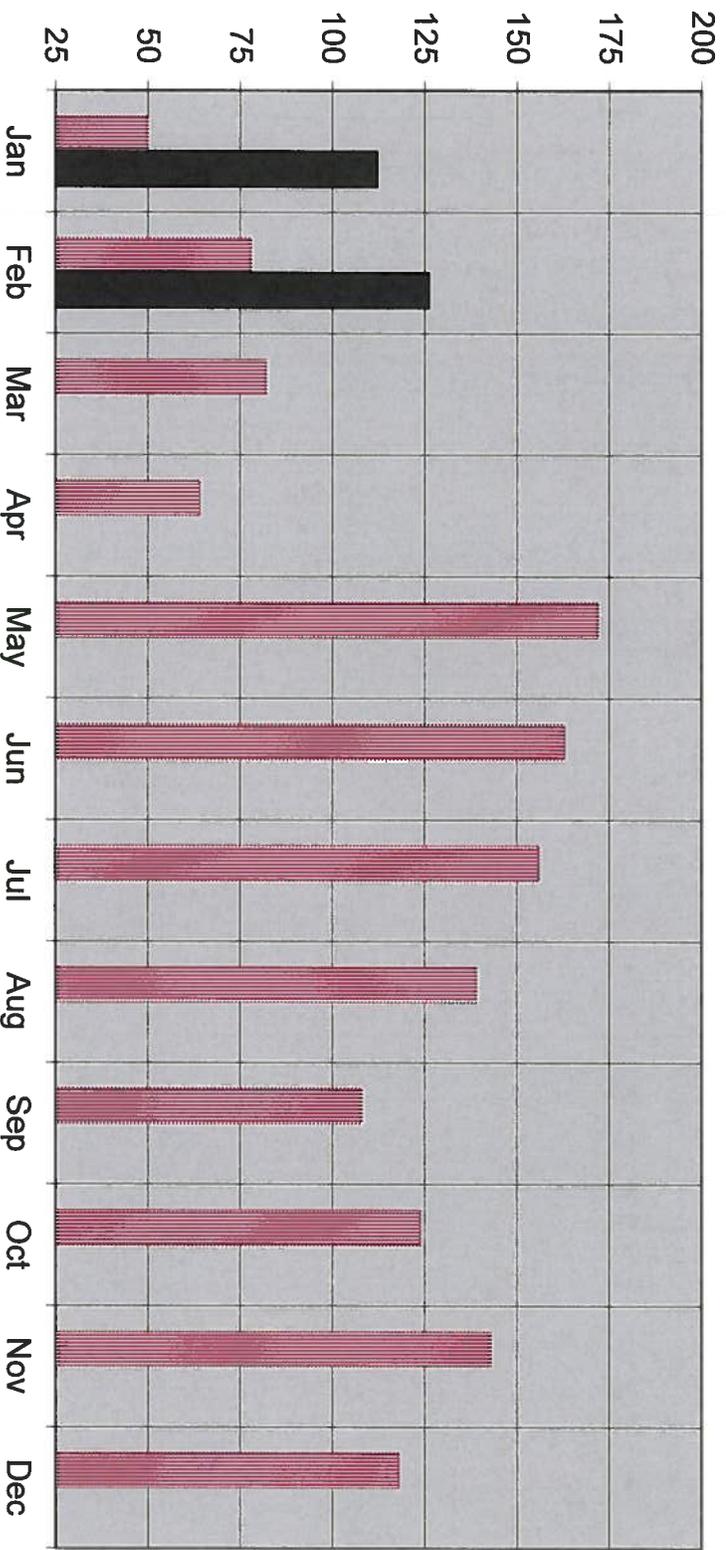


# Fines Collected

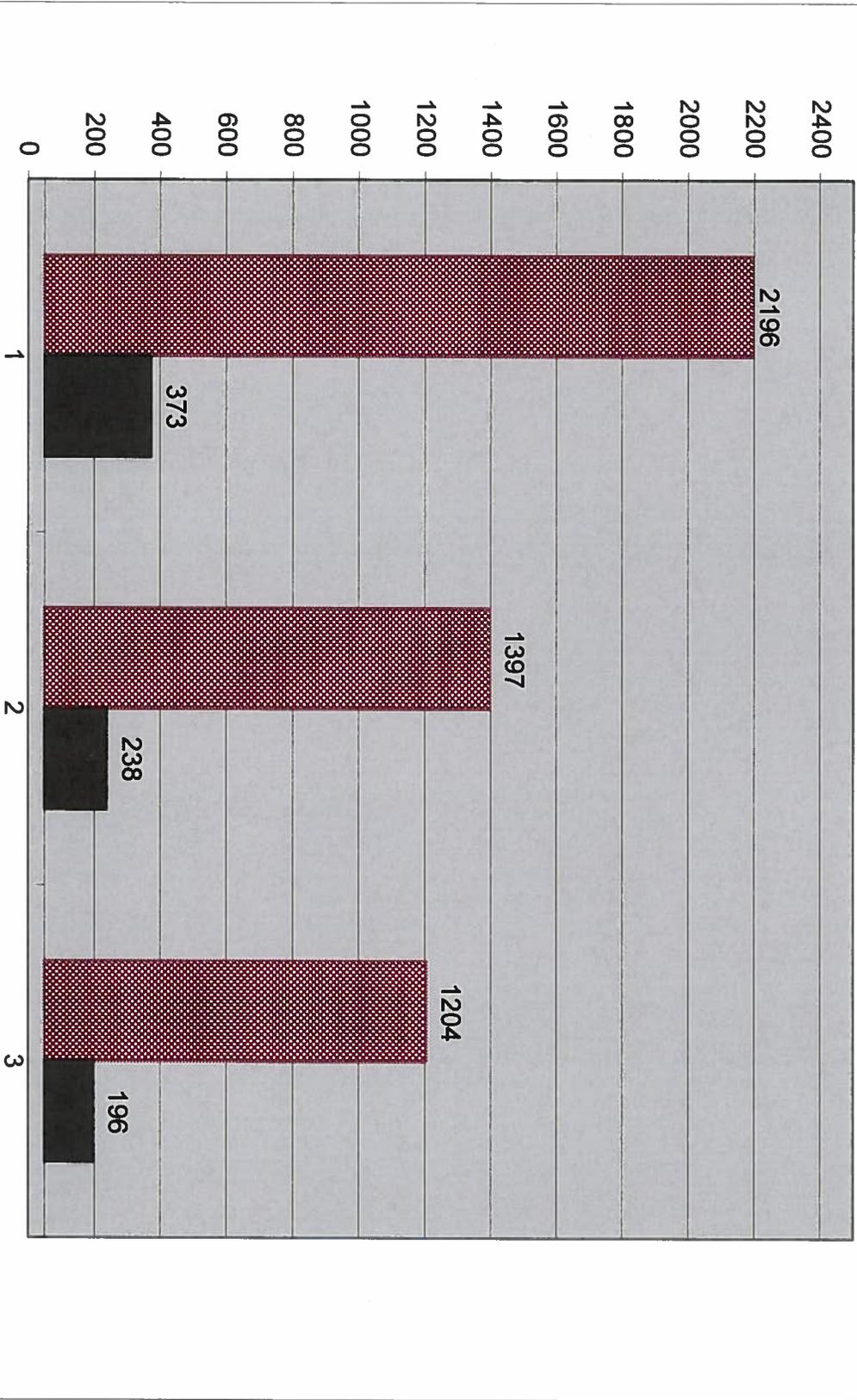


# Plea By Mail Offered

■ 2015 ■ 2016



# Year to Date Totals



**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)

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**MEMORANDUM**

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL  
**FROM:** JAY GOLDIE, INTERIM CITY MANAGER/DIRECTOR OF PUBLIC WORKS  
**SUBJECT:** PUBLIC WORKS FEBRUARY 2016-MONTH END REPORT  
**DATE:** MARCH 15, 2016

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The Streets crew spent the early part of February responding to snow and ice. Sweeping operations were also performed around the City. The crew started gravel road maintenance and added 60 tons of new material to Lynn Road, 40 tons of new material to Parkway and 50 tons of new material to Meadow. Stormwater maintenance was performed at 2450 and 2460 Quincy Avenue. The entire Streets crew attended the Rocky Mountain Asphalt Conference the week of February 22<sup>nd</sup>.

The Parks crew spent multiple hours in February performing a variety of maintenance tasks such as: snow removal operations, City wide trash pick-up, City wide sweeping of paved trails, miscellaneous shop work, vehicle equipment maintenance, fence repair, trail repair and City wide tree trimming. In addition to the day to day operations, Parks staff completed the installation of new bridge planks on two pedestrian bridges within Cherry Hills Village.

The warm weather has created a significant increase in construction and right-of-way permits. Eight right-of-way permits were issued in February with a total of 26 for 2016. This trend is expected to continue through summer. The permitting process has reduced the damage to the City's trails that occurred in previous years. Staff is better equipped to track violators who damage trails or gain unauthorized access.

**ATTACHMENTS**

February 2016 Public Works logs  
Right-of-Way Monthly Report

**FEBRUARY 2016 PARKS RECORD LOG SHEET**

	Week 5	Week 6	Week 7	Week 8	Week	TOTALS
ad - Administrative Office Work	10	17	21.5	17		65.5
bm - Building Maintenance						0
cn - Concrete						0
cp - Overseeing contractor project						0
cr - Crackseal						0
fn - Fence repairs						0
ft - Fertilizing Trees						0
gm - Gen. Maint to trails, parks, ROW	3	39	25.5	56		123.5
gps - GPS and Mapping	3	8		9		20
hl-d - Loads to dump			34			34
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						0
mw-p - Mowing Parks						0
mw-e - Mowing entry features						0
mw-r - Mowing rights of ways						0
mw-t - Mowing Trails						0
pl - Planting						0
pm - Preventative maint/repair on equip						0
po - Purchase materials all operations						0
se - Special Events						0
sg - Sign repair						0
shp - Shop Work	32	4	6	36		78
sn - Snow	86			6		92
spw - Spray Weeds						0
sw-t - Sweeping trails		6	18			24
tr - Training & Conf/including safety		82	8	20		110
ts - Trash both cans and loose trash	4	4	4	4		16
tt - Trimming trees & maint & wrapping			23	8		31
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	30		18	2		50
hol - Holiday Pay						0
to-c - Time off comp						0
to-w - Time off for workers comp						0
<b>TOTAL HOURS</b>	<b>168</b>	<b>160</b>	<b>158</b>	<b>158</b>	<b>0</b>	<b>644</b>
<b>MATERIALS</b>						
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						0
Planters Mix						0

## FEBRUARY 2016 STREETS RECORD LOG SHEET

	Week 5	Week 6	Week 7	Week 8	Week	TOTALS
ad - Administrative Office Work	14	20	15	3		52
as - Asphalt patching operations			4			4
bm - Building Maintenance						0
cn - Concrete repairs						0
cp - Overseeing contractor operations						0
cr - Sealing Operation						0
dr - Drainage Work			4	8		12
fn - Fence repairs						0
gm - General Maintenance						0
gv - Gravel road maintenance		9	55			64
hl-d - Loads to dump						0
hl-po - Materials hauled to shop			6			6
hl-r - Loads to recycle plant						0
hl-s - Loads to shop						0
ir - Irrigation repairs						0
ln - Landscape Repairs						0
Misc	3			16		19
mw-p - Mowing parks						0
mw-r - Mowing Rights of Ways						0
mw-t - Mowing Trails						0
pm - Preventative Maintenance	2	17				19
po - Purchasing materials		2	7			9
pt - Street Painting						0
sg - Sign Work			8	2		10
sh - Shouldering work for Asphalt						0
shp - Shop Work						0
sn - Snow removal operations	108	67		5.5		180.5
sw - Sweeper operations & cleanup		20	18	16		54
tr - Training & Conferences				110		110
ts - Trash (cans and loose)						0
tt - Tree Trimming				10		10
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	37	25		2		64
to-c - Time off comp						0
to-w - Time off workers comp						0
Hol - Holiday			40			40
<b>TOTALS</b>	<b>164</b>	<b>160</b>	<b>157</b>	<b>172.5</b>	<b>0</b>	<b>653.5</b>

### MATERIALS

as-in - Asphalt (Shop-Laid)	tons			28		28
as-out - Asphalt (demo)	tons					0
rb - Road base	tons		65			65
cn - Concrete (Demo)	tons					0
cn - Concrete	yards					0
ts - Topsoil	yards					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					0
sw-shop - Sweepings	tons		24			24
Ditch Dirt	loads					0
Rock	tons					0
water, mag						0
Trash	loads					0
Construction Debris	loads					0

2016 RIGHT-OF-WAY PERMITS  
MONTHLY REPORT

JANUARY 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
12	2	2	2				18

FEBRUARY 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
5		2	1				8

MARCH 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

APRIL 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

MAY 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

JUNE 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

JULY 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

AUGUST 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

SEPTEMBER 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

OCTOBER 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

NOVEMBER 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

DECEMBER 2016							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

2016 YEAR END TOTALS							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPATION	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
17	2	4	3	0	0	0	26

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Telephone 303-789-2541  
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ITEM: 9d(ii)

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**MEMORANDUM**

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

**FROM:** KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION

**SUBJECT:** FINANCIAL UPDATE – FEBRUARY 2016

**DATE:** MARCH 15, 2016

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**DISCUSSION:**

The 2015 financial audit has taken place, but the reports have not yet been completed; therefore staff has not closed out 2015 and is unable to prepare all the financial statements Council normally receives monthly. However, staff does want to give Council a brief financial report for February 2016. All funds revenue and expenditures reports as of February 29, 2016 are attached.

In February, General Fund expenditures exceeded revenues by (\$27,691.69). The Capital Fund revenues exceeded expenditures by \$109,072. Staff will continue to do a monthly break out of actual revenue and expenditures plus forecasted revenue and expenditures to the end of the year and will keep Council informed monthly on the projections compared to budget.

The 2015 Audited Financial Statements will be presented to Council in April.

**GFOA DISTINGUISHED BUDGET AWARD:**

Staff will submit the 2016 budget for the GFOA Distinguished Budget Award. The final document will be presented to Council at the April 5<sup>th</sup> meeting.

**ATTACHEMENTS:**

Exhibit A: Financial Snapshot for February 2016  
Exhibit B: Unaudited February 2016 Revenue and Expenditure Reports

The City of Cherry Hills Village Financial Snapshot For February 2016

			<u>% of 2016 Budget</u>	<u>Notes:</u>
<b>GENERAL FUND (01)</b>				
<b>Revenues</b>				
Budget:	\$	7,004,867		
Received to Date:	\$	1,168,784		
% of Year Completed:		17%		
% Received YTD:		17%		
<b>Expenditures</b>				
<b>Administration</b>				
Budget:	\$	1,861,128		
Expended to Date:	\$	279,060		
% of Year Completed:		17%		
% Expended YTD:		15%		
<b>Community Development</b>				
Budget:	\$	604,870		
Expended to Date:	\$	79,183		
% of Year Completed:		17%		
% Expended YTD:		13%		
<b>Public Safety</b>				
Budget:	\$	3,155,024		
Expended to Date:	\$	621,570		
% of Year Completed:		17%		
% Expended YTD:		20%		
<b>Public Works</b>				
Budget:	\$	1,147,281		
Expended to Date:	\$	169,224		
% of Year Completed:		17%		
% Expended YTD:		15%		
To Year End General Fund Revenues are Projected to Exceed Expenditures By:				
<b>\$0</b>				
<b>CAPITAL FUND (02) EXPENDITURES</b>				
Budget:	\$	4,605,065		
Expended to Date:	\$	53,252		
% of Year Completed:		17%		
% Expended YTD:		1%		
<b>PARKS AND RECREATION (30) EXPENDITURES</b>				
Budget:	\$	1,787,749		
Expended to Date:	\$	124,143		
% of Year Completed:		17%		
% Expended YTD:		7%		

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

**EXHIBIT B**

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAX REVENUES</u>					
01-310-3111	CURRENT PROPERTY TAXES	675,328.25	726,086.89	2,461,683.00	1,735,596.11 29.5
01-310-3121	SPECIFIC OWNERSHIP TAXES	.00	.00	264,000.00	264,000.00 .0
01-310-3161	UTILITY FRANCHISE FEE	584.40	584.40	359,700.00	359,115.60 .2
01-310-3162	CABLE TELEVISION FEES	.00	.00	133,000.00	133,000.00 .0
01-310-3191	CURRENT TAX INTEREST	.00	( 622.34)	6,000.00	6,622.34 ( 10.4)
01-310-3311	SALES TAX	72,191.46	73,380.84	991,232.00	917,851.16 7.4
01-310-3312	USE TAX/MOTOR VEHICLES	83,018.60	173,578.27	1,066,887.00	893,308.73 16.3
	<b>TOTAL TAX REVENUES</b>	<b>831,122.71</b>	<b>973,008.06</b>	<b>5,282,502.00</b>	<b>4,309,493.94 18.4</b>
<u>LICENSE AND PERMIT REVENUES</u>					
01-320-3211	LIQUOR LICENSES	1,000.00	1,075.00	7,201.00	6,126.00 14.9
01-320-3213	SECURITY ALARM PERMITS	25.00	30,500.00	30,000.00	( 500.00) 101.7
01-320-3221	BUILDING PERMITS	31,380.51	48,829.89	550,000.00	501,170.11 8.9
01-320-3222	SERVICE EXPANSION FEES	994.80	1,491.30	150,000.00	148,508.70 1.0
01-320-3223	ZONING & SUBDIVISION FEES	.00	.00	2,000.00	2,000.00 .0
01-320-3224	ELEVATOR INSPECTION FEE	.00	.00	3,600.00	3,600.00 .0
01-320-3225	PLAN REVIEW FEE	5,250.00	16,050.00	90,000.00	73,950.00 17.8
01-320-3226	REINSPECTION FEES	.00	.00	500.00	500.00 .0
01-320-3227	DOG LICENSES	500.00	1,150.00	2,200.00	1,050.00 52.3
01-320-3228	STREET CUT PERMITS	3,300.00	9,562.50	55,000.00	45,437.50 17.4
01-320-3229	STORMWATER CONSTRUCTION PERMIT	.00	300.00	2,000.00	1,700.00 15.0
01-320-3230	PLAN REVIEW-STORMWATER CONSTRU	.00	300.00	8,000.00	7,700.00 3.8
	<b>TOTAL LICENSE AND PERMIT REVENUES</b>	<b>42,450.31</b>	<b>109,258.69</b>	<b>900,501.00</b>	<b>791,242.31 12.1</b>
<u>INTERGOVERNMENTAL REVENUES</u>					
01-330-3321	MOTOR VEH.REGISTRATION	2,403.50	4,510.50	25,000.00	20,489.50 18.0
01-330-3342	CIGARETTE TAX	275.03	562.02	2,800.00	2,237.98 20.1
01-330-3352	HIGHWAY USERS TAX	19,392.99	19,392.99	241,697.00	222,304.01 8.0
01-330-3371	CNTY RD/BRDGE LEVY	.00	.00	134,381.00	134,381.00 .0
	<b>TOTAL INTERGOVERNMENTAL REVENUES</b>	<b>22,071.52</b>	<b>24,465.51</b>	<b>403,878.00</b>	<b>379,412.49 6.1</b>
<u>CHARGES FOR SERVICES REVENUES</u>					
01-350-3420	EXTRA DUTY SERVICE CHARGES	3,300.00	6,535.00	55,000.00	48,465.00 11.9
01-350-3421	FALSE ALARM FEES	.00	.00	1,000.00	1,000.00 .0
01-350-3511	MUNICIPAL COURT FINES	20,885.00	40,315.26	270,000.00	229,684.74 14.9
01-350-3512	DUI FINES	467.75	467.75	12,000.00	11,532.25 3.9
01-350-3513	FUEL SURCHARGE	1,550.00	2,920.00	20,000.00	17,080.00 14.6
	<b>TOTAL CHARGES FOR SERVICES REVENUES</b>	<b>26,202.75</b>	<b>50,238.01</b>	<b>358,000.00</b>	<b>307,761.99 14.0</b>

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MISCELLANEOUS REVENUES</u>					
01-360-3611 INTEREST INCOME	2,265.42	4,497.18	12,000.00	7,502.82	37.5
01-360-3612 PENALTY-BUILDING PERMITS	1,400.00	1,550.00	3,000.00	1,450.00	51.7
01-360-3650 CRIER CONTRIBUTIONS	.00	75.00	7,000.00	6,925.00	1.1
01-360-3660 CRIER ADVERTISEMENT	785.00	2,475.00	10,000.00	7,525.00	24.8
01-360-3680 OTHER REVENUES	621.05	1,885.81	20,000.00	18,114.19	9.4
01-360-3690 LEASE PROCEEDS	665.50	1,331.00	7,986.00	6,655.00	16.7
<b>TOTAL MISCELLANEOUS REVENUES</b>	<b>5,736.97</b>	<b>11,813.99</b>	<b>59,986.00</b>	<b>48,172.01</b>	<b>19.7</b>
<b>TOTAL FUND REVENUE</b>	<b>927,584.26</b>	<b>1,168,784.26</b>	<b>7,004,867.00</b>	<b>5,836,082.74</b>	<b>16.7</b>

CITY OF CHERRY HILLS VILLAGE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION DEPARTMENT</u>					
01-411-1011 PERSONNEL SERVICES	38,826.94	97,067.35	496,616.00	399,548.65	19.6
01-411-1012 FEE PERSONNEL	1,200.00	1,200.00	16,800.00	15,600.00	7.1
01-411-1013 SOCIAL SECURITY TAXES	2,996.85	( 25,901.94)	39,729.00	65,630.94	( 65.2)
01-411-1014 RETIREMENT 401-NONSWORN	522.96	1,299.79	35,000.00	33,700.21	3.7
01-411-1015 RETIREMENT	677.86	( 6,443.94)	65,000.00	71,443.94	( 9.9)
01-411-1016 HEALTH-LIFE-DENTAL INSURANCE	4,152.76	8,305.52	487,522.00	479,216.48	1.7
01-411-1017 UNEMPLOY-WORKMENS COMP INS	9,241.00	9,241.00	113,000.00	103,759.00	8.2
01-411-1019 OVERTIME	24.99	287.16	.00	( 287.16)	.0
01-411-2021 OFC-SUPPLIES-POSTAGE	498.05	821.69	16,280.00	15,458.31	5.1
01-411-2022 PRINTING-REPRODUCTION	95.20	127.96	2,500.00	2,372.04	5.1
01-411-2028 SPECIAL MATERIALS	105.32	462.67	2,500.00	2,037.33	18.5
01-411-3031 GAS-HEAT-LIGHT	2,243.26	2,243.26	21,000.00	18,756.74	10.7
01-411-3033 COMMUNICATIONS	1,658.26	3,133.45	28,000.00	24,866.55	11.2
01-411-3035 SEWER	.00	477.00	3,136.00	2,659.00	15.2
01-411-4040 COUNTY TREASURER FEES	7,612.80	8,178.76	24,617.00	16,438.24	33.2
01-411-4041 COUNTY USE TAX FEES	4,150.94	8,678.93	53,344.00	44,665.07	16.3
01-411-4042 AUDIT	.00	.00	8,500.00	8,500.00	.0
01-411-4043 LEGAL	12,291.50	12,291.50	150,000.00	137,708.50	8.2
01-411-4049 OTHER CONTRACTUAL SERVICES	6,931.10	7,753.90	16,492.00	8,738.10	47.0
01-411-6061 INSURANCE-BONDS	94.00	31,166.50	130,000.00	98,833.50	24.0
01-411-6062 ELECTION EXPENSE	.00	.00	6,000.00	6,000.00	.0
01-411-6063 TRAIN.-DUES-TRAVEL-SUBSC	4,664.26	15,060.26	95,817.00	80,756.74	15.7
01-411-6064 TESTING-PHYSICALS	.00	.00	300.00	300.00	.0
01-411-6066 LEGAL PUBLICATIONS	.00	.00	300.00	300.00	.0
01-411-6067 SPECIAL EVENTS	.00	2,126.33	2,500.00	373.67	85.1
01-411-6068 MISCELLANEOUS EXPENSES	4,449.01	6,967.98	44,675.00	37,707.02	15.6
01-411-7071 EQUIPMENT	.00	.00	1,500.00	1,500.00	.0
<b>TOTAL ADMINISTRATION DEPARTMENT</b>	<b>102,437.06</b>	<b>184,545.13</b>	<b>1,861,128.00</b>	<b>1,676,582.87</b>	<b>9.9</b>
<u>JUDICIAL DEPARTMENT</u>					
01-412-1011 PERSONAL SERVICES	4,006.16	9,935.40	51,471.00	41,535.60	19.3
01-412-1012 FEE PERSONNEL	1,500.00	1,500.00	13,000.00	11,500.00	11.5
01-412-1013 SOCIAL SECURITY TAXES	313.56	781.59	4,118.00	3,336.41	19.0
01-412-1015 RETIREMENT	192.30	480.75	.00	( 480.75)	.0
01-412-1016 HEALTH-LIFE-DENTAL INSURANCE	1,086.51	2,173.02	.00	( 2,173.02)	.0
01-412-2021 OFC SUPPLIES-POSTAGE	14.67	14.67	100.00	85.33	14.7
01-412-2022 PRINTING-REPRODUCTION	.00	165.00	400.00	235.00	41.3
01-412-4050 JURY-WITNESS FEES	.00	.00	100.00	100.00	.0
01-412-6063 TRAIN.-DUES-TRAVEL-SUBSC	.00	423.00	560.00	137.00	75.5
01-412-6067 INTERPRETERS	122.50	122.50	850.00	727.50	14.4
01-412-6068 MISCELLANEOUS EXPENSES	.00	.00	4,680.00	4,680.00	.0
<b>TOTAL JUDICIAL DEPARTMENT</b>	<b>7,235.70</b>	<b>15,595.93</b>	<b>75,279.00</b>	<b>59,683.07</b>	<b>20.7</b>

CITY OF CHERRY HILLS VILLAGE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DATA PROCESSING DEPARTMENT</u>					
01-414-2028	SOFTWARE	1,316.00	12,422.00	18,704.00	6,282.00 66.4
01-414-4049	OTHER CONTRACTUAL SERVICES	6,872.00	8,798.00	97,132.00	88,334.00 9.1
01-414-7071	EQUIPMENT	9,781.70	9,781.70	17,747.00	7,965.30 55.1
TOTAL DATA PROCESSING DEPARTMENT		17,969.70	31,001.70	133,583.00	102,581.30 23.2
<u>COMMUNITY DEVELOPMENT DEPARTME</u>					
01-418-1011	PERSONNEL SERVICES	19,966.16	49,915.40	254,972.00	205,056.60 19.6
01-418-1013	SOCIAL SECURITY TAXES	1,561.48	3,905.80	20,398.00	16,492.20 19.2
01-418-1014	RETIREMENT 401-NONSWORN	497.76	1,234.83	.00	( 1,234.83) .0
01-418-1015	RETIREMENT	500.54	1,251.35	.00	( 1,251.35) .0
01-418-1016	HEALTH-LIFE-DENTAL INSURANCE	2,183.11	4,366.22	.00	( 4,366.22) .0
01-418-2021	OFCE SUPPLIES-POSTAGE	92.20	143.65	4,500.00	4,356.35 3.2
01-418-2022	PRINTING-REPRODUCTION	473.08	507.16	3,200.00	2,692.84 15.9
01-418-2028	SPECIAL MATERIALS	28.80	28.80	250.00	221.20 11.5
01-418-3033	TELEPHONE	284.80	385.24	850.00	464.76 45.3
01-418-4041	GREEN BUILDING REBATES	.00	.00	20,000.00	20,000.00 .0
01-418-4042	CONTRACTED PLAN REVIEW	6,962.50	6,962.50	70,000.00	63,037.50 10.0
01-418-4045	ENGINEERING SERVICES	3,666.25	3,666.25	30,000.00	26,333.75 12.2
01-418-4047	BUILDING INSPECTION	8,717.00	8,717.00	150,000.00	141,283.00 5.8
01-418-4049	OTHER CONTRACTUAL SERVICES	4,423.51	4,423.51	40,000.00	35,576.49 11.1
01-418-6063	TRAIN.-DUES-TRAVEL-SUBSC	27.95	27.95	4,900.00	4,872.05 .6
01-418-6068	MISCELLANEOUS EXPENSE	250.00	500.00	4,000.00	3,500.00 12.5
01-418-7071	EQUIPMENT	.00	.00	1,800.00	1,800.00 .0
TOTAL COMMUNITY DEVELOPMENT DEPARTME		49,634.94	86,035.66	604,870.00	518,834.34 14.2
<u>VILLAGE CRIER DEPARTMENT</u>					
01-419-1012	FEE PERSONNEL	500.00	500.00	3,000.00	2,500.00 16.7
01-419-2021	OFFICE SUPPLIES, POSTAGE	778.40	1,504.80	10,500.00	8,995.20 14.3
01-419-2022	PRINTING	1,490.00	1,490.00	17,000.00	15,510.00 8.8
TOTAL VILLAGE CRIER DEPARTMENT		2,768.40	3,494.80	30,500.00	27,005.20 11.5

CITY OF CHERRY HILLS VILLAGE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY DEPARTMENT</u>					
01-421-1011	PERSONNEL SERVICES	169,227.61	431,177.16	2,263,049.00	1,831,871.84 19.1
01-421-1013	SOCIAL SECURITY TAXES	4,187.00	10,566.04	67,891.00	57,324.96 15.6
01-421-1014	POLICE PENSION CONTRIBUTIONS	11,884.46	29,969.01	145,000.00	115,030.99 20.7
01-421-1015	RETIREMENT	3,414.22	8,530.97	.00 (	8,530.97) .0
01-421-1016	HEALTH-LIFE-DENTAL INSURANCE	26,685.95	54,627.40	.00 (	54,627.40) .0
01-421-1018	UNIFORM EXPENSE	442.55	702.22	26,150.00	25,447.78 2.7
01-421-1019	OVERTIME	3,672.50	5,084.68	70,000.00	64,915.32 7.3
01-421-1020	EXTRA DUTY	3,169.00	7,552.00	70,000.00	62,448.00 10.8
01-421-2021	OFC SUPPLIES-POSTAGE	466.94	2,225.02	8,670.00	6,444.98 25.7
01-421-2022	PRINTING-REPRODUCTION	.00	1,203.99	5,780.00	4,576.01 20.8
01-421-2023	CRIME PREVENTION	.00	.00	4,000.00	4,000.00 .0
01-421-2024	DARE	.00	.00	1,000.00	1,000.00 .0
01-421-2028	SPECIAL MATERIALS	420.98	835.31	14,280.00	13,444.69 5.9
01-421-2029	ANIMAL CONTROL	17.87	17.87	1,000.00	982.13 1.8
01-421-3031	ELECTRIC/GAS	5,210.39	5,210.39	27,300.00	22,089.61 19.1
01-421-3032	WATER	.00	.00	3,250.00	3,250.00 .0
01-421-3033	TELEPHONE	1,672.11	4,886.68	28,750.00	23,863.32 17.0
01-421-3035	SEWER	.00	332.00	2,500.00	2,168.00 13.3
01-421-4048	VEHICLE MAINTENANCE CONTRACT	198.73	198.73	51,675.00	51,476.27 .4
01-421-4049	OTHER CONTRACTUAL SERVICES	3,804.23	115,762.61	162,104.00	46,341.39 71.4
01-421-5051	BUILDING MAINTENANCE	93.90	194.60	24,625.00	24,430.40 .8
01-421-5052	EQUIPMENT MAINTENANCE	.00	.00	5,000.00	5,000.00 .0
01-421-5053	VEHICLE MAINTENANCE	343.36	655.25	6,600.00	5,944.75 9.9
01-421-5054	GASOLINE-OIL	1,701.00	1,701.00	60,000.00	58,299.00 2.8
01-421-6063	TRNG-DUES-TRAVEL-SUBSC	430.00	824.18	32,000.00	31,175.82 2.6
01-421-6064	TESTING AND PHYSICAL EXAMS	150.00	150.00	10,000.00	9,850.00 1.5
01-421-6065	PRISONER EXPENSES	430.00	430.00	7,800.00	7,370.00 5.5
01-421-6066	SPECIAL INVESTIGATIONS	100.00	100.00	2,800.00	2,700.00 3.6
01-421-6068	MISCELLANEOUS EXPENSES	600.00	1,523.96	17,800.00	16,276.04 8.6
01-421-7071	EQUIPMENT	.00	266.97	36,000.00	35,733.03 .7
	TOTAL PUBLIC SAFETY DEPARTMENT	238,322.80	684,728.04	3,155,024.00	2,470,295.96 21.7

CITY OF CHERRY HILLS VILLAGE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS DEPARTMENT</u>					
01-431-1011 PERSONNEL SERVICES	44,585.60	120,335.30	685,955.00	565,619.70	17.5
01-431-1013 SOCIAL SECURITY TAXES	3,303.74	9,201.87	54,876.00	45,674.13	16.8
01-431-1014 RETIREMENT 401-NONSWORN	993.50	2,483.75	.00	( 2,483.75)	.0
01-431-1015 RETIREMENT	502.22	1,255.55	.00	( 1,255.55)	.0
01-431-1016 HEALTH-LIFE-DENTAL INSURANCE	8,530.31	18,111.41	.00	( 18,111.41)	.0
01-431-1018 UNIFORM EXPENSE	1,116.76	1,116.76	5,400.00	4,283.24	20.7
01-431-1019 OVERTIME	114.09	2,646.31	14,000.00	11,353.69	18.9
01-431-2021 OFC SUPPLIES-POSTAGE	.00	.00	1,900.00	1,900.00	.0
01-431-2024 SNOW-ICE MATERIALS	8,931.46	8,931.46	25,000.00	16,068.54	35.7
01-431-2025 ROAD MAINT. MATERIALS	847.10	847.10	52,000.00	51,152.90	1.6
01-431-2026 CURB-GUTTER-SIDEWALKS	.00	.00	5,000.00	5,000.00	.0
01-431-2027 TRAFFIC CONTROL DEVICES	210.00	210.00	9,000.00	8,790.00	2.3
01-431-2028 SPECIAL MATERIALS	69.06	69.06	6,000.00	5,930.94	1.2
01-431-3032 WATER	.00	.00	2,100.00	2,100.00	.0
01-431-3033 COMMUNICATIONS	191.36	873.29	7,050.00	6,176.71	12.4
01-431-3034 STREET LIGHTING	.00	.00	5,000.00	5,000.00	.0
01-431-4045 ENGINEERING SERVICES	708.50	708.50	12,500.00	11,791.50	5.7
01-431-4048 VEHICLE MAINTENANCE CONTRACT	3,739.30	3,739.30	50,000.00	46,260.70	7.5
01-431-4049 OTHER CONTRACTUAL SERVICES	4,404.96	4,750.82	57,000.00	52,249.18	8.3
01-431-5051 BUILDING MAINTENANCE	2,159.11	2,159.11	45,000.00	42,840.89	4.8
01-431-5052 EQUIPMENT MAINTENANCE	2,687.54	2,687.54	8,500.00	5,812.46	31.6
01-431-5053 VEHICLE MAINTENANCE	379.15	379.15	20,000.00	19,620.85	1.9
01-431-5054 GASOLINE-OIL	1,743.92	1,743.92	35,000.00	33,256.08	5.0
01-431-6063 TRNG-DUES-TRAVEL-SUBSC	3,660.47	5,394.49	9,000.00	3,605.51	59.9
01-431-6064 TESTING PHYSICALS	.00	.00	2,000.00	2,000.00	.0
01-431-6068 MISCELLANEOUS EXPENSES	1,228.00	2,111.92	8,500.00	6,388.08	24.9
01-431-7000 PUBLIC ART	1,318.08	1,318.08	20,000.00	18,681.92	6.6
01-431-7071 EQUIPMENT	.00	.00	6,500.00	6,500.00	.0
<b>TOTAL PUBLIC WORKS DEPARTMENT</b>	<b>91,424.23</b>	<b>191,074.69</b>	<b>1,147,281.00</b>	<b>956,206.31</b>	<b>16.7</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>509,792.83</b>	<b>1,196,475.95</b>	<b>7,007,665.00</b>	<b>5,811,189.05</b>	<b>17.1</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>417,791.43</b>	<b>( 27,691.69)</b>	<b>( 2,798.00)</b>	<b>24,893.69</b>	<b>(989.7)</b>

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

CAPITAL FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAX REVENUES</u>						
02-310-3111	CURRENT PROPERTY TAX	85,950.87	92,411.06	337,217.00	244,805.94	27.4
02-310-3121	SPECIFIC OWNERSHIP TAX	27,120.42	67,999.73	.00	( 67,999.73)	.0
	<b>TOTAL TAX REVENUES</b>	<b>113,071.29</b>	<b>160,410.79</b>	<b>337,217.00</b>	<b>176,806.21</b>	<b>47.6</b>
<u>MISCELLANEOUS REVENUES</u>						
02-360-3610	BOND PROCEEDS	.00	.00	3,500,000.00	3,500,000.00	.0
02-360-3611	INTEREST INCOME	969.23	1,912.97	2,500.00	587.03	76.5
	<b>TOTAL MISCELLANEOUS REVENUES</b>	<b>969.23</b>	<b>1,912.97</b>	<b>3,502,500.00</b>	<b>3,500,587.03</b>	<b>.1</b>
	<b>TOTAL FUND REVENUE</b>	<b>114,040.52</b>	<b>162,323.76</b>	<b>3,839,717.00</b>	<b>3,677,393.24</b>	<b>4.2</b>

CITY OF CHERRY HILLS VILLAGE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

CAPITAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL FUND EXPENDITURES</u>					
02-441-1000 TRAIL IMPROVEMENTS	.00	.00	325,000.00	325,000.00	.0
02-441-1001 COP PAYMENT	.00	.00	96,263.00	96,263.00	.0
02-441-1101 VILLAGE CENTER IMPROVEMENTS	.00	.00	1,260,000.00	1,260,000.00	.0
02-441-1102 COMPUTER EQUIPMENT	.00	16,552.00	22,952.00	6,400.00	72.1
02-441-2103 POLICE EQUIPMENT	.00	.00	94,350.00	94,350.00	.0
02-441-2104 POLICE VEHICLES	8,746.89	36,699.95	162,600.00	125,900.05	22.6
02-441-2107 POLICE MOTORCYCLE PROGRAM	.00	.00	52,900.00	52,900.00	.0
02-441-3101 STREET IMPROVEMENT PROGRAM	.00	.00	500,000.00	500,000.00	.0
02-441-3102 PUBLIC WORKS EQUIPMENT	.00	.00	45,000.00	45,000.00	.0
02-441-3103 PARKS EQUIPMENT	.00	.00	20,000.00	20,000.00	.0
02-441-3105 PARKS VEHICLES	.00	.00	40,000.00	40,000.00	.0
02-441-3106 STORM SEWERS	.00	.00	50,000.00	50,000.00	.0
02-441-3108 BUILDINGS	.00	.00	25,000.00	25,000.00	.0
02-441-3109 TRAFFIC CALMING	.00	.00	75,000.00	75,000.00	.0
02-441-3110 CRACK SEAL	.00	.00	25,000.00	25,000.00	.0
02-441-3111 CURB AND GUTTER	.00	.00	135,000.00	135,000.00	.0
02-441-3112 RIGHTS-OF-WAY IMPROVEMENTS	.00	.00	176,000.00	176,000.00	.0
02-441-4000 LAND PURCHASE	.00	.00	1,500,000.00	1,500,000.00	.0
<b>TOTAL CAPITAL FUND EXPENDITURES</b>	<b>8,746.89</b>	<b>53,251.95</b>	<b>4,605,065.00</b>	<b>4,551,813.05</b>	<b>1.2</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>8,746.89</b>	<b>53,251.95</b>	<b>4,605,065.00</b>	<b>4,551,813.05</b>	<b>1.2</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>105,293.63</b>	<b>109,071.81</b>	<b>( 765,348.00)</b>	<b>( 874,419.81)</b>	<b>14.3</b>

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

CONSERVATION TRUST FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>INTERGOVERNMENTAL REVENUES</u>						
07-330-3358	COLORADO LOTTERY	.00	.00	60,000.00	60,000.00	.0
	TOTAL INTERGOVERNMENTAL REVENUES	.00	.00	60,000.00	60,000.00	.0
<u>MISCELLANEOUS REVENUES</u>						
07-360-3611	INTEREST ON INVESTMENTS	63.52	126.54	266.00	139.46	47.6
	TOTAL MISCELLANEOUS REVENUES	63.52	126.54	266.00	139.46	47.6
	TOTAL FUND REVENUE	63.52	126.54	60,266.00	60,139.46	.2

CITY OF CHERRY HILLS VILLAGE  
 EXPENDITURES WITH COMPARISON TO BUDGET  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

CONSERVATION TRUST FUND

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>CONSERVATION TRUST EXPENDITURE</u>						
07-450-4521	TRAIL IMPROVEMENTS	1,531.84	1,531.84	248,500.00	246,968.16	.6
	TOTAL CONSERVATION TRUST EXPENDITURE	1,531.84	1,531.84	248,500.00	246,968.16	.6
	TOTAL FUND EXPENDITURES	1,531.84	1,531.84	248,500.00	246,968.16	.6
	NET REVENUE OVER EXPENDITURES	( 1,468.32)	( 1,405.30)	( 188,234.00)	( 186,828.70)	( .8)

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

CH ANDERSON LAND DONATION FUND

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>
<u>LICENSE AND PERMIT REVENUES</u>					
08-320-3221 RECREATION REIMBURSEMENT DONAT	.00	.00	1,000.00	1,000.00	.0
TOTAL LICENSE AND PERMIT REVENUES	.00	.00	1,000.00	1,000.00	.0
<u>MISCELLANEOUS REVENUES</u>					
08-360-3611 INTEREST-INVESTMENTS	308.27	614.08	1,000.00	385.92	61.4
08-360-3680 MISCELLANEOUS REVENUES	.00	.00	4,000.00	4,000.00	.0
TOTAL MISCELLANEOUS REVENUES	308.27	614.08	5,000.00	4,385.92	12.3
TOTAL FUND REVENUE	308.27	614.08	6,000.00	5,385.92	10.2

CITY OF CHERRY HILLS VILLAGE  
 EXPENDITURES WITH COMPARISON TO BUDGET  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

CH ANDERSON LAND DONATION FUND

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>LAND DONATION FUND EXPENDITURE</u>						
08-450-6068	MISCELLANEOUS	.00	.00	5,000.00	5,000.00	.0
08-450-9093	THREE POND PARK WATER RIGHTS	.00	.00	620.00	620.00	.0
	TOTAL LAND DONATION FUND EXPENDITURE	.00	.00	5,620.00	5,620.00	.0
	TOTAL FUND EXPENDITURES	.00	.00	5,620.00	5,620.00	.0
	NET REVENUE OVER EXPENDITURES	308.27	614.08	380.00	( 234.08)	161.6

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

SID # 7 BOND FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MISCELLANEOUS REVENUES</u>					
13-360-3611 INTEREST INCOME	7.88	13.98	50.00	36.02	28.0
13-360-3612 INTEREST ON ASSESSMENT	.00	.00	11,284.00	11,284.00	.0
13-360-3630 ASSESSMENTS REVENUE	16,438.81	21,062.09	68,417.00	47,354.91	30.8
<b>TOTAL MISCELLANEOUS REVENUES</b>	<b>16,446.69</b>	<b>21,076.07</b>	<b>79,751.00</b>	<b>58,674.93</b>	<b>26.4</b>
<b>TOTAL FUND REVENUE</b>	<b>16,446.69</b>	<b>21,076.07</b>	<b>79,751.00</b>	<b>58,674.93</b>	<b>26.4</b>

CITY OF CHERRY HILLS VILLAGE  
 EXPENDITURES WITH COMPARISON TO BUDGET  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

SID # 7 BOND FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SID # 7 BOND FUND EXPENDITURES</u>					
13-470-4041 COUNTY TREASURER FEES	164.39	210.62	797.00	586.38	26.4
13-470-7072 INTEREST EXPENSE	.00	.00	10,000.00	10,000.00	.0
13-470-7073 BOND PRINCIPAL PAYMENT	.00	.00	80,000.00	80,000.00	.0
<b>TOTAL SID # 7 BOND FUND EXPENDITURES</b>	<b>164.39</b>	<b>210.62</b>	<b>90,797.00</b>	<b>90,586.38</b>	<b>.2</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>164.39</b>	<b>210.62</b>	<b>90,797.00</b>	<b>90,586.38</b>	<b>.2</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>16,282.30</b>	<b>20,865.45</b>	<b>( 11,046.00)</b>	<b>( 31,911.45)</b>	<b>188.9</b>

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

ARAPAPAHOE COUNTY OPEN SPACE F

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEARNED</u>	<u>PCNT</u>	
<u>LICENSE AND PERMIT REVENUES</u>						
14-320-3200	OPEN SPACE SHAREBACK	.00	.00	130,000.00	130,000.00	.0
14-320-3220	SALES TAX COLLECTION FEE	.00	.00	2,000.00	2,000.00	.0
	<b>TOTAL LICENSE AND PERMIT REVENUES</b>	<b>.00</b>	<b>.00</b>	<b>132,000.00</b>	<b>132,000.00</b>	<b>.0</b>
<u>MISCELLANEOUS REVENUES</u>						
14-360-3611	INTEREST INCOME	637.63	1,261.73	1,400.00	138.27	90.1
	<b>TOTAL MISCELLANEOUS REVENUES</b>	<b>637.63</b>	<b>1,261.73</b>	<b>1,400.00</b>	<b>138.27</b>	<b>90.1</b>
	<b>TOTAL FUND REVENUE</b>	<b>637.63</b>	<b>1,261.73</b>	<b>133,400.00</b>	<b>132,138.27</b>	<b>1.0</b>

CITY OF CHERRY HILLS VILLAGE  
 EXPENDITURES WITH COMPARISON TO BUDGET  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

ARAPAPAHOE COUNTY OPEN SPACE F

	<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>OPEN SPACE FUND EXPENDITURES</u>					
14-450-9091 TRAIL IMPROVEMENTS	.00	.00	90,000.00	90,000.00	.0
14-450-9092 PARK IMPROVEMENTS	91.80	91.80	510,000.00	509,908.20	.0
14-450-9101 TRAIL INVENTORY GRANT FUNDS	11,750.00	11,750.00	.00	( 11,750.00)	.0
TOTAL OPEN SPACE FUND EXPENDITURES	<u>11,841.80</u>	<u>11,841.80</u>	<u>600,000.00</u>	<u>588,158.20</u>	<u>2.0</u>
TOTAL FUND EXPENDITURES	<u>11,841.80</u>	<u>11,841.80</u>	<u>600,000.00</u>	<u>588,158.20</u>	<u>2.0</u>
NET REVENUE OVER EXPENDITURES	<u>( 11,204.17)</u>	<u>( 10,580.07)</u>	<u>( 466,600.00)</u>	<u>( 456,019.93)</u>	<u>( 2.3)</u>

CITY OF CHERRY HILLS VILLAGE  
REVENUES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

WATER AND SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>LICENSE AND PERMIT REVENUES</u>					
20-320-3225	.00	50.00	.00	( 50.00)	.0
20-320-3226	.00	.00	2,328.00	2,328.00	.0
20-320-3228	.00	77,220.00	74,496.00	( 2,724.00)	103.7
<b>TOTAL LICENSE AND PERMIT REVENUES</b>	<b>.00</b>	<b>77,270.00</b>	<b>76,824.00</b>	<b>( 446.00)</b>	<b>100.6</b>
<u>MISCELLANEOUS REVENUES</u>					
20-360-3611	278.34	554.46	800.00	245.54	69.3
<b>TOTAL MISCELLANEOUS REVENUES</b>	<b>278.34</b>	<b>554.46</b>	<b>800.00</b>	<b>245.54</b>	<b>69.3</b>
<b>TOTAL FUND REVENUE</b>	<b>278.34</b>	<b>77,824.46</b>	<b>77,624.00</b>	<b>( 200.46)</b>	<b>100.3</b>

CITY OF CHERRY HILLS VILLAGE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

WATER AND SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER &amp; SEWER EXPENDITURES</u>					
20-461-4042 LEGAL COUNSEL	369.50	369.50	1,000.00	630.50	37.0
20-461-4049 OTHER CONTRACTUAL	.00	.00	30,000.00	30,000.00	.0
20-461-5052 SEWER REPAIRS & MAINTENANCE	.00	.00	500,000.00	500,000.00	.0
20-461-6063 TRAINING, DUES & SUB	854.00	854.00	1,000.00	146.00	85.4
<b>TOTAL WATER &amp; SEWER EXPENDITURES</b>	<b>1,223.50</b>	<b>1,223.50</b>	<b>532,000.00</b>	<b>530,776.50</b>	<b>.2</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>1,223.50</b>	<b>1,223.50</b>	<b>532,000.00</b>	<b>530,776.50</b>	<b>.2</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>( 945.16)</b>	<b>76,600.96</b>	<b>( 454,376.00)</b>	<b>( 530,976.96)</b>	<b>16.9</b>

CITY OF CHERRY HILLS VILLAGE  
 REVENUES WITH COMPARISON TO BUDGET  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

PARKS AND RECREATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAX REVENUES</u>					
30-310-3111	466,590.43	501,660.03	1,772,749.00	1,271,088.97	28.3
30-310-3121	.00	.00	10,000.00	10,000.00	.0
	<u>466,590.43</u>	<u>501,660.03</u>	<u>1,782,749.00</u>	<u>1,281,088.97</u>	<u>28.1</u>
<u>MISCELLANEOUS REVENUES</u>					
30-360-3611	1,094.47	2,168.47	5,000.00	2,831.53	43.4
	<u>1,094.47</u>	<u>2,168.47</u>	<u>5,000.00</u>	<u>2,831.53</u>	<u>43.4</u>
	<u>467,684.90</u>	<u>503,828.50</u>	<u>1,787,749.00</u>	<u>1,283,920.50</u>	<u>28.2</u>

CITY OF CHERRY HILLS VILLAGE  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2016

PARKS AND RECREATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARKS &amp; RECREATION EXPENDITURE</u>					
30-432-1011 PERSONAL SERVICES	25,462.78	64,868.28	420,282.00	355,413.72	15.4
30-432-1013 SOCIAL SECURITY TAXES	1,982.28	5,124.67	33,623.00	28,498.33	15.2
30-432-1014 RETIREMENT 401-MGMT	362.80	907.00	4,600.00	3,693.00	19.7
30-432-1015 RETIREMENT 457 DEF COMP	724.38	1,810.95	8,000.00	6,189.05	22.6
30-432-1016 HEALTH-LIFE-DENTAL INSURANCE	4,641.77	9,783.54	58,000.00	48,216.46	16.9
30-432-1018 UNIFORM EXPENSE	.00	.00	3,500.00	3,500.00	.0
30-432-1019 OVERTIME	178.74	1,197.01	5,000.00	3,802.99	23.9
30-432-2021 OFC-SUPPLIES-POSTAGE	46.72	46.72	1,200.00	1,153.28	3.9
30-432-2023 PLANT SUPPLIES	.00	.00	3,500.00	3,500.00	.0
30-432-2025 GENERAL INFRASTRUCTURE MAINT	630.24	630.24	15,500.00	14,889.76	4.1
30-432-2026 SNOW AND ICE MELT	.00	.00	1,000.00	1,000.00	.0
30-432-2027 PARK SIGNAGE	.00	.00	1,000.00	1,000.00	.0
30-432-2028 SPECIAL MATERIALS	1,173.05	1,407.79	7,050.00	5,642.21	20.0
30-432-3032 WATER	261.41	261.41	30,000.00	29,738.59	.9
30-432-3033 COMMUNICATIONS	435.66	1,216.70	3,200.00	1,983.30	38.0
30-432-4041 COUNTY TREASURER FEES	4,665.90	5,016.60	17,727.00	12,710.40	28.3
30-432-4043 LEGAL/SURVEYING	.00	.00	4,000.00	4,000.00	.0
30-432-4046 ENGINEERING	472.00	472.00	14,000.00	13,528.00	3.4
30-432-4047 FORESTRY/ROW TREE MAINT.	269.00	334.00	28,000.00	27,666.00	1.2
30-432-4048 VEHICLE MAINTENANCE CONTRACT	787.93	787.93	16,000.00	15,212.07	4.9
30-432-4049 OTHER CONTRACTUAL SERVICES	.00	.00	8,150.00	8,150.00	.0
30-432-5052 EQUIPMENT MAINTENANCE	.00	.00	6,000.00	6,000.00	.0
30-432-5053 VEHICLE MAINTENANCE	1,302.62	1,302.62	4,500.00	3,197.38	29.0
30-432-5054 GASOLINE-OIL	851.00	851.00	20,000.00	19,149.00	4.3
30-432-5055 GROUNDS MAINTENANCE	447.18	589.46	20,000.00	19,410.54	3.0
30-432-6063 TRAIN-DUES-TRAVEL-SUBSC	966.55	984.33	7,200.00	6,215.67	13.7
30-432-6064 TESTING-PHYSICALS	.00	.00	500.00	500.00	.0
30-432-6067 SPECIAL EVENTS	577.53	1,886.30	15,000.00	13,113.70	12.6
30-432-6068 MISCELLANEOUS EXPENSES	561.82	811.82	5,000.00	4,188.18	16.2
30-432-6069 RECREATION REIMBURSEMENT PROGR	24,234.15	24,383.15	233,744.00	209,360.85	10.4
30-432-7071 EQUIPMENT	.00	1,469.25	7,500.00	6,030.75	19.6
30-432-7072 INTEREST EXPENSE	.00	.00	25,387.00	25,387.00	.0
30-432-7073 PRINCIPAL EXPENSE	.00	.00	734,586.00	734,586.00	.0
30-432-7075 ADMINISTRATIVE SERVICES	.00	.00	25,000.00	25,000.00	.0
<b>TOTAL PARKS &amp; RECREATION EXPENDITURE</b>	<b>71,035.51</b>	<b>126,142.77</b>	<b>1,787,749.00</b>	<b>1,661,606.23</b>	<b>7.1</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>71,035.51</b>	<b>126,142.77</b>	<b>1,787,749.00</b>	<b>1,661,606.23</b>	<b>7.1</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>396,649.39</b>	<b>377,685.73</b>	<b>.00</b>	<b>( 377,685.73)</b>	<b>.0</b>

**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(iii)

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**MEMORANDUM**

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**TO:** HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

**FROM:** LAURA SMITH, CITY CLERK

**SUBJECT:** BOARD AND COMMISSION MEMBER TERMS

**DATE:** MARCH 15, 2016

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**ISSUE**

Several board and commission member terms are coming up in May of 2016.

**DISCUSSION**

In November 2014 City Council adopted the Board, Commission and Committee Recruitment, Appointment and Removal Policy (Exhibit A).

The following board and commission member terms will end in May:

<b>Board/Commission</b>	<b>Member Name</b>	<b>Current Term #</b>	<b>Term Ends</b>	<b>Recruitment Trigger</b>	<b>Wishes to Continue</b>
BOAA	John Love	Partial	5/17/2016	No	Yes
PTRC	Colleen Dougherty	1st	5/17/2016	No	No
PTRC	Joshua DiCarlo	1st	5/17/2016	No	Yes
PTRC	Robert Eber	1st	5/17/2016	No	Yes

The current PTRC members are in the following Districts:

<b>Member Name</b>	<b>District</b>
Rob Ganger	District 1
Liesje Johnson	District 2
Joshua DiCarlo	District 3
Nina Itin	District 4
Colleen Dougherty	District 5
Robert Eber	District 6
John Kokish	District 6

#### **NEXT STEPS**

PTRC Commissioner Colleen Dougherty resigned on March 2<sup>nd</sup>. Staff posted the vacancy and is asking Council to choose two members to conduct interviews to fill the position.

Staff is seeking direction from Council on the reappointment of John Love to the BOAA. A recruitment process is not triggered for this member and he has expressed his desire to continue serving.

Staff is seeking direction from Council on the reappointment of Joshua DiCarlo and Robert Eber to the PTRC. A recruitment process for these members is only triggered if more District representation is needed on PTRC. All three members have expressed desire to continue serving.

#### **ATTACHMENTS**

Exhibit A – Board, Commission and Committee Recruitment, Appointment and Removal Policy

City of Cherry Hills Village  
Policies and Procedures  
Adopted by City Council November 18, 2014

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**Board, Commission and Committee  
Recruitment, Appointment and Removal Policy**

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**ADMINISTRATIVE POLICY**

Purpose

To establish procedures for the announcement of Board, Commission and Committee vacancies, review of applications and appointment of members. This policy will apply to Boards and Commissions established in the Charter, by ordinance or resolution adopted by City Council and advisory Committees created by the Council. The goal of the policy is to establish procedures that open opportunities for membership to all interested persons and to provide guidance on the procedures used to manage the appointment process.

Boards and Commissions Length of Term

Standing Boards and Commissions may be established by the Charter, by ordinance or resolution. Boards and Commissions include and shall have terms as set forth below:

- Board of Adjustment and Appeals (BOAA) – 3 years commencing the third Tuesday in May (Municipal Code Section 16-3-10)
- Planning and Zoning (P&Z) – 3 years commencing the third Tuesday in September (Municipal Code Section 2-6-30);
- Parks, Trails and Recreation Commission (PTRC) – 3 years commencing the third Tuesday in May (Municipal Code Section 2-8-30)
- Public Art Commission (PAC) – 3 years commencing in May/July (Resolutions Appointing Members)

Application for Appointment

The City Clerk shall prepare an application form for interested persons to complete and submit as a condition of consideration for appointment. Information concerning the application process and the application form will be maintained on the City's web site. Applications will be accepted both at any time if at the initiative of an interested person as well as in response to announcements of vacancies. The City Clerk will confirm with applicants not appointed during any recruitment process their interest in having the City maintain their application on file for future consideration. Applications will be maintained by the City Clerk for a period of [2] years. Applications held by the City Clerk for two years will be considered expired.

### Annual and Periodic Appointment Process

The City Clerk will advise the Council of vacancies as they occur by resignation of a member and report to Council two months prior to expiration of terms regarding the need to appoint persons to fill vacancies due to current members that have served for two full terms. For purposes of counting full terms, an appointment to complete a partial term will not be counted. The Council shall appoint two Council members to review vacancies and applications for each Board or Commission with vacancies. Those Council members assigned shall review all applications, schedule meetings with candidates as necessary and present their recommendation to the City Council.

For PTRC the representation of Council Districts among the members will be considered when any term ends, regardless of the number of terms the member has served. If there is an uneven distribution and the member whose term is ending is in a district already represented on the PTRC, a recruitment process will follow, and the incumbent member will be considered for another term along with any new applicants if they wish to continue serving.

### Reappointment of Incumbent Members

The City Council recognizes the value of allowing members to serve for more than one term. As a general rule, incumbent members may be reappointed for a second term subject to the City Clerk: (1) receiving an indication of interest from the incumbent and (2) confirming with the Board or Commission chair that the incumbent has dutifully attended meetings and actively participated in deliberations. In such a case, no advertisement for applications shall be solicited from the public. Partial terms will not be counted as a full term, consistent with City Council terms.

After a member has served two terms a recruitment process will follow, and the incumbent member will be considered for another term along with any new applicants if they wish to continue serving.

### Removal of Board, Commission and Committee Members

The City Council may consider removing any member of a Board, Commission or Committee in the event that either the Chair of a Board, Commission or Committee or the City Manager presents a recommendation to the City Council calling for removal. Upon such a recommendation, the Council shall decide on the review procedure to be followed and act on the matter pursuant to Council determination.

### Advisory Committees

The City Council may from time to time create advisory Committees. The City Clerk shall prepare an application form for interested persons to complete and submit as a condition of consideration for appointment. Applicants from previous recruitment processes shall also be considered if they have indicated such

interest. The City Clerk will confirm with applicants not appointed during any recruitment process their interest in having the City maintain their application on file for future consideration. Persons appointed to an advisory Committee shall serve through completion of the work of the Committee.