

CHERRY HILLS VILLAGE
COLORADO

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

City Hall
Telephone 303-789-2541
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City Council Agenda
Tuesday, January 20, 2026

City Hall, 2450 East Quincy Avenue, Cherry Hills Village, CO 80113

This meeting will be held in-person at City Hall with no electronic participation.

To attend in person: There is no need to sign up to attend in person. If you would like to speak during audience participation there will be a signup sheet in Council Chambers.

To watch the meeting (no participation): City Meeting Videos on the City website or City of Cherry Hills Village YouTube Channel

6:30 PM Regular Meeting

1. Call to Order
2. Roll Call of Members
3. Pledge of Allegiance
4. Presentations
 - a. Police Department Recognition of Officer Ryan Belding
 - b. Police Department Recognition of Officer John Bayman
5. Audience Participation Period (limit 5 minutes per speaker)
6. Reports from Members of City Boards and Commissions
7. Consent Agenda
 - a. Approval of January 6, 2026 Minutes
8. Items Removed from Consent Agenda
9. Unfinished Business
 - a. Fences Adjacent to State Highways
10. New Business
 - a. Council Bill 01, Series 2026; A bill for an ordinance of the City of Cherry Hills Village, adding a new Article II to Chapter 13 of the Cherry Hills Municipal Code enacting an industrial pretreatment program (first reading)
 - b. Resolution 5, Series 2026; Accepting a Donation from the Cherry Hills Village Police Foundation on Behalf of the Cherry Hills Village Police Department

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 303-783-2732, 72 hours in advance.

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**Meeting of the Cherry Hills Village Charlou Park 3rd Filing General Improvement
District Board**

11. Call to Order
12. Roll Call of Members
13. Consent Agenda
 - a. Approval of January 6, 2026 Minutes
14. Items Removed from Consent Agenda
15. Unfinished Business
16. New Business
17. Adjournment

**Meeting of the Cherry Hills Village Southmoor Circle and Hudson Parkway General
Improvement District Board**

18. Call to Order
19. Roll Call of Members
20. Consent Agenda
 - a. Approval of January 6, 2026 Minutes
21. Items Removed from Consent Agenda
22. Unfinished Business
23. New Business
24. Adjournment

Reconvene Meeting of the Cherry Hills Village City Council

25. Reports
 - a. Mayor
 - b. Members of City Council
 - c. City Manager, City Staff, City Attorney
 - i. Department Monthly Reports
 - ii. Staff Approved Contracts Monthly Report
 - iii. Financial Monthly Report
 - iv. 2026 Work Plan Discussion
26. Adjournment

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Minutes of the City Council of the City of Cherry Hills Village, Colorado
held on Tuesday, January 6, 2026, at 6:30 PM
at City Hall, 2450 East Quincy Avenue, Cherry Hills Village, Colorado 80113

CALL TO ORDER

Mayor Brown called the meeting to order at 6:30 PM.

ROLL CALL OF MEMBERS

Mayor Katy Brown, Mayor Pro Tem Earl Hoellen, Councilors Doug Robinson, Susan Maguire, Dave Heller, Robert Eber, and Karen Fisher were present on roll call. Also present were City Manager Chris Cramer, City Attorney Kathie Guckenberger, Deputy City Manager/Public Works Director Jay Goldie, Community Development Director Paul Workman, Finance Director Kelly Newman, Police Chief Jason Lyons, Parks Project and Operations Manager Emily Black, Human Resources Manager Kathryn Ducharme, and City Clerk Laura Gillespie.

Absent: None.

PLEDGE OF ALLEGIANCE

The Council conducted the pledge of allegiance.

PRESENTATION: JAY GOLDIE AMERICAN PUBLIC WORKS ASSOCIATION AWARD

Chuck Weiss, President of the Colorado chapter of the American Public Works Association (APWA), presented Deputy City Manager/Director Goldie with the Professional Manager of the Year award. Mr. Weiss highlighted Deputy City Manager Goldie's 20-year career with Cherry Hills Village, noting his leadership in helping the City become only the fourth accredited public works department in Colorado and the 94th in the United States and Canada. Mr. Weiss detailed Deputy City Manager Goldie's educational credentials and his significant contributions to Cherry Hills Village, including implementing a snow plow mapping system, securing grant funding, and creating a strategic pavement system. He also recognized Deputy City Manager Goldie's commitment to advancing professionalism in the field and his influence on the culture of the City workforce.

AUDIENCE PARTICIPATION PERIOD

None.

REPORTS FROM MEMBERS OF CITY BOARDS AND COMMISSIONS

None.

CONSENT AGENDA

Mayor Brown removed Item 7a. Approval of December 10, 2025 Minutes.

Mayor Pro Tem Hoellen moved, seconded by Councilor Maguire, to approve the following items on the Consent Agenda:

7b. Resolution 1, Series 2026; Designating the Public Place for Posting Notices of Regular and Special Meetings

7c. Resolution 2, Series 2026; Adopting a Budget Calendar for the 2027 Budget

7d. Resolution 3, Series 2026; Approving an Intergovernmental Agreement Regarding the Arapahoe County Cybersecurity Consortium

7e. Highway User Tax Fund (HUTF) Mileage Certification

The motion passed unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

Item 7a. Approval of December 10, 2026 Minutes

Mayor Brown directed staff to remove the text under Roll Call related to Councilor Heller's audio issues.

Mayor Pro Tem Hoellen moved, seconded by Councilor Maguire, to approve the minutes as amended.

The motion passed unanimously.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Public Hearing: Resolution 4, Series 2026; Approving a Site Plan Amendment for Renovations to the Chipping and Putting Area Located on Lot 1 of the Cherry Hills Country Club Consolidation Plat

Mayor Brown opened the public hearing at 6:39 PM for Resolution 4, Series 2026, approving a site plan amendment for renovations to the chipping and putting area located on Lot 1 of the Cherry Hills Country Club Consolidation Plat.

Community Development Director Workman explained that Cherry Hills Country Club had submitted an application for renovations to their chipping and putting area located just north and west of the existing clubhouse, specifically between lots 11 and 14 of Cherry Hills Drive, which he noted is a private road the City does not control.

Director Workman explained that the property is currently zoned O-1 and was acquired by the Club in the late 1980s, used as a practice area for many years in support of the Club. He showed pictures of the subject property taken from Cherry Hills Drive looking south, with one showing the northeast portion and another showing the northwest corner.

The applicant's request included five things: demolition and reconstruction of their short game practice facility; demolition of unnecessary roadways and impervious areas; widening of the existing emergency access driveway that provides access to their maintenance facility; relocation of the existing access gate; and introduction of wayfinding signage along Cherry Hills Drive to help wayward traffic unfamiliar with the area.

Director Workman displayed a graphic showing red polygons as areas proposed for demolition, green areas for reconstruction, and blue areas that exist today with no proposed changes. He highlighted that the existing gate on the south side of the access would be relocated much closer to Cherry Hills Drive to eliminate wayward traffic, and proposed wayfinding signage near University Boulevard that CDOT has reviewed.

He acknowledged this was a unique site plan amendment compared to what Council typically sees, as it focuses primarily on horizontal changes and grading rather than vertical changes. However, because work is within 100 feet of a property line, it triggers the public hearing process. The two proposed vertical improvements are a short 2.5-foot retaining wall along the north/northwest property line and the relocated and updated entry gate.

Director Workman reviewed the six approval criteria. First, compliance with the City's Master Plan: the property is identified for private recreational uses on the future land use map, and the Country Club has been used for a private club for many decades, with this area used in support of Club operations. The proposal maintains and enhances the character consistent with the Master Plan's vision statement. Criterion One has been met.

Second, development complies with all applicable City ordinances: no new structures are proposed requiring setback requirements or generating a need for new parking, and there was no modification to existing parking. The gate relocation and retaining wall meet Municipal Code requirements with no known inconsistencies. Criterion Two has been met.

Third, bulk and scale of proposed buildings: the proposed gate and wall are consistent with the requirements of the Municipal Code and the context of the site as a private club. Criterion Three has been met.

Fourth, drainage system design: the grading, erosion, and sediment control plan, as well as the drainage plans have been reviewed by the City's engineering consultant, ICON Engineering, who recommends approval of both documents. Additionally, the

project results in a 32% decrease in impervious area, increasing the natural area of the property. Criterion Four has been met.

Fifth, development does not result in unreasonable traffic congestion or hazards to vehicular traffic: the scope does not increase Club membership or staff, with no apparent increase in traffic congestion. There is no change to access or traffic patterns. The wayfinding signage and gate relocation may improve traffic along the Club's entrance on Cherry Hills Drive. Criterion Five has been met.

Sixth, construction timing to minimize impacts: the applicant intends to start construction in spring, assuming City Council approval, has provided a construction staging plan meeting Municipal Code requirements, and is aware of construction hours and has indicated they will abide by those hours. Criterion Six has been met.

Director Workman noted early in the application process there was significant public comment from adjacent neighbors, particularly from owners at 5 and 14 Cherry Hills Drive. The application originally proposed relocating access to the north/northwest portion of the property, but the applicant withdrew that request. The applicant met with several of the adjacent property owners during this application process. Staff received a letter of support from several adjacent property owners that was included in the Council's packet.

The Planning and Zoning Commission held a public hearing on December 9, 2025, asking questions about grading intent, which was to provide a more user-friendly experience, wayfinding signage location which CDOT has reviewed and has no issues, and reduced impervious area by removing the surfaces for temporary trailers put in during the clubhouse renovation. The Commission discussed a potential condition about future permanent access along the north or northwest property line. They ultimately decided such a condition would be redundant since the Code already requires a public hearing process for that type of change. The Commission voted unanimously to recommend approval with no conditions.

Councilor Maguire and Councilor Fisher disclosed that their husbands are members of the Club but they believed they could be impartial.

Councilor Robinson asked if the removal of trees is contemplated. Director Workman explained that certain trees are proposed for removal and while they will not be replaced in exact locations, the Club annually plants additional trees and anticipates planting more during the upcoming season. Director Workman explained the City's Municipal Code requires tree mitigation when getting a building permit for new construction or major additions (50% or more of the existing house) or if getting a permit for either type of project within 12 months of removal of the tree(s). Mayor Brown noted the new trees were not shown on the plans. Councilor Robinson asked when and where the new trees would be planted. Mayor Brown believed the information was relevant to Criterion Two. Councilor Maguire noted the applicant had stated to the Commission they were

planning to plant at least 50 new trees, but not necessarily in the same area. Councilor Eber asked about the caliper of the trees being removed and being put in.

Mayor Brown asked about the blue spur on the map. Councilor Maguire suggested it was a small sidewalk for the gate. Director Workman added it was his understanding it was for pedestrian access and not vehicular access for that property owner to access the Club's property.

Councilor Maguire asked for confirmation that one of the red rectangles was the pro shop, and the red line going down was a road that surrounded an island of trees, and the green was where the Club was widening the road to 20 feet. Director Workman confirmed that was correct.

Councilor Fisher asked if there had been an emergency situation where emergency vehicles could not get through. Director Workman replied that there was none reported or identified during staff's review of the application.

Councilor Fisher noted the garden/retaining wall was part of the application but not included on the main list, and noted the resident closest to the retaining wall had not signed the letter of support. Councilor Maguire replied that resident had recently passed away and the resident's son had been involved with the group that signed the letter. Director Workman agreed the retaining wall could have been called out. The retaining wall was 2.5 feet tall.

Joshua Hester, Director of Grounds at Cherry Hills Country Club, addressed the Council to answer questions. Regarding tree removal, he explained the purpose of the project is to create more practice space, with five pine trees ranging from 10 to 16 inch caliper at breast height being removed. He clarified the Club is not strictly one-for-one on tree replacement, but is close to that policy, and this year it is close to removing one tree and planting two. New trees will not go in the practice area but will be planted elsewhere on their nearly 200-acre property. The Club tries to plant no smaller than seven-inch caliper golf course or specimen trees, sourcing from out of state (Nebraska, Kansas, Illinois) since Colorado cannot provide seven-inch calipers. The Club has rigorous requirements for species and caliper trees.

Mr. Hester confirmed the small spur shown on the map is a pedestrian access with a wooden privacy gate about four feet wide that a resident uses to access the practice facility.

Councilor Eber asked about the landscaping and specifically low-water plantings. Mr. Hester clarified that there will be no ornamental flowers or xeric plants in the short game area; it will all be turf-type grasses conducive to a golf course setting. He noted the Club has been dedicated to converting maintained irrigated turf to fine fescues and tall fescues, with over 18 acres of fine and tall fescues currently saving an average of one million gallons annually per acre. Councilor Eber asked about low-water turf grass for the golf course. Mr. Hester replied that the Club was not implementing those turf types.

Maximizing playing conditions equated to very low water usage. The Club has 100-year old turf types that performed well in the Colorado environment with very low water use.

Councilor Hoellen asked if this was the final plan with no future modifications contemplated. Mr. Hester replied this is a puzzle piece in the Club's long-term plan with no modifications planned, though there is always maintenance work. The current practice facility has one small chipping green, and they are implementing three new chipping and putting greens with seven to eight bunker complexes. The garden wall allows them to push grade edges to flatten the space for more appropriate practice surfaces.

Councilor Eber asked for more information on the signage on Cherry Hills Drive. Mr. Hester explained that it will not prevent vehicles from entering but will notify lost travelers that it is not the entrance to Cherry Hills Country Club. Currently, many vehicles get directed by navigation systems into their service access, creating challenges for turnaround, especially during events with many visitors. The intent is to put signage closer to University Boulevard and move the gate to the fork to prevent vehicles from getting too deep into the access area.

Director Workman added that CDOT has reviewed the proposed sign location. He explained Cherry Hills Drive is wider between the proposed gate and sign locations, allowing turnaround space, whereas the current maintenance access is only about 15 feet wide. Mr. Hester noted vehicles currently have to drive onto the golf course turf or the driving range tee to turn around, and the pedestrian gate has been damaged by wayward drivers.

Councilor Eber asked about the short course in the northeast corner. Mr. Hester confirmed there is a 14-foot bridle easement per the Cherry Hills Park plat that goes from road to grass, like other properties along Cherry Hills Drive. Deputy City Manager/Director Goldie clarified it is a private bridle easement not dedicated to or accepted by the City.

Mr. Hester added information about widening the service access to meet emergency access code requirements. The current configuration has a cart path on the left and emergency access on the right; the Club is eliminating the hard surface on the right and extending the cart path to satisfy the emergency access code. This provides access to their grounds maintenance facility for South Metro Fire Rescue, especially during events like Fourth of July when fire trucks and crews are staged there.

Councilor Maguire thanked the applicant for working with neighbors to resolve initial controversies. Councilor Eber echoed appreciation for working with neighbors, appreciated the reduction in impervious areas, and encouraged the Club to continue water conservation efforts and investigate water-efficient turf. He also mentioned concerns about invasive species like Japanese beetles, potentially brought in with past plantings.

Mayor Brown opened the public comment portion of the Public Hearing. There were no public comments. Mayor Brown closed the public comment portion of the Public Hearing.

Councilor Eber moved, seconded by Councilor Robinson, to approve Resolution 4, Series 2026, a resolution approving a site plan amendment for renovations to the chipping and putting area located on Lot 1 of the Cherry Hills Country Club consolidated plat.

The motion passed unanimously.

Parks and Trails Map Redesign

Parks Project and Operations Manager Black presented the new parks and trails map for Council approval, noting this was the culmination of many months of work by the Parks, Trails and Recreation Commission (PTRC). She thanked the commission for their work through the long and tedious process.

Manager Black explained that the last update to the parks and trails map was in 2009, making it due for an update. In 2020-2022, PTRC renamed the trails and added new signs, moving away from the previous four-digit numbering system that was difficult for people to remember. The City put out an RFP in spring 2025 for the redesign, and Centennial Archaeology was selected. PTRC began working with them in May 2025, spending the last eight months going through the trail system and map with a fine-toothed comb.

The major updates and highlights included a slightly different map size that would be larger than the current pocket map both when folded and unfolded. The High Line Canal Trail was distinguished from other City trails, and bathroom and parking locations were added. Quincy Farm was added to the map along with insets for Quincy Farm, John Meade Park, and the High Line Canal Trailhead at Hampden to provide more detailed views of intricate parts of the trail system.

Manager Black detailed improvements to the legend for clarity, splitting the previous "unpaved trail" designation into bridle trails (grass) and crusher fine trails to help people understand what they would encounter. The "on street trails" designation was changed to "on street connections" to improve understanding that streets are used to get from one park or trail to another. Accessibility improvements were made within the map design, using different symbols as well as colors to distinguish trail types for those who may be colorblind. Various updates were made to correct errors on the existing map.

Manager Black explained that PTRC would meet again on Thursday if Council needed to send something back, but the hope was to finalize the map in the next couple of weeks, get it to printer, and have maps ready for the scavenger hunt and spring events. PTRC Chair Mary Presecan was present for questions.

Mayor Brown opened discussion by praising the amount of detail in the map but noting some things from the old map were not on the new map. She specifically asked about the Charlou trails that were on the old map but not shown on the new one, including a connector from Charlou Circle to Councilor Fisher's house. Manager Black explained that connector is private. Councilor Fisher added it is on the old map incorrectly and she was pleased to see it removed on the new map.

Councilor Eber questioned why certain streets designated as on street trails on the old map are not designated as on street connections on the new map. Manager Black explained that PTRC wanted to focus on connections that show where there might not be a trail to get somewhere, such as to Volunteer Park in Councilor Eber's district. The Charlou on-street trail did not really connect to a different part of the parks and trails system, so PTRC looked at the on street trails on a case by case basis and narrowed down what made sense.

Mayor Brown asked about the removal of the designation along Cherry Hills Drive on the new map. Manager Black replied there is no public trail there and it is a private road with an adjacent private trail easement.

Councilor Eber expressed concern about whether these were private easements that were never accepted or would not qualify as a bridle path for the City. Manager Black clarified that the yellow dotted lines on the old map do not correspond to trail easements. Those were added in the 2007 design and kept in the 2009 update to show places people could take walks on quieter streets, particularly added because trails throughout the City are uneven with some sections having dense trails and others having hardly any. Deputy City Manager/Director Goldie added that staff have worked multiple times with the City Attorney's office and hired consultants to determine which easements are public. The Cherry Hills Drive area was definitively determined not to be a public easement, and therefore those designations are removed on the new map.

Discussion continued about whether Cherry Hills Drive should remain on the map. Councilor Eber expressed concern about the legal implications of removing it, while Manager Black noted that it did not really connect to anything and sends people into an active golf course. Councilor Maguire pointed out the danger of walking there due to golf balls from the driving range and par 3. Mayor Brown equated it to the section of the High Line Canal at the Wellshire golf course and expressed concern about no trails in the northwest quadrant of the City.

Mayor Brown asked about the trail shown on the old map west of Gilpin Street along Hampden that is not on the new map. Manager Black confirmed that trail does not actually exist despite being shown on the old map. Councilor Eber questioned removing the on street trail designation for Gilpin Street. Mayor Brown replied it no longer connects to anything since the Cherry Hills Drive designation is removed.

Councilor Eber raised the broader question of whether removing the on street trail designation from the map could have legal consequences regarding public access

rights. He recalled that having something marked as an on street trail might have legal significance in preserving pedestrian use even if a street were vacated for vehicular purposes. Mayor Brown clarified that Counciler Eber's recollection is that Mansfield, for example, is dedicated not only as a road, but there is some additional dedication of a trail in the same area. Councilor Eber replied he was not sure if it was dedication or acceptance. Mayor Pro Tem Hoellen added if the City designates part of its rights-of-way as a trail, it falls under Charter Section 3.9 and cannot be vacated without a vote of the people, as opposed to a road which has not been designated as a trail, which could be vacated without a vote of the people.

City Attorney Guckenberger noted trails are not defined in the Home Rule Charter but are defined in the Municipal Code. She asked for clarification on whether Council was positing that the trail map serves as legal documentation of all City property rights for all purposes or is designed as an illustrative informational guide for the general public. She proposed the latter is the case and that the map would not affect any legal interests the City holds.

Mayor Pro Tem Hoellen asked if the map would have any precedential value. City Attorney Guckenberger replied it would not. Mayor Brown indicated the map had been part of the discussion during past litigation. City Attorney Guckenberger agreed it was part of a 2018 settlement agreement where one of the requirements was to remove a private easement from the map, but that was a result of the legal determination, not the map designating what was legal, so people using the map would not be misled when navigating the trails. Mayor Brown asked about the adverse possession argument. City Attorney Guckenberger replied it is true there are many ways by which the public can acquire use of property and one is the adverse possession concept, which is different for private property versus for government property. She did not think the intent and purpose of the trail map is to expand the City's legal interests or document all of the City's legal interests. Mayor Brown agreed but proposed a hypothetical situation: if Cherry Hills Drive ever decided to prohibit the public from walking on the street and the City wanted to prevent that, would what was on the map strengthen or harm any argument the City might choose to make. Mayor Pro Tem Hoellen thought it was likely that residents would use the map to determine the trails that are protected by the Charter. Councilor Maguire read aloud the disclaimer on the map. City Attorney Guckenberger read aloud the definition of trail from the Municipal Code and noted it excludes public streets.

City Manager Cramer offered from an administrative perspective that staff is contacted by residents who are confused by on street trail designations on the map where there are no markings, crusher fines, or signs on the street. He emphasized staff is trying to make the map a helpful customer service document for residents. He suggested if Council was concerned about setting a bad precedent that the City not offer the document to the public.

Mayor Brown indicated she agrees with the on street connection designation but wanted to know why certain designations are not in the new map. She asked about the Buell

Lake Trail connection to Hampden that was removed from the new map. Councilor Eber agreed and asked about color of the access to the Buell Lake Trail from the south. Manager Black clarified the yellow on the new map indicates a trail with a crusher fine surface. Regarding the access to the north, Manager Black recalled there was discussion at PTRC about whether there is dedicated access on those private streets and about encouraging people to use the trail system from the south versus going through the Buell's gates at Hampden.

Councilor Robinson raised concerns about Academy Trail and Cherry Trail that come to University Boulevard in the same spot but have no way to access without crossing University Boulevard illegally.

Manager Black acknowledged the two trails were named separately to discourage people from crossing University at that location. Deputy City Manager/Director Goldie explained the City has approached CDOT numerous times but CDOT's priority is to keep traffic moving on University, and CDOT will not approve a pedestrian activated traffic signal or markings. He noted staff had conducted a full study that showed it would be very cost prohibitive to do an underpass because of a 60-inch waterline that would cost millions to move. The best access is to go north or south to existing stoplights.

Mayor Brown suggested there might be a way to indicate on the map where crossings are versus where they are not. City Manager Cramer agreed and suggested installing signs on both sides of University at the trail locations indicating where safe crossings are located.

Councilor Heller asked about parking designations, specifically why parking is marked on the north side of Quincy just east of the High Line Canal but not on the south side of Quincy west of the Canal and east of Colorado where people also park. Manager Black explained the map shows designated signed parking areas, and the south side of Quincy in that area is not designated parking.

Councilor Fisher asked if the drinking fountain at the Denver Water park at Holly and Quincy is fixed. Manager Black replied it is seasonal; it is off now because of winter but would be back on in the spring.

Mayor Brown noted she could not see the color for schools in the legend box, which Manager Black attributed to the printer quality of the draft map. Mayor Brown also raised concerns about the QR code being set up so it can be modified over time if the URL changes. Manager Black explained the QR code links to the City website and staff can do redirects if needed. The QR code was used for public art rather than putting art locations on the map because art on loan changes and sculptures are sometimes relocated.

Councilor Eber asked about the dots on Franklin north of Layton on the old map that are not on the new map. Manager Black confirmed those dots were not supposed to be there. Councilor Eber asked about the color change from the old map to the new map

for the Woodie Hollow Trail. Manager Black explained the color on the new map indicated the surface type.

Councilor Eber noted Bellaire, Birch, Clermont, Dexter, and Dahlia were not designated as on street connectors from Mansfield to Oxford in the northeast section of the City, and he had difficulty with the on street connector designation because any street in the Village could have that designation. He suggested adding the designation for Cherry Hills Farm streets because there is access to Cherry Trail. Councilor Maguire stated every street in the Village could have that designation. Councilor Eber agreed and expressed concern with being consistent.

Councilor Eber asked about the section between the two Holly Trails in the southeast corner of the City that is marked as a trail on the old map and is marked as an on street connection on the new map. Manager Black explained the designation of on street connection was accurate as there was no trail in that corner. The old map is incorrect. Councilor Eber noted that section has long been used as a trail. Manager Black replied the intent of the map is to show people what they will encounter on the ground, and part of the reason for the map update is accuracy and accessibility. Knowing the type of surface is important for trail users.

Councilor Maguire suggested calling the designation "public street" instead of "on street connection". Manager Black explained PTRC spent many meetings discussing what to call the designation and settled on "on street connections" rather than "public streets" or "quiet streets". PTRC also made efforts to stay true to parts of the current map that people are familiar with while showing routes to places like Volunteer Park. She offered to bring the designation back to PTRC for further discussion or to remove the designation entirely since, as had been stated, the public could walk on any public street in the Village. Councilor Maguire suggested changing the name to make clear these are options for getting between parks and trails.

Mayor Brown stated Dahlia should be shown on the map since it has a sidewalk and should be shown as purple to indicate a hard surface trail. She appreciated the level of discussion and the level of thought and effort that went into the map. The locations of the on street connection designation are subjective. She was not sure that Village Road needed to be designated as an on street connection when Meadow Trail was right there, but she knew a lot of perspectives went into the decision so she did not have an issue with it. She thought the sidewalk should be added to Dahlia, and she would like to see Gilpin and Cherry Hills Drive added back. She agreed with no designation on Buell streets because it was a private road.

Councilor Eber questioned if the Buell streets were private for purposes of access to the Buell Lake Trail, or if long time use had established a public easement. He questioned if the original plat map had allowed for public use of the streets in order to access the public trail.

Councilor Eber questioned the easement on the west side of Devonshire and the east side of Buell that went from the Village Trail up to Hampden. The properties in Devonshire had built fences in the public easement and the fences were blocking a dedicated easement. Mayor Brown stated Council could look into that separately but the map should only show developed trails, not undeveloped easements.

Councilor Eber stated removing a designation from the trail map violated the Charter. Mayor Brown disagreed and stated the trail map was not a map of all publicly owned land. Councilor Maguire added not including a designation on the map does not prohibit the City from developing an undeveloped easement in the future. The trail map is a guide for the public. Councilor Heller agreed.

Councilor Heller questioned access to the Buell Lake Trail. Manager Black stated there are no separate easements along the private roads in Buell, so the new map only shows the developed public trail easement on the south side of Buell Lake Trail. Mayor Brown suggested the small section where pedestrians have to walk on the street be labeled as such. Staff confirmed the trail easement is a grass trail separate from the road. Mayor Pro Tem Hoellen stated on street connection implied a public road. Mayor Brown disagreed.

Councilor Eber suggested the map is not ready to be approved and Council needs an executive session to answer outstanding legal questions. He plans to raise the question of a new trail along Mansfield at the Council Retreat on March 3rd and expressed concern with approving a new trail map now when a new trail might be designated soon.

Councilor Eber moved to table the discussion until March.
The motion died for lack of a second.

Councilor Maguire moved to approve the updated parks and trails map.
Councilor Fisher seconded the motion.

Councilor Robinson indicated he wants staff to make the corrections that were agreed upon by Council and spend a couple of weeks investigating the questions raised about Cherry Hills Drive. A lot of work had been done on the map, it was 98% complete, and Council should approve the map and authorize staff to look into the issues and use their judgement and print the map. He viewed the map as a tool for residents to recreate in the Village, not as a legal document with impacts on property rights.

Mayor Brown stated the motion was to approve the map as is but there was consensus to add something to indicate no crossing at University between the Academy Trail and the Cherry Trail, and to add purple dots for the Dahlia sidewalk.

Councilor Maguire indicated she was willing to amend her motion to make specified changes but did not like the language “any necessary corrections” as it was too broad given tonight’s discussion.

Mayor Pro Tem Hoellen agreed tremendous work had gone into the new map. The new map is a service to help residents.

City Manager Cramer requested Council make individual motions for each change or direction to staff in order to determine consent.

Manager Black noted the intent of the language “any necessary corrections” in the recommended motion is to capture any scriveners’ errors. She reviewed the two changes that received consensus from Council: add an indication that there is not a crossing on University between the Academy Trail and the Cherry Trail, and add the sidewalk along Dahlia.

Councilor Eber indicated there were outstanding legal questions and he would not vote for a map that leaves those questions unanswered and potentially impedes on the Charter. He warned Council would hear from the author of the Charter amendment if this map is approved.

Councilor Robinson asked for further context.

Mayor Brown explained a Charter amendment passed at the 2022 election to amend Section 3.9 of the Charter which prohibits the City from vacating, transferring, or selling directly or indirectly any open space, trail, or park, without a vote of the people. The impetus was Quincy Farm but the language is broader than that.

City Attorney Guckenberger noted a map did not vacate or transfer property. Mayor Brown expressed concern, as articulated by City Attorney Guckenberger, that the map serves as evidence of public use and therefore there has been an expansion of the City’s property interest in Cherry Hills Drive for the limited purpose of recreating thereon. Councilor Eber expanded the concern to include all streets that were designated as on street trails on the old map and were removed or changed to on street connections on the new map. He agreed the map is a dedicated effort to show people where they can recreate and on what surfaces they will be recreating, but he was concerned with the secondary impacts. Councilor Heller asked if there could be a trail easement over a street that would affect how the property would be vacated because of the Charter amendment.

Mayor Pro Tem Hoellen suggested the disclaimer be amended to explicitly state the map should not be used related to Charter Section 3.9. Councilor Eber added the map should state it is not a representation of all City trails. Manager Black clarified the map is a representation of all City trails, but is not a representation of all City easements.

Mayor Brown thought it unlikely that showing a trail on top of a road conveyed any additional rights because every Village road would be subject to that and therefore subject to a vote for vacation, which she did not think is the case. She reiterated her concern about Cherry Hills Drive. She called for a vote on the motion to approve the map as is with no changes.

The motion failed unanimously.

Councilor Maguire suggested revising the disclaimer language on the map about limitations and what the lines do not intend to convey.

City Manager Cramer recommended Council make a motion to continue this item until the February 3rd meeting with specific direction about things to include. Manager Black confirmed staff would not be able to have map changes done in time for the January 20th meeting.

Councilor Maguire moved, seconded by Councilor Robinson, to continue this matter to February 3rd and to direct staff to update the disclaimer language, add no crossing on University at Academy Trail and Cherry Trail, show the sidewalk on Dahlia, and to correct scrivener errors on the map.

Councilor Maguire noted other issues could be investigated between now and the February 3rd meeting and discussed at the February 3rd meeting.

The motion passed unanimously.

City Attorney Guckenberger asked for clarification on what specific legal questions Council would like her to be prepared to answer at the February 3rd meeting. Mayor Brown asked whether the presence of an indicated trail on a trail map for an extended period provides or strengthens an argument for public access on private property. Councilor Eber broadened the question to whether Cherry Hills Drive is a private bridle path easement or if the passage of time and use by the public has put it in the category of becoming a public easement. Councilor Maguire cautioned that was a broader question than what did the map do and clarified the question to be does the fact that the map indicates an on street trail give the City any rights to argue that the owner of that private road has granted the City some rights or that the City has acquired some rights and does the removal of that designation from the trail map do anything. Mayor Brown stated the legal question should be limited to Cherry Hills Drive. Councilor Robinson expressed concern with the unintended consequence of encouraging private streets to start putting up fences. Councilor Eber suggested if the legal opinion is limited then the map should be renamed as an existing developed trail map to clarify it does not reflect easements or possible future trails. Manager Black noted the current draft map did not include a date so she would add that. She reiterated that the map is not a comprehensive map of all public easements, property interests, or potential future trails. Staff has that information in separate documents. The purpose of the map is to show people using the trails where they can go.

Mayor Brown thanked Chair Presecan for being present and thanked the Commission for their hard work on the map.

**RECESS OF THE CITY COUNCIL
TO CONVENE AS THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING
GENERAL IMPROVEMENT DISTRICT BOARD**

Mayor Brown recessed the City Council meeting and convened the meeting of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board.

**MEETING OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING
GENERAL IMPROVEMENT DISTRICT**

Chair Brown called the meeting to order at 9:05 PM.

ROLL CALL OF MEMBERS

The City Council for the City of Cherry Hills Village serving ex-officio as the Board of Directors of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District: Mayor Katy Brown, Mayor Pro Tem Earl Hoellen, Councilors Doug Robinson, Susan Maguire, Dave Heller, Robert Eber, and Karen Fisher were present on roll call.

Absent: none.

Also present were the administrative staff of the City serving as the administrative staff of the GID: City Manager Chris Cramer, City Attorney Kathie Guckenberger, Deputy City Manager/Public Works Director Jay Goldie, Community Development Director Paul Workman, Finance Director Kelly Newman, Police Chief Jason Lyons, Parks Project and Operations Manager Emily Black, and City Clerk Laura Gillespie.

CONSENT AGENDA

Vice Chair Hoellen moved, seconded by Board Member Maguire, to approve the following items on the Consent Agenda:

- 13a. Approval of December 10, 2025 Minutes
- 13b. Resolution 1, Series 2026; Designating the Public Place for Posting Notices of Regular and Special Meetings
- 13c. Resolution 2, Series 2026; Adopting a Budget Calendar for the 2027 Budget

The motion passed unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

The Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board meeting adjourned at 9:05 PM.

MEETING OF THE CHERRY HILLS VILLAGE SOUTHMOOR CIRCLE AND HUDSON PARKWAY GENERAL IMPROVEMENT DISTRICT

Chair Brown called the meeting to order at 9:05 PM.

ROLL CALL OF MEMBERS

The City Council for the City of Cherry Hills Village serving ex-officio as the Board of Directors of the Cherry Hills Village Southmoor Circle and Hudson Parkway General Improvement District: Mayor Katy Brown, Mayor Pro Tem Earl Hoellen, Councilors Doug Robinson, Susan Maguire, Dave Heller, Robert Eber, and Karen Fisher were present on roll call.

Absent: none.

Also present were the administrative staff of the City serving as the administrative staff of the GID: City Manager Chris Cramer, City Attorney Kathie Guckenberger, Deputy City Manager/Public Works Director Jay Goldie, Community Development Director Paul Workman, Finance Director Kelly Newman, Police Chief Jason Lyons, Parks Project and Operations Manager Emily Black, and City Clerk Laura Gillespie.

CONSENT AGENDA

Vice Chair Hoellen moved, seconded by Board Member Heller, to approve the following items on the Consent Agenda:

20a. Approval of December 10, 2025 Minutes

20b. Resolution 1, Series 2026; Designating the Public Place for Posting Notices of Regular and Special Meetings

20c. Resolution 2, Series 2026; Adopting a Budget Calendar for the 2027 Budget

The motion passed unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

The Cherry Hills Village Southmoor Circle and Hudson Parkway General Improvement District Board meeting adjourned at 9:06 PM.

RECONVENE THE CITY COUNCIL MEETING

The City Council meeting was reconvened at 9:06 PM.

REPORTS**Mayor**

Mayor Brown reported on upcoming legislative events, including Metro Mayor's Caucus and other kickoff events. She noted the state budget situation and potential implications for local governments, particularly regarding unfunded mandates.

Councilor Robinson clarified that the state's budget shortfall discussion was somewhat misleading, as the budget is actually increasing but not as much as expected, largely due to Medicaid costs.

Members of City Council

Councilor Fisher thanked everyone who donated to the winter essentials drive, noting that over 60 coats had been collected along with other items requested by HAAT Force. She also thanked Police Chief Lyons for resolving the issue of a person setting off incendiary devices along the High Line Canal, which presented a significant fire risk.

Councilor Hoellen raised a question about the City's tree removal provisions, expressing concern about the inconsistency in requiring tree replacement only in conjunction with new homes or major additions.

Councilor Eber reported that he would attend the DRCOG meeting the next day. He thanked City staff for the winter event, praising their commitment and the quality of the celebration.

Councilor Heller thanked the Chief for the recent police work, including arrests related to thefts in his district. He also provided an update from the Centennial Airport Noise Roundtable, noting proposed changes for departures to the north which may actually reduce noise over the City due to the altitude of aircraft.

City Manager, City Staff, City Attorney

Community Development Director Workman reported that building permits in 2025 were at historically high levels, with a 20% increase in new permit submittals year over year and a 16% increase over the 10-year average. He noted that the fourth quarter of 2025 was particularly busy.

Parks Project and Operations Manager Black thanked the Council for recognizing staff's work on the Winter Celebration event and acknowledged Public Works Supervisor Jeff Roberts for his contribution to the trail map project.

City Clerk Gillespie reminded Council that the recreation reimbursement deadline was the coming Friday and noted that the format of the meeting minutes had changed as staff was trying a computer program that allows for more detailed minutes in less time.

Police Chief Lyons provided an update on an arrest made that morning of an 18-year-old suspect from Denver who will face felony charges. He noted the collaborative effort involved multiple federal agencies including the U.S. Marshals Service, Secret Service, ATF, and FBI. Chief Lyons also mentioned that new court security measures would be in place at Municipal Court starting the next day.

City Attorney Guckenberger mentioned a recent Colorado Supreme Court case regarding preemption of municipal sentencing for non-felony offenses that overruled municipal home rule authority. She would provide more analysis on the case soon, noting that the Colorado Municipal League disagreed with the decision.

City Manager Cramer provided updates on several items, including discussions about transferring the High Line Canal to Arapahoe County, the high volume of site plan amendments from various entities in the City, and the need to potentially prioritize projects in the first quarter of 2026 due to staff capacity constraints. He also noted that staff was working on refreshing the work plan and would be breaking it into operational and project components.

ADJOURNMENT

The meeting adjourned at 9:39 PM.

(SEAL)

Kathleen Brown, Mayor

Laura Gillespie, City Clerk

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: 9a

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL

FROM: PAUL WORKMAN, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: FENCES ADJACENT TO STATE HIGHWAYS

DATE: JANUARY 20, 2026

ISSUE:

Continued City Council (“Council”) discussion related to fencing requirements adjacent to state highways (E. Hampden Avenue, E. Belleview Avenue, and S. University Boulevard).

UPDATE:

On May 7, 2024, the Council approved Ordinance 3, Series 2024 (**Exhibit A**) on second and final reading, which amended Section 16-3-120 of Chapter 16 of the Municipal Code (“Code”) related to fences, garden/perimeter walls, and enclosures. At the first reading for this ordinance on April 16, 2024, the Council expressed a desire to discuss the fencing requirements for fences adjacent to state highways. Generally, the Council wanted to discuss whether or not the current requirements continue to meet the City’s desire for aesthetics and functionality for fences adjacent to state highways.

On June 3, 2025, the Council discussed this topic and decided that more information was necessary in order to provide feedback to staff. Specifically, the Council wanted a greater understanding of why fences adjacent to state highways are treated differently from other fences.

On July 15, 2025, the Council discussed this topic and decided that the Council would like the Planning and Zoning Commission (“Commission”) to discuss the issue and make a recommendation as to how to proceed.

On September 9, 2025, the Commission discussed this topic in a study session. During the meeting, staff presented the current requirements, summarized the previous Council discussions, and presented the two options that Council wanted the Commission to discuss. The two options were: 1) “Grandfather” existing fences adjacent to state highways, and 2) Create an administrative set of criteria to allow for the reconstruction of existing fences adjacent to state highways. At the end of the meeting, the Commission voted unanimously to recommend that the

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Council implement the option to grandfather existing fences adjacent to state highways due to the small number of properties impacted, the fact that many of the fences are maintained by a Homeowner's Association, the cost associated with fencing, as well as the potential cost and time associated with the administration of new code provisions. A copy of the Commission's minutes are attached as **Exhibit B**.

City Council Recordings:

In the links below the Council can watch the previous discussions:

[April 16, 2024, City Council Meeting](#) – See 20:38 to 57:48

[May 7, 2024, City Council Meeting](#)– See 30:35 to 33:35

[June 3, 2025, City Council Meeting](#) – See 6:32 to 1:05:01

[July 15, 2025, City Council Meeting](#) – See 4:40 to 49:31 and 3:25:03 to 3:59:10

FENCE AREAS (AS PROVIDED IN THE 7/15/25 STAFF MEMO):

The City's Code identifies seven different "Areas" that govern fences based on the underlying zoning of the property. The Code is structured to recognize that different areas and different zone districts have different fencing needs. The Code recognizes that the unique context of a lot, or area of the city, or character of a zone district necessitates different fencing standards. For example, the Code only permits solid fences in the R-1 zone district when that lot is adjacent to a state highway or within Area 1. The Code acknowledges that there are certain externalities associated with being adjacent to a state highway (e.g. noise, light, pollution) that are different from being internal to the City and surrounded by other residential uses with smaller more lightly trafficked roads.

Additionally, the Code recognizes that fences adjacent to trails should be treated differently in all zone districts. The Code intends to ensure that there are eyes on the trail and that the trail system is not an enclosed corridor shut off from individual lots. Finally, the Code recognizes that the character of the areas of the City that are zoned R-4 and R-5 are different from the other zone districts in the City due to their smaller lot size and does not permit fences in the front yard in those zone districts.

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Area 1:

Location – within the building envelope (setbacks) and behind the front façade of the building.

Regulation – 6' max height and 100% opacity max in all zone districts.

Zone District(s) Allowed – All.

Visual:



Area 2:

Location – between the front lot line and the front façade line, unless also in Area 5 or 6.

Regulation – 4' max height and 50% opacity max.

Zone District(s) Allowed – R-1, R-2, R-3. and R-3a.

Zone District(s) Prohibited – R-4 and R-5.

Visual:



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Area 3:

Location – between the interior rear property line or interior side property line and the setback line, unless also in Area 4, 5, 6, or 7.

Regulation – 6' max height and 100% opacity max.

Zone District(s) Allowed – R-2, R-3, R-3a, R-4, and R-5.

Zone District(s) Modified – R-1. Max 50% opacity allowed.

Visual:



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Area 4:

Location – between the street rear property line or street side property line and the setback line, unless also in Area 5 or 6.

Regulation – 6' max height.

- Parallel to the street and under 4' in height the maximum opacity is 60%.
 - **Zone District(s) Allowed** – R-1, R-2, R-3, and R-3a.
 - **Zone District(s) Modified** – R-4 and R-5. Max 100% opacity allowed.
- Parallel to the street and over 4' in height the maximum opacity is 25%.
 - **Zone District(s) Allowed** – R-1, R-2, R-3, and R-3a.
 - **Zone District(s) Modified** – R-4 and R-5. Max 50% opacity allowed, subject to certain off-set and landscape requirements.
- Perpendicular to the street, the maximum opacity is 100%.
 - **Zone District(s) Allowed** – R-2, R-3, R3a, R-4, and R-5.
 - **Zone District(s) Modified** – R-1. Max 50% opacity allowed.

Visual:



Parallel



Perpendicular

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Area 5:

Location – between the state right-of-way line and the setback line.

Regulation – 8' max height and up to 100% opacity, subject to certain off-set and landscape requirements.

Zone District(s) Allowed – All.

Visual:



Area 6:

Location – between the property line of S. Clarkson St., E. Happy Canyon Rd., or specific lots adjacent to S. Colorado Blvd. and the setback line.

Regulation – 6' max height and max 100% opacity.

Zone District(s) Allowed – All.

Visual:



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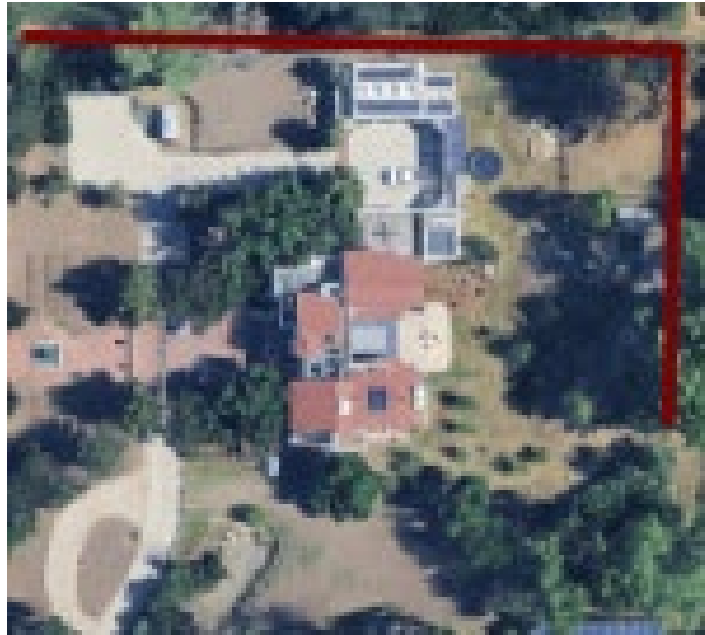
Area 7:

Location – between the property line of a public trail, park, or open space and the setback line of an adjacent property, unless also in Area 2.

Regulation – 6' max height and 40% max opacity.

Zone District(s) Allowed – All.

Visual:



DISCUSSION (AS PROVIDED IN THE 7/15/25 STAFF MEMO):

The City's residential fencing regulations are found in *Section 16-3-120. – Fences, garden walls/perimeter walls, and enclosures (Exhibit C)*. The residential fencing requirements for fences adjacent to state highways are found in Area 5 of *Table 16-3-120 Fence and Wall Height and Opacity: Residential Lots*. In all residential zone districts in this Area, properties are allowed to have a fence with a maximum height of 8 feet and a maximum opacity of 100% (opacity is the ability to see through the fence – 100% means it is not see through or it is a “closed” style fence). However, note #4 in this table requires that fences with 100% opacity comply with Section 16-3-120(b)(2). Specifically, the fence must comply with one of three standards:

- a. Be setback not less than four (4) feet from right-of-way lines, with the area between the fence or garden wall and the street planted with not less than two (2) trees or evergreen shrubs per one hundred (100) linear feet; or
- b. Be setback less than four (4) feet (including zero (0) feet), but with regular offsets of not less than four (4) feet, running a distance of not less than fifteen (15) nor more than twenty-five (25) feet, such that not less than twenty-five percent (25%) of the length of the fence along each street right-of-way line is so offset; and with the street side area of each offset planted with at least two (2) trees or evergreen shrubs; or
- c. Be designed and constructed to meet two (2) of the following three (3) criteria:

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- i. A setback of twenty-five (25) feet from the edge of the pavement of the adjacent paved street or forty (40) feet from the centerline of the adjacent unpaved street.
- ii. A landscaped area between the street and the fence is provided, with trees planted at a density of one (1) tree for every twenty (20) to thirty (30) linear feet of fence as determined by the Director given the type and planting size proposed (note that compliance with this criterion may include use of the City right-of-way if such use of the right-of-way is approved by the City Manager and the trees are subject to an ongoing maintenance agreement acceptable to the City).
- iii. A landscaped area between the street and fence is provided and planted such that at least twenty-five percent (25%) of the face of the fence is screened from view from the street within three (3) growing seasons (note that compliance with this standard shall not involve the use of City right-of-way).

The intent of having offsets and landscaping associated with fencing is primarily to prevent the “fence canyon effect” where there is a large stretch of fences that are solid (100% opacity) on the property line. An additional benefit to the offset requirement is that it provides a place for snow storage during winter months. See Figures 1 and 2 below (not Cherry Hills Village) for what the Code is trying to prevent. See Figures 3 and 4 below (Cherry Hills Village) for examples of what the requirement is trying to achieve. See Figures 5 and 6 below (Cherry Hills Village) for examples of some existing conditions.

Figure 1 – Example Fence Canyon



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Figure 2 – Fence Canyon



Figure 3 – Intent of the Requirement

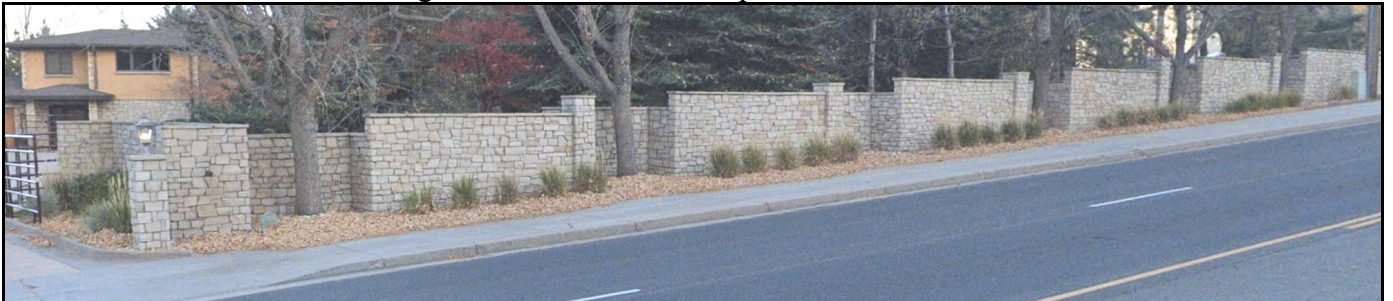
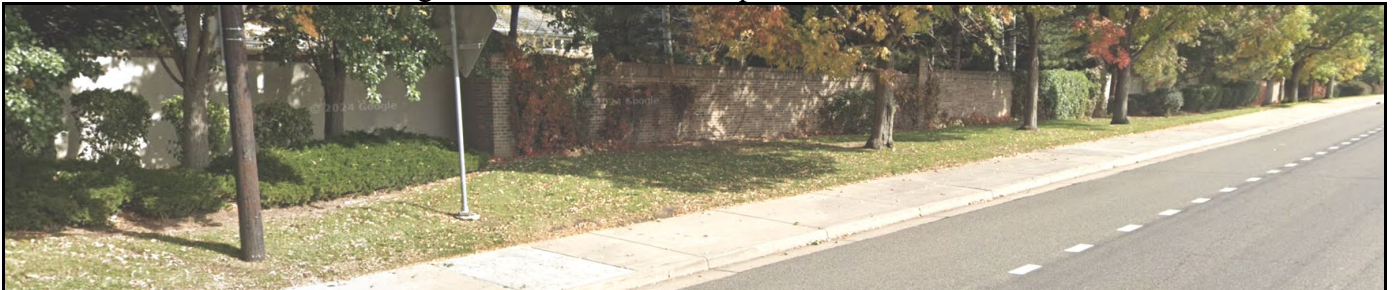


Figure 4 – Intent of the Requirement



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Figure 5 – Existing Condition



Figure 6 – Existing Condition



In researching this issue, staff looked at how some other neighboring jurisdictions regulate this type of condition. In short, it appears that jurisdictions have adopted regulations for these types of residential fences based on their community's unique circumstance and not a best-practice approach.

- Greenwood Village allows residential fences along state highways to be up to 6 feet tall with no apparent setback or landscape requirement. They also allow these fences to be considered a [“Noise-attenuating structure”](#), which requires the property owner to do a noise study and meet certain thresholds. If the thresholds are met, a 12-foot fence is permitted so long as it meets some additional requirements. Of note, the structure must be constructed of brick, masonry, or concrete; constructed with columns not more than 75 feet apart; and provide an adequate pedestrian corridor that may include the requirement to dedicate land for a public easement.
- [Englewood](#) makes no distinction between traditional fences and residential fences along state highways. All residential fences, whether or not it is adjacent to a state highway, must be at least one foot from any public sidewalk.
- Centennial has a complex matrix for what they call [“Bufferyards”](#). It appears that they allow a maximum height of 6 feet, but the opacity is dependent on the amount of landscaping and/or the creation of a berm.

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**OPTIONS FOR COUNCIL CONSIDERATION (UPDATED SINCE THE 9/9/25
PLANNING AND ZONING COMMISSION MEETING):**

1. No Changes. Keep the existing regulations as adopted.
2. Proceed with the recommendation from the Planning and Zoning Commission to “Grandfather” existing fences adjacent to state highways. Should the Council direct staff to pursue this option, staff would draft an ordinance for the Council’s consideration that would allow for the reconstruction of legally nonconforming fences adjacent to state highways. One approach would be to amend the current Code provisions concerning non-conforming fences in Section 16-6-120. That provision reads:

Section 16-6-120. – Nonconforming fences, garden walls, and perimeter walls.

Nonconforming fences and garden walls shall be brought into conformance with this Chapter upon substantial replacement. For the purposes of this Section:

- (1) Any repair or replacement of more than twenty-five percent (25%) of a fence or garden wall along any individual front, side, or rear lot line of a property within a twenty-four-month period shall constitute a replacement; and
- (2) Repair does not include painting, pressure washing, sealing, or staining.

This section could be amended to add sub-sections, with the existing section becoming sub-section (a) and adding a new sub-section (b) that states something similar to the following:

(b) Exceptions for fences adjacent to state highways. Fences adjacent to state highways that were lawfully constructed prior to the effective date of Ordinance <insert future ordinance number> and that do not conform to the height, setback, or opacity standards in this Chapter may be reconstructed in a like-for-like condition without adhering to the requirements of subsection (a) of this Section: provided, however, that any proposed change to the material, location, or height in the reconstruction of such fence must comply with all applicable fence standards in this Chapter. Illegal nonconforming fences adjacent to state highways are subject to all fence standards in this Chapter and enforcement thereof.

RECOMMENDED MOTION:

None. This item is for Council discussion and direction.

EXHIBIT(S):

Exhibit A: Ordinance 3, Series 2024

Exhibit B: September 9, 2025, Planning and Zoning Commission Meeting Minutes

Exhibit C: 16-3-120. – Fences, garden walls/perimeter walls, and enclosures

ORDINANCE NO. 3

Series 2024

April 16, 2024: Introduced as Council Bill 2, Series 2024 by Mayor Pro Tem Randy Weil, seconded by Councilor Al Blum and considered in full text on first reading. Passed by a vote of 5 yes and 0 no.

May 7, 2024: Considered in full text on second reading. Passed by a vote of 4 yes and 0 no.

**A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE
AMENDING SECTION 16-3-120 OF CHAPTER 16 OF THE CHERRY HILLS
VILLAGE MUNICIPAL CODE CONCERNING FENCES, GARDEN
WALLS/PERIMETER WALLS, AND ENCLOSURES**

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

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

WHEREAS, pursuant to the authority outlined herein, the City Council established zoning regulations codified in Chapter 16 of the Cherry Hills Village Municipal Code ("Municipal Code"), which regulations include standards for fences, garden walls, perimeter walls, and enclosures; and

WHEREAS, pursuant to Section 16-7-40(b)(11) of the Municipal Code, and upon the request of City Council, after reviewing and applying Chapter 16, the Community Development Director ("Director") has identified and recommends the amendments proposed herein to provide additional clarity, precision, and consistency in the application of that chapter; and

WHEREAS, at a meeting held on January 9, 2024, pursuant to Section 16-7-370(b) of the Municipal Code, the Planning and Zoning Commission recommended that City Council approve the amendments proposed by the Director; and

WHEREAS, pursuant to Sections 16-7-10(d)(1)b and 16-7-370(a) of the Municipal Code, and in consideration of the health, safety, and welfare of the public, the City Council desires to amend Chapter 16 of the Municipal Code as set forth herein.

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

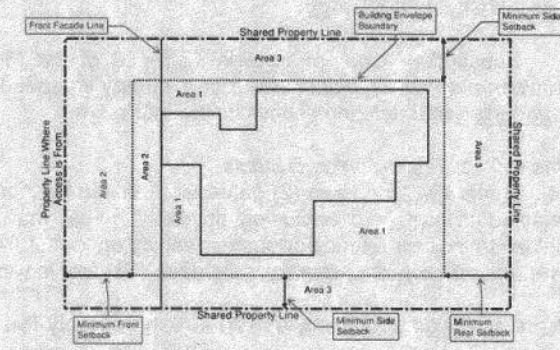
Section 1. Table 16-3-120, entitled *Fence and Wall Height and Opacity: Residential Lots* of Section 16-3-120 of the Municipal Code, entitled *Fences, garden walls/perimeter walls, and enclosures*, is hereby amended to read as follows, with additions shown in underline and deletions shown in ~~strikethrough~~:

Table 16-3-120 Fence and Wall Height and Opacity: Residential Lots						
Location (see Figure 16-3-120.A and 16-3-120.B)/Standard	Zoning District					
	R-1	R-2	R-3	R-3a	R-4	R-5
Area 1: Within Building Envelope, Behind Front Façade Line						
Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	100%	100%	100%	100%	100%	100%

Area 2: Between Front Lot Line and Front Façade Line, Unless Also within Area 5 or 6 ¹						
Max. Height	4 ft	4 ft	4 ft	4 ft	Not Allowed	Not Allowed
Max. Opacity	50%	50%	50%	50%	Not Allowed	Not Allowed
Area 3: Within Rear Setbacks or Interior Side Setbacks, Unless Also within Area 4, 5, 6, or 7 ¹						
Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	50%	100%	100%	100%	100%	100%
Area 4: Within Street Side Setbacks or Rear Setbacks Adjacent to a Street, Unless Also within Area 5 or 6 ¹						
Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	Based on Fence Height and Orientation (See Below)					
Generally Parallel to Public Street						
If Height Does Not Exceed 4 ft	60%	60%	60%	60%	100%	100%
If Height Exceeds 4 ft	25%	25%	25%	25%	50% ²	50% ²
Generally Perpendicular to Public Street ³						
Up to Maximum Height	50%	100%	100%	100%	100%	100%
Area 5: Within any Setback from a Lot Line that is State Highway Right-of-Way Line						
Max. Height	8 ft	8 ft	8 ft	8 ft	8 ft	8 ft
Max. Opacity ⁴	100%	100%	100%	100%	100%	100%
Area 6: Within Any Setback from a Lot Line that <u>is</u> Also a Right-of-Way Line for (1) South Clarkson Street; or (2) East Happy Canyon Road; or (3) north of E. Mansfield Avenue and east of Colorado Boulevard and west of S. Albion Street and south of E. Hampden Avenue, that have lot frontage on both S. Colorado Boulevard and S. Albion Street						
Max. Height	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft
Max. Opacity ⁴ <small>(removed, can't see the strikethrough)</small>	100%	100%	100%	100%	100%	100%
Area 7: Within any Setback from a Lot Line that is Adjacent to a Public Trail, Park, or Open Space, Unless Also Within Area 2 ¹						
Max. Height	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft
Max. Opacity	40%	40%	40%	40%	40%	40%
Table Notes: ¹ If the fence or wall is also located within one of the specified areas, then the standards for that area apply. ² Opacity may be increased to up to 100% if the setback and landscaping requirements of subsection (b)(2), below are met. ³ E.g., a connection from a fence within Area 4 that is parallel to a street to a fence within Area 1 or Area 3. ⁴ Subject to the requirements of subsection (b)(2), below.						

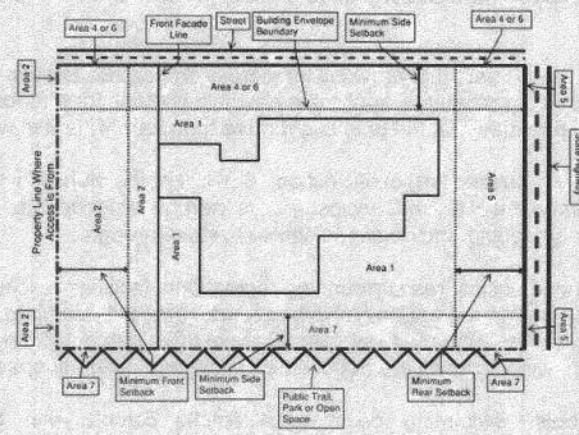
Section 2. Figure 16-3-120.A titled *Fence Locations for Interior Lots* is hereby added immediately after Table 16-3-120 titled *Fence and Wall Height and Opacity: Residential Lots*, with additions shown in underline:

Figure 16-3-120.A – Fence Locations for Interior Lots



Section 3. Figure 16-3-120.B titled *Fence Locations for Lots Adjacent to Roads, Highways, or Parks and Trails* is hereby added immediately after Figure 16-3-120:

Figure 16-3-120.B – Fence Locations for Lots Adjacent to Roads, Highways, or Parks and Trails



Section 4. Subsection (b)(2) of Section 16-3-120 of the Municipal Code, entitled *Fences, garden walls/perimeter walls, and enclosures*, is hereby amended to read as follows, with additions shown in underline and deletions shown in ~~strike through~~:

Setback and Landscape Requirements in Residential Zoning Districts. This subsection applies as set out in Table 16-3-120, *Fence and Wall Height and Opacity: Residential Lots*. Fences that are subject to this subsection shall:

- a. Be setback not less than four (4) feet from right-of-way lines, with the area between the fence or garden wall and the street planted with not less than two (2) trees or evergreen shrubs per one hundred (100) linear feet; or
- b. Be set back less than four (4) feet (including zero (0) feet), but with regular offsets of not less than four (4) feet, running for distances of not less than fifteen (15) nor more than twenty-five (25) feet, such that not less than twenty-five percent (25%) of the length of the fence along each street right-of-way line is so offset; and with the street-side area of each offset planted with at least two (2) trees or evergreen shrubs; or
- c. Be designed and constructed to meet two (2) of the following three (3) criteria:
 - i. A setback of twenty-five (25) feet from the edge of the pavement of the adjacent paved street or forty (40) feet from the centerline of the adjacent unpaved street.
 - ii. A landscaped area between the street and the fence is provided, with trees planted at a density of one (1) tree for every twenty (20) to thirty (30) linear feet of fence as determined by the Director given the type and planting size proposed (note that compliance with this

criterion may include use of the City right-of-way if such use of the right-of-way is approved by the City Manager and the trees are subject to an ongoing maintenance agreement acceptable to the City).

- iii. A landscaped area between the street and fence is provided, and planted such that at least twenty-five percent (25%) of the face of the fence is screened from view from the street within three (3) growing seasons (note that compliance with this standard shall not involve the use of City right-of-way).

Section 5. Subsection (b)(3) of Section 16-3-120 of the Municipal Code, entitled *Fences, garden walls/perimeter walls, and enclosures*, is hereby amended to read as follows, with additions shown in underline and deletions shown in ~~strikethrough~~:

Exceptions for Gates in Residential Zoning Districts.

- a. Front yard Gates. Generally. Up to two (2) gates that provide for ingress and egress from a street right-of-way to a front yard (including driveway gates) may exceed the otherwise applicable height limitations for a fence or garden wall by up to four (4) feet, provided that:
 - i. The gates are, individually, not more than eighteen (18) feet in width; and
 - ii. The gates have an maximum opacity of ~~not more than~~ twenty-five percent (25%).
- b. Driveway Gate Stacking Area. Driveway gates must be located such that a minimum driveway area of nine (9) feet wide by eighteen (18) feet deep is provided in front of and perpendicular to the gates, as measured from the street right-of-way line, front lot line, or back edge of the sidewalk, whichever provides more setback from the flowline of the street. For a property with a driveway located on a cul-de-sac or dead-end street, the Director may allow a reduction in the required setback if the Director finds that the reduction will not have an impact on public safety.
- c. Other Gates. One (1) gate that provides for ingress and egress to each yard other than a front yard may exceed the otherwise applicable height limitations for a fence or garden wall by up to two (2) feet, provided that the gate is not more than four (4) feet in width.

Section 6. Subsection (c) of Section 16-3-120 of the Municipal Code, entitled *Fences, garden walls/perimeter walls, and enclosures*, is hereby amended to read as follows, with additions shown in underline and deletions shown in ~~strikethrough~~:

- (1) Generally. Fenced enclosures surrounding recreational facilities (except swimming pools) on residential lots (e.g., tennis courts, volleyball courts, etc.) may be up to ten (10) feet in height, provided that their opacity does not exceed twenty-five percent (25%). For the purposes of this subsection, wind screens are not counted in the evaluation of opacity.
- (2) Swimming Pools. Swimming pools shall strictly comply with Section 305, Barrier Requirements, 2018 International Swimming Pool and Spa Code. Variances to this requirement shall not be allowed.

Section 7. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion be declared invalid.

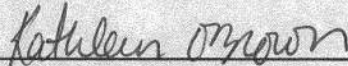
Section 8. Safety. This Ordinance is deemed necessary for the protection of the health, welfare, and safety of the community.

Section 9. Codification Amendments. The codifier of the City's Municipal Code, Municode, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Cherry Hills Village Municipal Code.

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

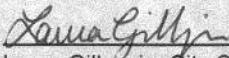
Adopted as Ordinance No. 3 Series 2024, by the City Council of the City of Cherry Hills Village, Colorado this 7th day of May, 2024.

(SEAL)


Kathleen Brown, Mayor

ATTEST:

Approved as to form:


Laura Gillespie, City Clerk


Kathie B. Guckenberger, City Attorney

Published in the Villager
Published: 5-16-24
Legal #: 11521

CITY OF CHERRY HILLS
VILLAGE
ADOPTION OF ORDINANCE
ORDINANCE 3, SERIES 2024

A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VIL-
LAGE AMENDING SECTION 16-3-120. - FENCES, GARDEN WALLS/
PERIMETER WALLS, AND ENCLOSURES OF THE MUNICIPAL CODE

Copies of the Ordinances are on file at the office of the City Clerk and may
be inspected during regular business hours.

Published in The Villager
Published: May 16, 2024
Legal # 11521

Minutes of the Planning and Zoning Commission of Cherry Hills Village, Colorado
held on Tuesday, September 9, 2025, at 5:00 PM
at City Hall, 2450 East Quincy Avenue, Cherry Hills Village, Colorado 80113

CALL TO ORDER

Chair Lucas called the meeting to order at 5:00 PM.

ROLL CALL

Present at the meeting were the following Planning and Zoning Commissioners:
Wyman, Leigh, Chair Lucas, Vice Chair Miles, Lahabi, and Kelsall

Absent from the meeting were the following Planning and Zoning Commissioners:
Lay

Present at the meeting were the following staff members:
Paul Workman, Community Development Director

PLEDGE OF ALLEGIANCE

The Commission conducted the Pledge of Allegiance.

CONSENT AGENDA

Commissioner Wyman moved to approve the meeting minutes from July 8, 2025.
Commissioner Kelsall seconded the motion. The motion passed unanimously.

Commissioner Wyman moved to approve the meeting minutes from August 12, 2025.
Commissioner Kelsall seconded the motion. The motion passed unanimously.

NEW BUSINESS

**Commission Discussion – Fences Adjacent to State Highways – Paul Workman,
Community Development Director**

Director Workman began by presenting the staff report including referencing the previous discussions by the City Council. Specifically, the Council was split on how best to proceed and requested that the Commission provide guidance related to two options. The first option is to grandfather existing legally nonconforming fences adjacent to state highways. The second option is to create an administrative set of criteria that would be adopted into the Code that would allow for existing legally nonconforming fences to be reconstructed if certain criteria are met.

Commissioner Miles asked about a specific fence along Bellevue and whether or not it was maintained by the City, the private property owner, or the Colorado Department of Transportation (CDOT). Staff responded that it was most likely a CDOT responsibility.

Commissioner Kelsall asked about the number of existing nonconforming fences adjacent to state highways. Staff responded that they were aware of a few, including the fencing around the Sunset Drive neighborhood at S. University Blvd. and E. Hampden Ave. as well as most of the fencing west of S. Franklin St. and north of E. Bellevue Ave.

Commissioner Leigh asked for clarification as to what constitutes legally nonconforming status. Staff responded that legally nonconforming status occurs when a fence was permitted and constructed at a time when that style of fence was allowed, but the city has changed the standard since the permit and construction occurred. Therefore, the fence is legal, but it does not conform to the current requirement.

Commissioner Wyman asked about other legally nonconforming fences along state highways. Staff responded that there are likely additional nonconforming fences east of S. Holly St. and north of E. Belleview Ave. and potentially some between E. Quincy Ave. and the Buell neighborhood on the east side of S. University Blvd. Commissioner Wyman continued that the length of E. Belleview Avenue in the Village is about 3.5 miles, E. Hampden Avenue in the Village is about 2.5 miles, and S. University Blvd. is about 2 miles in the Village (although the Village is on both sides) and a nose count could be conducted to determine if this is a problem or not. Commissioner Wyman asked why a fence canyon is a problem on a state highway given that they are not highly desired pedestrian paths?

Commissioner Kelsall stated that he believes the City should encourage property owners to replace and maintain dilapidated fences and if the current requirements are hampering that, the existing legally nonconforming fences should be grandfathered.

Commissioner Lahabi asked if the City decided to grandfather these fences, how staff would track the status of fences. Director Workman responded that historically the City has done a good job of keeping records of fence permits so knowing what was permitted and what was not permitted would not be an administrative problem. He continued by saying that current technology like online mapping helps in making these determinations.

Commissioner Kelsall asked about the implementation for Option #2. Staff noted that it would be important to draft clear and objective criteria, but that staff did not feel it would be difficult to administer.

Commissioner Wyman expressed concerns that having a setback for a fence introduces the potential for liability concerns for the private property owner, confusion on the location of the property line in relation to the fence line, and logistical issues related to the maintenance of the setback area.

Commissioner Lahabi asked if there had been any resident input on this issue. Staff responded that there had not been formal public input sought to date due to the relatively narrow scope of the issue.

Chair Lucas expressed his agreement with Commissioner Wyman's statement that the newer neighborhoods are not an issue. The older neighborhoods are potential issues, but they are a small number of properties compared to the total number of properties that fall into this category.

Commissioner Miles said that the threat of the fence canyon effect was relatively low.

Commissioner Lahabi asked about the snow storage and how much of a problem that is. Staff responded that the issue is the worst during large snow events where snow storage is most needed and pushing the snow for long stretches can create issues for staff and the equipment which increases the likelihood of an accident.

Chair Lucas stated that there are short stretches that don't accommodate snow storage, but he did not feel it was a big problem. Commissioner Wyman concurred, based on the side of the street that is being plowed.

Commissioner Kelsall made a motion to recommend that Council implement Option #1 (grandfather existing fences) due to the small number of properties impacted, the fact that many of the fences are maintained by a Homeowner's Association, the cost associated with fencing, as well as the potential cost and time associated with the administration of new code provisions. Commissioner Wyman seconded the motion.

The following votes were recorded:

Commissioner Wyman	Aye
Commissioner Leigh	Aye
Chair Lucas	Aye
Vice Chair Miles	Aye
Commissioner Lahabi	Aye
Commissioner Kelsall	Aye

The motion passed unanimously.

REPORTS

Members of the Planning and Zoning Commission

Commissioner Leigh asked about the dirt being stored at Kent Denver during their construction. Staff responded that dirt storage is typical for that scale of construction, and the Grading, Erosion, and Sediment Control Plan would regulate the location of storage of dirt and that the dirt would either be used for fill as part of the project or trucked off site.

Commissioner Kelsall asked about the Council policy related to virtual participation. Staff confirmed that Council recently updated their policy to allow virtual participation for Councilmembers during Council meetings, subject to a minimum number of in-person attendees.

Commissioner Kelsall asked about the application by the Cherry Hills Country Club related to their practice area. Staff stated that the Club has an active application, but the scope does not currently include the relocation of the service road.

City Staff

Staff updated the Commission on the recent Council approvals of the Buell Mansion Site Plan Amendment, the Floodplain Variance for 4301 S. High St., and the housekeeping amendments to the Zoning Ordinance.

Staff updated the Commission that the Chair and the Vice Chair, along with staff, would be presenting the Commission's 2026 work plan at the October 7, 2025, meeting and invited the Commission to attend.

City Attorney

None

ADJOURNMENT

Chair Lucas adjourned the meeting at 6:02 pm.



William Lucas, Chair



Paul Workman, Community Development Director



Sec. 16-3-120. - Fences, garden walls/perimeter walls, and enclosures.

- (a) Generally. Fences, garden walls/perimeter walls, and enclosures are subject to compliance with the standards of this Section.
- (b) Fences, Garden Walls, and Gates on Residential Lots.
- (1) *Height and Opacity.* Fences and garden walls/perimeter walls on residential lots shall be subject to the height and opacity standards in Table 16-3-120, *Fence and Wall Height and Opacity: Residential Lots.*

Table 16-3-120 Fence and Wall Height and Opacity: Residential Lots

Location (see Figure 16-3-120.A and 16-3-120.B)/Standard	Zoning District					
	R-1	R-2	R-3	R-3a	R-4	R-5
Area 1: Within Building Envelope, Behind Front Façade Line						
Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	100%	100%	100%	100%	100%	100%
Area 2: Between Front Lot Line and Front Façade Line, Unless Also within Area 5 or 6¹						
Max. Height	4 ft.	4 ft.	4 ft.	4 ft.	Not Allowed	Not Allowed
Max. Opacity	50%	50%	50%	50%	Not Allowed	Not Allowed
Area 3: Within Rear Setbacks or Interior Side Setbacks, Unless Also within Area 4, 5, 6, or 7¹						
Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	50%	100%	100%	100%	100%	100%
Area 4: Within Street Side Setbacks or Rear Setbacks Adjacent to a Street, Unless Also within Area 5 or 6¹						

Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	Based on Fence Height and Orientation (See Below)					
Generally Parallel to Public Street						
If Height Does Not Exceed 4 ft.	60%	60%	60%	60%	100%	100%
If Height Exceeds 4 ft.	25%	25%	25%	25%	50% ²	50% ²
Generally Perpendicular to Public Street ³						
Up to Maximum Height	50%	100%	100%	100%	100%	100%
Area 5: Within any Setback from a Lot Line that is State Highway Right-of-Way Line						
Max. Height	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.
Max. Opacity ⁴	100%	100%	100%	100%	100%	100%
Area 6: Within Any Setback from a Lot Line that is Also a Right-of-Way Line for (1) South Clarkson Street; (2) East Happy Canyon Road; or (3) north of E. Mansfield Avenue and east of Colorado Boulevard and west of S. Albion Street and south of E. Hampden Avenue, that have lot frontage on both S. Colorado Boulevard and S. Albion Street						
Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	100%	100%	100%	100%	100%	100%
Area 7: Within any Setback from a Lot Line that is Adjacent to a Public Trail, Park, or Open Space, Unless Also Within Area 2 ¹						
Max. Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Max. Opacity	40%	40%	40%	40%	40%	40%

Table Notes:

- ¹ If the fence or wall is also located within one of the specified areas, then the standards for that area apply.
- ² Opacity may be increased to up to 100% if the setback and landscaping requirements of subsection (b)(2), below are met.
- ³ E.g., a connection from a fence within Area 4 that is parallel to a street to a fence within Area 1 or Area 3.
- ⁴ Subject to the requirements of subsection (b)(2), below.

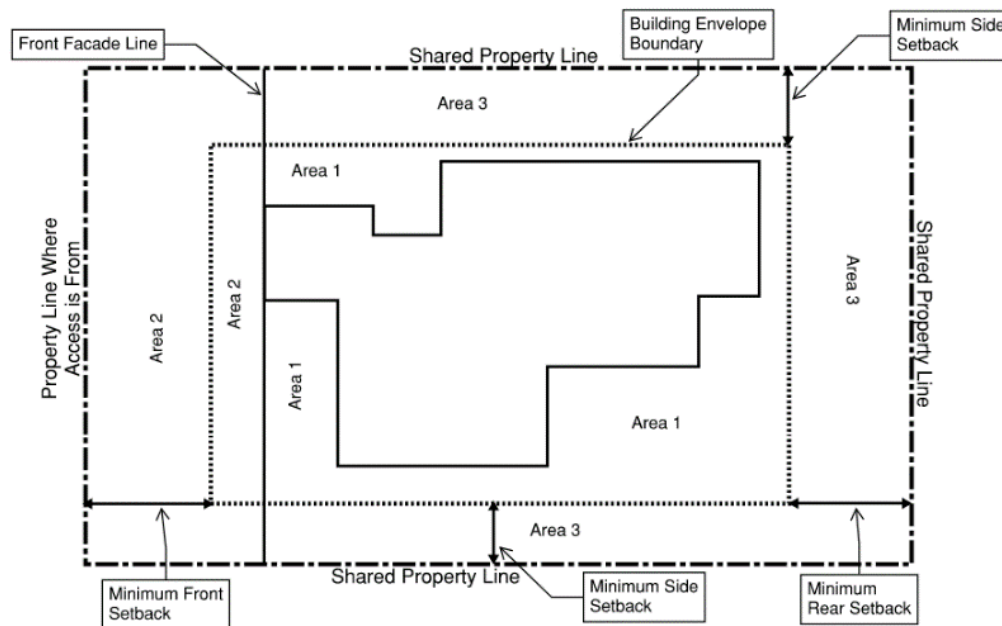
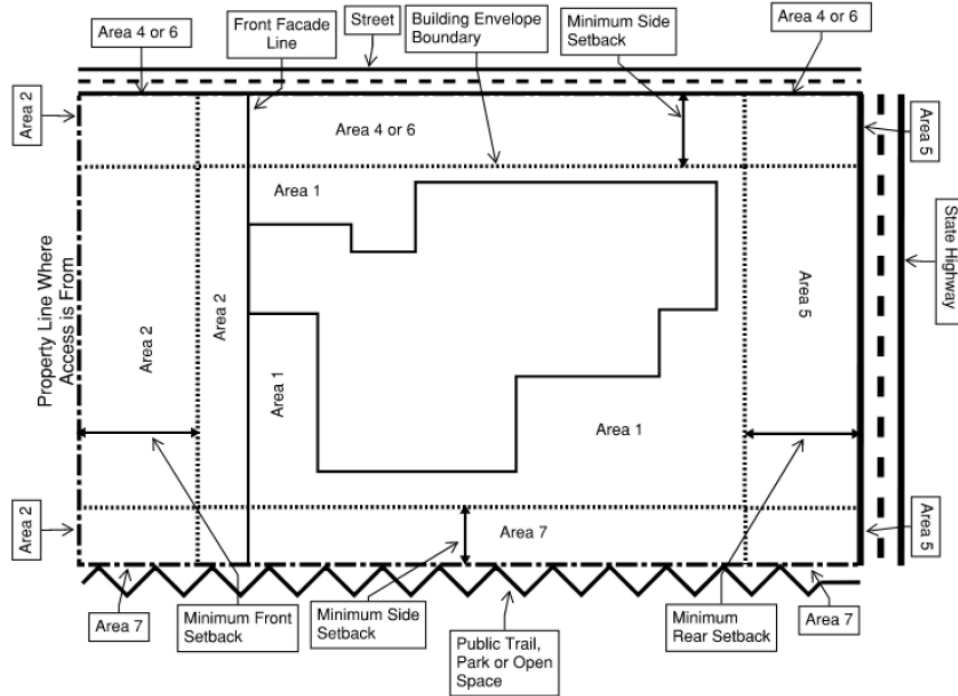
Figure 16-3-120.A - Fence Locations for Interior Lots

Figure 16-3-120.B - Fence Locations for Lots Adjacent to Roads, Highways, or Parks and Trails

(2) *Setback and Landscape Requirements in Residential Zoning Districts.* This subsection applies as set out in Table 16-3-120, *Fence and Wall Height and Opacity: Residential Lots*. Fences that are subject to this subsection shall:

- a. Be setback not less than four (4) feet from right-of-way lines, with the area between the fence or garden wall and the street planted with not less than two (2) trees or evergreen shrubs per one hundred (100) linear feet; or
- b. Be set back less than four (4) feet (including zero (0) feet), but with regular offsets of not less than four (4) feet, running for distances of not less than fifteen (15) nor more than twenty-five (25) feet, such that not less than twenty-five percent (25%) of the length of the fence along each street right-of-way line is so offset; and with the street-side area of each offset planted with at least two (2) trees or evergreen shrubs; or
- c. Be designed and constructed to meet two (2) of the following three (3) criteria:
 - i. A setback of twenty-five (25) feet from the edge of the pavement of the adjacent paved street or forty (40) feet from the centerline of the adjacent unpaved street.
 - ii. A landscaped area between the street and the fence is provided, with trees planted at a density of one (1) tree for every twenty (20) to thirty (30) linear feet of fence as determined by the Director given the type and planting size proposed (note that compliance with this criterion may include use of the City right-of-way if such use of the right-of-way is approved by the City Manager and the trees are subject to an ongoing maintenance agreement acceptable to the City).
 - iii.

A landscaped area between the street and fence is provided and planted such that at least twenty-five percent (25%) of the face of the fence is screened from view from the street within three (3) growing seasons (note that compliance with this standard shall not involve the use of City right-of-way).

(3) *Exceptions for Gates in Residential Zoning Districts.*

- a. Front yard Gates, Generally. Up to two (2) gates that provide for ingress and egress from a street right-of-way to a front yard (including driveway gates) may exceed the otherwise applicable height limitations for a fence or garden wall by up to four (4) feet, provided that:
 - i. The gates are, individually, not more than eighteen (18) feet in width; and
 - ii. The gates have a maximum opacity of twenty-five percent (25%).
- b. Driveway Gate Stacking Area. Driveway gates must be located such that a minimum driveway area of nine (9) feet wide by eighteen (18) feet deep is provided in front of and perpendicular to the gates, as measured from the street right-of-way line, front lot line, or back edge of the sidewalk, whichever provides more setback from the flowline of the street. For a property with a driveway located on a cul-de-sac or dead-end street, the Director may allow a reduction in the required setback if the Director finds that the reduction will not have an impact on public safety.
- c. Other Gates. One (1) gate that provides for ingress and egress to each yard other than a front yard may exceed the otherwise applicable height limitations for a fence or garden wall by up to two (2) feet, provided that the gate is not more than four (4) feet in width.

(c) *Recreational Enclosures.*

- (1) *Generally.* Fenced enclosures surrounding recreational facilities (except swimming pools) on residential lots (e.g., tennis courts, volleyball courts, etc.) may be up to ten (10) feet in height, provided that their opacity does not exceed twenty-five percent (25%). For the purposes of this subsection, wind screens are not counted in the evaluation of opacity.
- (2) *Swimming Pools.* Swimming pools shall strictly comply with Section 305, Barrier Requirements, 2018 International Swimming Pool and Spa Code. Variances to this requirement shall not be allowed.

(d) *Fences and Garden Walls on Nonresidential Lots.*

- (1) *Utility Stations.* Fences and garden / perimeter walls that enclose utility stations shall not exceed eight feet in height and shall have an opacity of 100 percent.
- (2) *Other Nonresidential Uses.*
 - a. Fences and garden/perimeter walls are allowed on nonresidential property for the following purposes:
 - i. To enclose outdoor dining areas, gardens, or recreational facilities;

- ii. To enclose utilities, backup generators, loading areas, dumpsters, recycling bins, and/or utility meters;
 - iii. To enhance safety or security, provided that the need for such additional safety or security is demonstrated; or
 - iv. To comply with the requirements of this Chapter.
 - b. The height of such fences or garden/perimeter walls shall not exceed eight (8) feet within required setback areas or ten (10) feet within the building envelope, unless otherwise provided in this Chapter, or unless the decision-maker finds that:
 - i. Extraordinary circumstances justify the increased height; and
 - ii. The visual impact of the additional height of the fence or garden/perimeter wall on adjoining property is fully mitigated by way of setbacks, landscaping, topography, intervening structures or buildings, or design.
- (e) Fence and Retaining Wall Combinations.
- (1) Fences and garden/perimeter walls may be constructed on, or in combination with, retaining walls, as follows:
 - a. On residential property, fences and garden/perimeter walls must comply with the requirements of Table 16-3-120, *Fence and Wall Height and Opacity: Residential Lots*, with height measured from the side of the retaining wall with the higher grade.
 - b. On nonresidential property, fences and garden/perimeter walls must comply with the requirements of subsection (d), above, with height measured from the side of the retaining wall with the higher grade.
 - (2) In cases where guardrails are required by the applicable building code, fences and garden/perimeter walls shall also comply with the building code standards that apply to guardrails. If the building code standards conflict with the standards of this subsection (e), the building code standards shall control to the extent of the conflict.

(Ord. 7, §1, 2019; Ord. 3, §s; 1—6, 2024)

**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: 10a

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL

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

SUBJECT: COUNCIL BILL 01, SERIES 2026; A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE, ADDING A NEW ARTICLE II TO CHAPTER 13 OF THE CHERRY HILLS MUNICIPAL CODE ENACTING AN INDUSTRIAL PRETREATMENT PROGRAM (FIRST READING)

DATE: JANUARY 20, 2026

ISSUE

Shall City Council approve Council Bill 1, Series 2026, adding a new Article II to Chapter 13 of the Municipal Code enacting an industrial pretreatment program on first reading (attached hereto as Exhibit A)?

DISCUSSION

The City of Cherry Hills Village (“City”) owns certain sanitary sewer transmission lines (“Wastewater Lines”) that provide wastewater collection services. In order to treat the wastewater collected by the wastewater lines, the City entered a Wastewater Connector’s Agreement (“IGA”) in 2014 with the City of Englewood (“Englewood”) for treatment of the wastewater at the Littleton/Englewood Wastewater Treatment Plant (attached hereto as Exhibit B).

In 2016, the EPA instructed Englewood to establish an inter-jurisdictional agreement between the City and Englewood that would provide Englewood with the authority to implement the “Industrial Pretreatment Program,” contained in 40 C.F.R. Part 403 promulgated by the EPA, and as set forth in Title 12, Chapter 2, Section 5 of the Englewood Municipal Code (the “IPP”).

In 2017, the City and Englewood executed the Addendum to Wastewater Connector’s Agreement (attached hereto as Exhibit C) (“Addendum”) to amend the IGA to meet the requirements outlined by the EPA.

In April 2025, South Platte Renew (formerly known as Littleton/Englewood Wastewater Treatment Plant) (“SPR”)¹ notified the City that the Addendum, alone, is not sufficient to resolve the EPA’s requirement that Englewood have proper legal authority to enforce the IPP. SPR instructed the City to take necessary action to allow proper enforcement of the IPP, per the Addendum.

Prompted by SPR’s notice, City staff began working with the City Attorney’s office, Englewood, and SPR to find a solution that works for all parties involved. Because the City does not have the capacity to administer an Industrial Pretreatment Program, Englewood agreed to oversee the permitting and inspection program with the cooperation of the City, per the Addendum. Staff and the City Attorney’s office have worked with Englewood and SPR to develop an acceptable and enforceable set of regulations and rules, which are set forth in Exhibit A.

It was determined that the best way to accomplish the enforceability of the IPP within the City’s jurisdiction was to amend the Cherry Hills Village Municipal Code, Chapter 13 (Municipal Utilities) by adding a new Article II – Industrial Pretreatment Program. The proposed Article II is no less stringent and is as broad in scope as the Industrial Pretreatment Program found in Englewood’s Municipal Code, but it has minor modifications to ensure compliance and enforceability within the City.

STAFF RECOMMENDATION

Staff recommends that City Council approve on first reading Council Bill 01, Series 2026; adding a new Article II to Chapter 13 of the Cherry Hills Municipal Code enacting an Industrial Pretreatment Program.

RECOMMENDED MOTION

“I move to approve on first reading Council Bill 01, Series 2026; adding a new Article II to Chapter 13 of the Cherry Hills Municipal Code enacting an Industrial Pretreatment Program.”

ATTACHMENTS

Exhibit A: Council Bill 01, Series 2026

Exhibit B: 2014 IGA

Exhibit C: 2017 IGA Addendum

¹ As a point of clarification, over time the name of the organization overseeing the wastewater treatment plant and coordination with its connectors, such as the City, has changed to South Platte Renew. The change in name does not impact or modify any of the agreements the City has with Englewood regarding wastewater treatment.

**COUNCIL BILL 01
SERIES OF 2026**

**INTRODUCED BY: _____
SECONDED BY: _____**

**A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE, ADDING
A NEW ARTICLE II TO CHAPTER 13 OF THE CHERRY HILLS MUNICIPAL CODE
ENACTING AN INDUSTRIAL PRETREATMENT PROGRAM**

WHEREAS, the City of Cherry Hills Village (the “City”) is a home rule municipal corporation created and organized pursuant to Article XX of the Colorado Constitution and the Cherry Hills Village Home Rule Charter; and

WHEREAS, pursuant to C.R.S. § 31-15-401(1)(b), the City has the power to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, pursuant to C.R.S. §§ 31-15-709 and 710, the City has broad power to establish and regulate a sewer system and to provide for the cleaning and purification of water; and

WHEREAS, pursuant to C.R.S. § 31-16-101(2), the City has authority to seek such relief and impose such penalties for violations of its industrial wastewater pretreatment program as are required by the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.; and

WHEREAS, pursuant to Section 1.3 of the City of Cherry Hills Home Rule Charter (the “Charter”), the City has authority to establish municipal water works, sewage disposal works, and water and sewer systems; and

WHEREAS, pursuant to Section 3.1 of the Home Rule Charter, the City Council has the power to enact and provide for the enforcement of all ordinances necessary to protect life, health, and property; and

WHEREAS, in 2014, the City entered into a Wastewater Connector’s Agreement (the “IGA”) with the City of Englewood (“Englewood”) wherein Englewood agreed to provide wastewater treatment services to the City through the Littleton/Englewood South Platte Renew Wastewater Treatment Plant (“Wastewater Plant”); and

WHEREAS, in 2016, the Environmental Protection Agency (“EPA”) instructed Englewood to amend the IGA to require the City to delegate the implementation of an Industrial Pretreatment Program to Englewood; and

WHEREAS, in 2017, the City and Englewood entered into an Addendum to the IGA wherein, in part, the City agreed to adopt enforceable local sewer rules and regulations which are no less stringent and are as broad in scope as the Industrial Pretreatment Program

found in Title 12, Chapter 2, Section 5 of the City of Englewood Municipal Code or in Title 7, Chapter 5, Section 25 of the City of Littleton ("Littleton") Municipal Code; and

WHEREAS, after evaluation of the Englewood and Littleton codes, City staff recommend that the City adopt, with minor modifications, Englewood's code; and

WHEREAS, the City Council hereby adopts a new Industrial Pretreatment Program that is no less stringent and is as broad in scope as the Industrial Pretreatment Program found in Englewood's Municipal Code.

NOW, THEREFORE, the Council of the City of Cherry Hills Village, ordains:

Section 1. Chapter 13 of the Cherry Hills Village Municipal Code is hereby amended to add a new Article II entitled *Industrial Pretreatment Program*, to read in full as follows:

Article II – Industrial Pretreatment Program

Sec. 13-2-10. General Provisions.

- (a) Short Title: This Article shall be known as the INDUSTRIAL PRETREATMENT PROGRAM.
- (b) Strict Liability: The City Council, recognizing the threats upon the frail ecology and expressing great concern for its protection, declares that merely doing any act prohibited by this Article and orders of the City, issued under the provisions of this Article, or failing to perform any act required by this Article or said orders of the City, violates this Article. The violator's intention is not a defense to any violation of this Article or said order of the City, but intention may be considered as a matter in aggravation or mitigation.
- (c) *Purpose.* It is necessary for the health, safety, and welfare of the residents of the City to regulate the collection of wastewater and treatment thereof to provide for maximum public benefit. This Article sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the City and enables it to comply with all applicable State and Federal laws.
- (d) *Definitions/Abbreviations and Acronyms.* Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Article, shall have the meanings hereinafter designated:

Abbreviations and Acronyms: The following abbreviations shall have the designated meanings:

BMPs	Best Management Practices
BOD	Biochemical Oxygen Demand
BMR	Baseline Monitoring Report
°C	degrees Centigrade
CDPS	Colorado Discharge Permit System
CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
°F	degrees Fahrenheit
FOG	Fats, Oils, and Grease
gpd	gallons per day
IU	Industrial User
mg/L	milligrams per Liter
NAICS	North American Industry Classification System
O&M	Operations and Maintenance
POGS	Petroleum, Oil, Grease and Sand
POTW	Publicly Owned Treatment Works
RCRA	Resource Conservation and Recovery Act & Section
TENORM	Technologically Enhanced Naturally Occurring Radioactive Material(s)
TSS	Total Suspended Solids
U.S.C.	United States Code

Act or the Act: The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

Authorized Representative of the Industrial User:

(a) If the User is a corporation:

- (1) The president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
- (2) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and

initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for industrial wastewater permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- (b) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
- (c) If the User is a Federal, State, or local governmental facility; a City or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (d) The individuals described in subsections (a) through (c) above may designate another authorized representative if the authorization is made in writing, the authorization specifies the individual or a position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Best Management Practices (BMP): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 13-2-20(B). BMPs are Pretreatment Standards. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical Oxygen Demand (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Celsius (20°C), expressed in milligrams per liter.

Categorical Industrial User: An Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard.

Categorical Pretreatment Standard or Categorical Standard: Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) or the Act (33 U.S.C. Section 1317) that apply to a specific category of users and that appear in 40 CFR Chapter I, subchapter N, parts 405-471.

Chemical Oxygen Demand (COD): The measure of the oxygen equivalent of that portion of organic matter in a sample that is susceptible to oxidation by a strong chemical oxidant under laboratory procedures.

City: The City of Cherry Hills Village, Colorado, or designee thereof, including, without limitation, another municipality and the Supervisory Committee for the South Platte Renew Wastewater Treatment Plant, when evidenced by intergovernmental agreement.

City Municipal Code and Code: The municipal code for the City of Cherry Hills Village, as amended from time to time.

Colorado Discharge Permit System (CDPS): The State of Colorado program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into waters of the State pursuant to Section 25-8-101 et seq., CRS, 1973 as amended and 402 of the Clean Water Act (33 U.S.C. Section 1342).

Composite Sample: A representative flow-proportioned sample collected within a twenty-four (24) hour period constituting a minimum of four (4) individual samples collected at equally spaced two (2) hour intervals and combined according to flow. Time-proportional sampling may be approved by the City if flow-proportional sampling is not feasible including where flow metering is not feasible.

Cooling Water: The water from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Daily Maximum: The arithmetic average of all effluent samples for a pollutant collected during a calendar day as determined from the analysis of any discrete or composited samples collected.

Daily Maximum Limit: The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Domestic (Sanitary) Wastes: Liquid wastes: 1) from the noncommercial preparation, cooking and handling of food, or 2) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

Englewood: The City of Englewood, Colorado, a home rule municipal corporation.

Englewood Code: The Code of the City of Englewood, commonly known as the Englewood Municipal Code of 2000, as amended.

Environmental Protection Agency (EPA): The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said Agency.

Existing Source: An industrial user which is in operation at the time of promulgation of Federal Categorical Pretreatment Standards and any industrial user not included in the definition of "new source."

Flow: Volume of wastewater.

FOG (Fats, Oil and Grease): Non-petroleum organic polar compounds derived from animal or plant sources such as fats, non-hydrocarbons, fatty acids, soaps, waxes, and oils that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical procedures established in the 40 CFR 136.

FOG Facilities: Any non-domestic dischargers located within the City's service area where preparation, manufacturing, or processing of food occurs including, but not limited to, restaurants, cafes, fast food outlets, pizza outlets, delicatessens, sandwich shops, coffee shops, schools, nursing homes, and other facilities that prepare, service, or otherwise make foodstuff available for consumption.

Garbage: Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.

Garbage, Properly Ground or Shredded: The wastes from the preparation, cooking and dispensing of foods that have been ground to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half inch ($\frac{1}{2}$ ") in any dimension.

Grab Sample: A sample which is taken from a waste stream on a one-time basis with no regard to the flow and over a period of time not to exceed fifteen (15) minutes.

Gravity Grease Interceptor: A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept FOG (fats, oil and grease) from a wastewater discharge and is designed for gravity separation considering calculated retention times and volumes for each facility; such interceptors include baffle(s) and a minimum of two (2) compartments. This is a large, in-ground interceptor that is generally located outside the facility.

Hydromechanical Grease Interceptor: A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept FOG (fats, oil and grease) from a wastewater discharge and is identified by flow rate, and separation and retention efficiency. The design incorporates air entrainment, hydromechanical separation, interior baffling, and/or barriers in combination or separately. This is a smaller interceptor that is generally located inside the kitchen/food preparation area.

Incompatible (Nonconventional) Pollutant: Any nontreatable waste product, including nonbiodegradable dissolved solids.

Indirect Discharge: The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Act.

Individual (Private) System or Wastewater Disposal System: A septic tank, cesspool or similar self-contained receptacle or facility which collects and/or treats or otherwise disposes of wastewater and which is not connected to the POTW.

Industrial: Of or pertaining to industry, manufacturing, commerce, trade or business, as distinguished from domestic or residential.

Industrial Surcharge: That charge assessed against industrial customers based upon the amount that the strength of their discharged wastewater exceeds normal domestic strength in the parameters of BOD, COD, or TSS.

Industrial User(s) : Any User who introduces wastewater from industrial processes not to include sanitary wastes. The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c) or (d) of the Clean Water Act whose discharge is controlled under Section 13-2-20 of this Article or a source of indirect discharge.

Industrial Wastes: The liquid or solid wastes from the industrial manufacturing processes, trade, or business as distinct from sanitary wastewater.

Industrial Wastewater Permit: The document or documents issued to a Significant Industrial User by the City in accordance with the terms of this Article that allows, limits and/or prohibits the discharge or pollutants or flow to the POTW.

Industrial Waste Survey: A questionnaire used by the City to identify and locate all possible Industrial Users which might be subject to the POTW Pretreatment Program.

Instantaneous Limit: The maximum concentration of a pollutant or measurement of a pollutant property allowed to be discharged at any time.

Interference: A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- (a) Inhibits or disrupts the POTW treatment processes, operations, or sludge processes, use, or disposal; and
- (b) Therefore, is a cause of violation of any requirement of the POTW's CDPS permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued hereunder, or

any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Local Limit: Specific discharge limits and BMPs developed, applied, and enforced upon Significant Industrial Users or Industrial Users issued a discharge permit by the City to implement the general and specific discharge prohibitions listed in Section 13-2-20(b). Local Limits are Pretreatment Standards and are specified at 13-2-20(b)(2).

Manager or Plant Manager: The plant manager of the South Platte Renew Wastewater Treatment Plant or their designee responsible for the day-to-day implementation of the POTW's industrial pretreatment program.

Medical Wastes: Include certain radioactive wastes, blood and body fluids, potentially infectious waste, pathological waste, hazardous waste, waste pharmaceuticals and vaccines, sharps, trauma scene waste, and any other waste determined to pose a sufficient risk of infectiousness as established by the Colorado Department of Public Health and Environment.

New Source:

- a. Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307(c) of the Act that will be applicable to such source if such Standards are thereafter promulgated in accordance with that Section, provided that:
 - (1) The building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an Existing Source; or
 - (3) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an Existing Source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.

- b. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of paragraphs (1) or (2) above, but otherwise alters, replaces, or adds to existing process or production equipment.
- c. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
 - (1) Begun, or caused to begin, as part of a continuous onsite construction program:
 - (a) Any placement, assembly, or installation of facilities or equipment; or
 - (b) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of New Source facilities or equipment; or
 - (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Non-Contact Cooling Water: Cooling water that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

Non-Exempt Concentrations of TENORM: Materials that contain or are contaminated at concentrations in dry weight in excess of the following, excluding natural background:

Isotope	Picocuries/gram (pCi/g)
Radium-226	5
Radium-228	5
Lead-210	5
Polonium-210	5

The radioactive progeny of the isotopes present in non-exempt concentrations are also non-exempt. Dry weight refers to the mass of a material excluding the mass of any water or moisture present within the material. For the purposes of liquid TENORM sample analysis, unfiltered (total) samples which include both suspended and dissolved solids must be analyzed for activity and shall represent the total dry weight mass of the sample.

Non-Significant Industrial User: Any User that does not meet the definition of a Significant Industrial User, but is otherwise required by the City through permit, order or notice to comply with specific provisions of this Article and is so notified by the City.

Non-Significant Categorical Industrial User: Upon a finding that a Significant Industrial User subject to Categorical Pretreatment Standards never discharges more than one hundred (100) gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standards) the City may determine the Industrial User a Non-Significant Categorical Industrial User rather than a Significant Industrial User if the conditions in 40 CFR Part 403.3(v)(2) are met.

Normal Domestic Strength Wastewater: Wastewater, when analyzed in accordance with procedures established by the EPA pursuant to 40 CFR Part 136, as amended, contains no more than three hundred (300) mg/l of TSS, five hundred (500) mg/l of COD, and/or two hundred (200) mg/l of BOD.

North American Industry Classification System (NAICS): A standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy issued by the Executive Office of the President, Office of Management and Budget, as amended.

One Year: One year shall mean three hundred sixty-five (365) days.

Pass Through: A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

Person: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all Federal, State, and local government entities.

Petroleum Oil, Grease and Sand (POGS): Any hydrocarbon or petroleum product including oils and greases, and/or sand, grit, gravel or any other aggregate.

pH: A measure of the acidity or alkalinity of a solution, expressed in Standard Units (SU) and is calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration expressed in moles per liter of solution.

POGS Facilities: Any non-domestic dischargers located within the City's service area where work or service is performed including automotive service, machine shops, automotive care centers, auto body shops, car washes, or any other facility that generates sand, petroleum oil, grease or other petroleum product, grit, gravel or other aggregate that may discharge into a wastewater collection system.

Pollutant: Any dredged spoil, solids, incinerator residue, filter backwash, sewage, garbage, sewage sludge, explosives, munitions, medical waste, chemical wastes, corrosive substance, biological material, biological nutrient, toxic substance, radioactive material, heat, malodorous substance, wrecked or discharged equipment, rock, sand, slurry, cellar dirt, untreatable waste, or industrial, domestic, or agricultural wastes and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor) discharged into or with water.

Pollution: The man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.

Pretreatment or Treatment: The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes by other means, except as prohibited by 13-2-20(b)(2)(a), unless allowed by an applicable Pretreatment Standard.

Pretreatment Requirements: Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard imposed on an Industrial User.

Pretreatment Standard or Standard: Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to 13-2-20(b)(2) and includes Local Limits and Best Management Practices. In cases of differing standards or regulations, the more stringent shall apply.

Process Wastewater: Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

Publicly Owned Treatment Works (POTW): The treatment works, as defined by Section 212 of the Act (33 U.S.C. §1292), which is jointly owned, in this instance, by the cities of Littleton and Englewood, currently named South Platte Renew and formerly known as the Littleton-Englewood Wastewater Treatment Plant. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and

reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to the South Platte Renew Wastewater Treatment Plant. The term also means a municipality, as defined in section 502(4) of the Act, that has jurisdiction over the indirect discharges to and the discharges from such a treatment works. For the purposes of this Article, POTW shall also include any treatment works within the City's service area not owned by the cities of Littleton or Englewood that convey wastewaters to the South Platte Renew Wastewater Treatment Plant.

Sand/Oil Interceptor: A plumbing appurtenance or appliance that is installed in a sanitary drainage system to intercept sand (or other aggregate) and petroleum-based oil and grease from a wastewater discharge and are designed considering retention times, volumes in gallons calculated for each facility, and gravity separation; such interceptors include baffle(s) and a minimum of two compartments.

Sanitary Sewer: A sewer which carries domestic and/or non-domestic wastewater or sewage and to which storm, surface, and ground waters are not intentionally admitted, including the pipe or conduit system and appurtenances, for the collection, transportation, pumping and treatment of sewage. This definition shall also include the terms "public sewer," "sewer system," "sewer," and "collection line."

Septic Waste Receiving Facility (SWRF): The receiving facility located on the South Platte Renew Wastewater Plant's property designated for receiving trucked and hauled septage into the POTW.

Service Line (Private Sewer): The wastewater collector line extending from the wastewater disposal facilities of the premises up to and including the connection to the sanitary sewer.

Shall, Will, May: "Shall" and "will" are mandatory; "may" is permissive.

Significant Industrial User:

- a. All industrial users subject to categorical pretreatment standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and
- b. Any other industrial user that:
 - (1) Discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater);
 - (2) Contributes a process waste stream which makes up to five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant;

- (3) Is designated by the City on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Significant Non-Compliance (SNC): Any Industrial User is in significant non-compliance if its violation meets one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 13-2-10(d).
- b. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of all of the measurements for each pollutant parameter taken during a six (6) month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 13-2-10(d) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a Pretreatment Standard or Requirement as defined by 13-2-10(d) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW determines has caused, alone or in combination with other discharges, interference or pass-through (including endangering the health of POTW personnel or the general public);
- d. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
- f. Failure to provide, within forty-five (45) days after the due date, required reports such as baseline monitoring reports, compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- g. Failure to accurately report non-compliance;

- h. Any other violation or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the local pretreatment program.

Sludge: The accumulated solids separated from liquids, such as water or wastewater, during processing, or deposits on bottoms of streams or other bodies of water, or the precipitate resulting from chemical treatment, coagulation, or sedimentation of water or wastewater.

Spill or Slug Discharge: Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 13-2-20(b)(1) or local limits specified at Section 13-2-20(b)(2). A Spill or Slug Discharge is any discharge of a non-routine, episodic nature, including, but not limited to, an accidental Spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass-through, or in any other way violate any provision of this Article, including discharges which exceed the hydraulic and/or design of a User's treatment system.

Standard Industrial Classification (SIC): A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, as amended.

Standard Specifications: The current specifications used by the City in the construction of public sewers.

State: State of Colorado.

State Waters: Any and all surface and subsurface waters which are contained in or flow in or through this State, except waters in sewage systems, waters in treatment works or disposal systems, waters in potable water distribution systems, and all waters withdrawn for use until use and treatment have been completed.

Storm Sewer: Publicly owned facilities by which stormwater is collected or conveyed, including, but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Stormwater: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation, including snowmelt.

Supervisory Committee (Committee): The Committee is comprised of two (2) representatives each from the City of Englewood and the City of Littleton. This Committee is responsible for administrative and operational oversight of the South Platte Renew Wastewater Treatment Plant, including implementation of the POTW's industrial pretreatment program.

Technologically Enhanced Naturally Occurring Radioactive Material(s) or TENORM: Naturally occurring radioactive material whose radionuclide concentrations are increased by or as a result of past or present human practices. TENORM does not include: (a) background radiation or the natural radioactivity of rocks or soils; (b) "byproduct material" or "source material", as defined by Colorado statute or rule; or (c) enriched or depleted uranium by Colorado or federal statute or rule. Acceptable natural background values are established by the Colorado Department of Public Health and Environment.

Total Suspended Solids (TSS): The total suspended matter, expressed in milligrams per Liter, that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering in accordance with procedures approved in 40 CFR Part 136, as amended.

User(s): Any and all Persons that discharge into the POTW within the City's wastewater service area.

Toxic Pollutants: Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the EPA under the provisions of section 307(a) of the Act (33 U.S.C. §1317(a)) or as otherwise listed at 40 CFR part 122, appendix D.

Wastewater (Sewage): Liquid and water-carried industrial wastes and/or sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater Connector's Agreement ("IGA"): The intergovernmental agreement entered between the City and Englewood in 2014, as amended by the Addendum thereto entered between the City and Englewood in 2017, as may be amended from time to time.

Wastewater Control Permit: The document or documents issued to an Industrial User or group of Users (who is not otherwise a Significant Industrial User) by the City in accordance with the terms of this Article that allows, limits and/or prohibits the discharge of pollutants or flow to the POTW.

Wastewater Treatment System, Wastewater Utility, or Wastewater System: a) Any devices, facilities, structures, equipment or works owned or used by the City for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes from within or without the City, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, collection lines, pumping, power, and other equipment, and their appurtenances, and excluding service lines; b) extensions, improvements, additions, alterations or any remodeling thereof;

c) elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and d) any works, including the land and sites that may be acquired, that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

(e) *Delegation*. Except as reserved to the City of Cherry Hills Village or as necessary to enforce this Article, the authority to implement and enforce the City's Industrial Pretreatment Program, as set forth in Sec. 13-2-20 of the Code, including all Pretreatment Standards and Requirements, is delegated to the City of Englewood, or any valid designated agent thereof, per the IGA.

Section 13-2-20. Industrial Pretreatment Program.

(a) General Provisions

(1) Purpose and Objectives. It is necessary for the health, safety, and welfare of the residents of the City to regulate the collection of wastewater and treatment thereof to provide for maximum public benefit. This Article sets forth uniform requirements for non-domestic contributors into the wastewater collection and treatment system for the City and enables it to comply with all applicable State and Federal laws. The objectives of the Industrial Pretreatment Program are:

- a. To prevent the introduction of pollutants into the Publicly-Owned Treatment Works (POTW) that will interfere with the operation of the system or contaminate the resulting sludge;
- b. To prevent the introduction of pollutants into the POTW which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;
- c. To improve the opportunity to recycle and reclaim wastewaters and sludges from the system;
- d. To provide for equitable distribution among Users of the cost of the POTW;
- e. To provide for and promote the general health, safety and welfare of the citizens residing within the City and connecting jurisdictions;
- f. To enable the City to comply with its Colorado Discharge Permit System (CDPS) permit conditions, sludge use and disposal

requirements, and any other Federal or State laws to which the POTW is subject; and

- g. To prevent adverse impacts to worker health and safety due to the discharge of pollutants from industrial users.

(2) *Applicability.* The provisions herein provide for the regulation of Indirect Discharge to the POTW through the issuance of permits, enforcement of applicable requirements, user reporting, the setting of fees for the equitable distribution of costs, and for other activities as defined in this Article. The provisions herein apply to Users of the POTW and to persons outside the POTW who are, by contract or agreement with the POTW, Users of the POTW.

- a. *Non-Domestic Users.* It shall be unlawful for any User to discharge any domestic or non-domestic wastewater into any natural waterway, any surface drainage, or in any area under the jurisdiction of the City. No industrial wastewater shall be discharged to the POTW unless done so in compliance with the provisions of this Article and the Englewood Code, and applicable County, State or Federal regulations.
- b. *Reserved.*
- c. *Regulation of Users from Outside Jurisdictions.* Any User located outside of the City's wastewater service area that contributes wastewater to the POTW through the use of the City's wastewater system shall be subject to the provisions of this Article, including enforcement and penalties.

(3) *Responsibility of the City.* The City may delegate its authority and police powers to another entity via agreement, including, without limitation, the City of Englewood. At the time of adoption of this ordinance, pursuant to and in accordance with the IGA, the City hereby delegates its authority and police powers to the City of Englewood, and any valid designee thereof, to take such action on behalf of and as an agent for the City to implement and enforce the provisions in this Article, including, without limitation, the authority to administer FOG and POGS programs, perform inspections, and issue permits under this Article. As used hereinafter, the term "City" shall include and refer to the City of Cherry Hills Village and the City of Englewood, and any valid designee thereof, unless context implies or requires otherwise.

- a. The City shall be responsible for the day-to-day administration of the Industrial Pretreatment Program and to ensure proper compliance with all local, State and Federal pretreatment

regulations. The City may delegate specific pretreatment responsibilities to the Supervisory Committee for the South Platte Renew Wastewater Treatment Plant. The City may delegate through agreement specific pretreatment responsibilities to municipalities, sanitation districts, or jurisdictions that contribute wastewater to the South Platte Renew Wastewater Treatment Plant.

- b. The City shall attempt to notify in writing any User whom the City has cause to believe is subject to a National Categorical Pretreatment Standard or Requirements, or other applicable requirements promulgated by the EPA under the provisions of section 204(b) or 405 of the Act, or under the provisions of sections 3001, 3004, or 4004 of the Solid Waste Disposal Act. Failure of the City to so notify Users shall not relieve said Users from the responsibility of complying with applicable requirements. It is the responsibility of Significant Industrial Users to apply for and receive a permit prior to discharge, whether or not the User has been identified and formally requested to do so.
- c. If wastewaters containing any pollutant, including excess flow, or as otherwise defined in this Article, are discharged or proposed to be discharged to the POTW, the City may take any action necessary to:
 - 1. Prohibit the discharge of such wastewater;
 - 2. Require a User to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this Article;
 - 3. Require treatment, including storage facilities or flow equalization necessary to reduce or eliminate the potential for a discharge to violate this Article;
 - 4. Require the User making, causing or allowing the discharge to pay any additional cost or expense incurred by the City for handling, treating, disposing or remediation costs as a result of wastes discharged to the wastewater treatment system;
 - 5. Require the User to apply for and obtain a permit;
 - 6. Require timely and factual reports from the User responsible for such discharge; or

7. Take such other action as may be necessary to meet the objectives of this Article.
- d. In addition to the overall authority to prevent or eliminate discharges through enforcement of Pretreatment Standards and Requirements, the City shall have the following authorities:
1. Enforcement: Take enforcement and issue fines and penalties for violations of this Article, including the failure of a User to apply for a permit.
 2. Endangerment to Health or Welfare of the Community: The City, after informal notice to the affected User, may immediately and effectively halt or prevent any discharge of pollutants into any natural waterway, surface drainage within the City, any area under jurisdiction of the City, the POTW of the City or any wastewater system tributary thereto, by any means available to them, including physical disconnection from the wastewater system, whenever it reasonably appears that such discharge presents an imminent endangerment to the health or welfare of the community.
 3. Endangerment to Environment or Treatment Works: The City, after informal notice to the discharger, may halt or prevent any discharge of pollutants into any natural waterway, surface drainage within the City, any area under jurisdiction of the City, the POTW, wastewater system tributary thereto, by any means available to them, including physical disconnection from the wastewater system, whenever such discharge presents or may present an endangerment to the environment or threatens to interfere with the operation of the POTW.
 4. Compliance with Other Provisions of Article: The discharges referred to above may be halted or prevented without regard to the compliance of the discharge with other provisions of this Article.
- (4) Disclosure of Information and Availability to the Public. Except as otherwise provided in this Section, all records, reports, data or other information supplied by any person or User as a result of any disclosure required by this Article or information and data from inspections shall be available for public inspection.

These provisions shall not be applicable to any information designated as a trade secret by the person supplying such information. Materials designated as a trade secret may include but shall not be limited to

processes, operations, style of work or apparatus or confidential commercial or statistical data. Any information and data submitted by the User which is desired to be considered a trade secret shall have the words, "Confidential Business Information," stamped on each page containing such information. The User must demonstrate to the satisfaction of the City that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User.

Information designated as a trade secret pursuant to this Section shall remain confidential and shall not be subject to public inspection. Such information shall be available only to officers, employees or authorized representatives of the City charged with implementing and enforcing the provisions of this Article and properly identified representatives of the U.S. Environmental Protection Agency and the Colorado Department of Public Health and Environment.

Effluent data from any User whether obtained by self-monitoring, monitoring by the City or monitoring by any State or Federal agency, shall not be considered a trade secret or otherwise confidential. All such effluent data shall be available for public inspection.

- (5) *State Requirements.* State requirements and limitations on discharges shall apply in any case where they are more stringent than applicable Federal regulations or those established herein.
- (6) *POTW's Right of Revision.* The City can establish by ordinance more-stringent limitations or requirements on discharges to the POTW if deemed necessary to comply with the objectives presented in Section 13-2-20(a)(1) of this Article.

(b) *General Wastewater Prohibitions and Limitations:*

- (1) *General and Specific Prohibitions.* A User shall not introduce into a POTW any pollutant(s) which cause pass-through or interference. These general prohibitions and the specific prohibitions of this Section apply to each User introducing pollutants into a POTW whether or not the User is subject to other Pretreatment Standards or Requirements. It shall be unlawful for any User to discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system of the City any wastewater which contains the following:
 - a. Any "hazardous waste" as defined in 40 CFR Part 261, unless specifically authorized by the POTW.

- b. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two (2) successive readings on any explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Fire or explosion hazard may also be determined using flash point concentration, by closed cup method as specified in 40 CFR Part 261.21. The flashpoint shall not be less than sixty degrees (60°) Centigrade or one hundred forty degrees (140°) Fahrenheit.
- c. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the POTW.
- d. Any wastewater having a pH less than 5.0 unless the POTW is specifically designed to accommodate such wastewater, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW.
- e. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to cause pass-through or interference.
- f. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes is sufficient to prevent entry into the sewers for their maintenance and repair.
- g. Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process where the POTW is pursuing a reuse and reclamation program. In no case shall a substance discharged to the POTW cause the POTW to be in non-compliance with the sludge use or disposal criteria, guidelines, or regulations affecting sludge use or disposal.
- h. Any substance which will cause the POTW to violate its CDPS permit or the receiving water quality standards.
- i. Any wastewater with objectionable color not removable in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

- j. Any pollutants, including oxygen-demanding pollutants (BOD, etc.) which will cause pass-through or interference.
- k. Radioactive wastes or isotopes of such a half-life or concentration that they do not meet limits established by the City or other regulations set forth by the Colorado Department of Public Health and Environment, State of Colorado, in the latest edition of Rules and Regulations Pertaining to Radiological Control and any applicable Federal regulations that may apply.
- l. Any wastewater having a temperature which will cause the temperature of the influent to the wastewater treatment plant to exceed one hundred four degrees (104°) Fahrenheit or forty degrees (40°) Celsius and/or inhibit the biological activity in the POTW.
- m. Any water or waste which contains grease or oil or any other substances that will solidify or become discernibly viscous at temperatures between thirty-two degrees (32°) Fahrenheit (0° Celsius) and one hundred fifty degrees (150°) Fahrenheit (65.5° Celsius).
- n. Any water or waste containing free or floating oil and grease, or any discharge containing animal fat or grease by-product in excess of two hundred (200) mg/L.
- o. Petroleum oil, non-biodegradable cutting oil or products of mineral oil origin in amounts that will cause interference or pass-through.
- p. Trucked or hauled wastes or wastewater, except at locations authorized by the City that meets all Standards and Requirements established by the City.
- q. Waters containing solids that have not been ground or comminuted to such a degree that all particles will be carried freely in suspension under conditions normally prevailing in public sewers. Solid particles shall be no more than one-half inch (½") in any dimension.
- r. Ammonia, nitrogen or substances readily converted thereto, in amounts that would cause or contribute to pass-through or interference.
- s. Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

- t. Stormwater drainage from ground, surface, roof drains, catch basins, unroofed area drains (e.g., commercial car washing facilities) or any other source unless otherwise approved by the City. Specifically prohibited is the connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to the City's wastewater collection system. No person shall connect or discharge water from underground drains, sump pump discharges, natural springs and seeps, water accumulated in excavation or grading or any other water associated with construction activities.
 - u. Any substance directly into a manhole or other opening in the POTW unless specifically authorized by the City or as otherwise permitted under this Article.
 - v. Liquid wastes from chemical toilets and trailers, campers or other recreational vehicles which have been collected and/or held in tanks or other containers shall not be discharged into the POTW except at locations authorized by the City to collect such wastes.
 - w. Wastes where such wastes have been collected and/or held in a tank or other container and where such wastes fail to comply with any applicable limitation set out in this Article.
 - x. Any water or wastewater from alkaline hydrolysis or other chemical decomposition processes of human or animal tissues, remains or bodies without prior written approval from the City.
 - y. Medical Wastes in amounts or concentrations that will cause a violation of any one (1) of the objectives included in Subsection 13-2-20(a)(1).
 - z. Any water or wastewater associated with hydraulic fracturing (fracking) and drilling activities, without prior written approval from the City.
 - aa. Non-exempt concentrations of TENORM.
- (2) Wastewater Discharge Limitations. The City is authorized to establish Local Limits pursuant 40 CFR Part 403.5(c). It shall be unlawful for any User to discharge, deposit, cause, or allow to be discharged any waste or wastewater which fails to comply with the limitations imposed by this Section.

- a. Dilution is prohibited as a substitute for treatment and shall be a violation of this Article. Except where expressly authorized to do so by an applicable Pretreatment Standard or Requirement, no Industrial User shall ever increase the use of process water, or in any other way attempt to dilute a Discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or Requirement. The City may impose mass limitations on Industrial Users which are using dilution to meet applicable Pretreatment Standards or Requirements or in other cases where the imposition of mass limitations is appropriate.
- b. No Significant Industrial User shall discharge or cause to be discharged wastewater that exceeds the following Local Limits as specified in the Industrial Wastewater Permit using the methods and procedures prescribed in Subsection 13-2-20(g).

Pollutant ¹	Daily Maximum Limit (mg/L)
Arsenic (As)	0.014
Cadmium (Cd)	0.22
Chromium-Total (Cr)	5.37
Chromium(VI) (Cr VI)	1.97
Copper (Cu)	3.42
Cyanide (CN)	0.31
Lead (Pb)	2.90
Mercury (Hg)	0.001
Molybdenum (Mo)	5.69
Nickel (Ni)	3.76
Selenium (Se)	0.24
Silver (Ag)	0.68
Zinc (Zn)	34.35
Benzene	0.14

BTEX ⁽²⁾⁽³⁾	0.750
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¹ All pollutants are to be analyzed as total.

² These pollutants and limits generally apply to wastewaters from the cleanup of petroleum or gasoline underground storage tanks. In addition, the pollutants may be required of other users or included in permits where sampling and analysis indicate that the wastewater contains concentrations of these pollutants in excess of the stated limits.

³ This is the sum of measured concentrations for Benzene, Toluene, Ethylbenzene, and Xylene.

- c. All Users subject to a Categorical Pretreatment Standard shall comply with all requirements of such standard, and shall also comply with any limitations contained in this Article. Where the same pollutant is limited by more than one (1) Pretreatment Standard, the limitations which are more stringent shall prevail. Compliance with Categorical Pretreatment Standards shall be the timeframe specified in the applicable Categorical Pretreatment Standard.
- d. The City may establish more stringent pollutant limits, additional site-specific pollutant limits or additional Pretreatment Requirements when, in the judgment of the City, such limitations are necessary to implement the provisions of this Article.

(c) Pretreatment and Monitoring Facilities:

- (1) Users shall provide wastewater treatment as necessary to comply with this Article and shall achieve compliance with all Pretreatment Standards and Requirements set out in this Article within the time limitations specified by EPA, the State, or the City, whichever is more stringent. Any facility determined by the City to be necessary for compliance or monitoring shall be provided, operated, and maintained at the User's expense. All treatment facilities shall be properly operated and maintained. Detailed plans describing such facilities and operating procedures shall be submitted to the City for review, and shall be approved before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this Article. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the City.

- (2) The City may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specified sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and demonstrate the User's compliance with the requirements of this Article.
- (3) The City may require any User discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An industrial wastewater permit may be issued solely for flow equalization.
- (4) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
- (5) The City may require an Industrial User to install at the User's expense, suitable monitoring facilities or equipment that allows for the representative sampling and accurate observation of wastewater discharges. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.
- (6) The monitoring equipment shall be located and maintained on the Industrial User's premises outside of the building unless otherwise approved by the City. When such a location would be impractical, the City may allow such facility to be constructed in the public street or easement area, with the approval of the agency having jurisdiction over such street or easement, and located so that it will not be obstructed by public utilities, landscaping or parked vehicles.
- (7) When more than one User is able to discharge into a common service line, the City may require installation of separate monitoring equipment for each User. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single User, the City may require that separate service lines and connections and monitoring facilities be installed for each separate discharge.
- (8) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the City's requirements and all applicable construction standards and specifications.

- (9) To fulfill the purposes of this Article, the City may order other Industrial Users of the City's POTW to maintain records and/or install and maintain similar facilities or equipment as described above.
- (10) Industrial Users who discharge process wastewaters determined by the City to contain pollutants necessitating continuous pH measurement to demonstrate compliance shall, subsequent to notification by the City, install a continuous recording pH meter as approved by the City. Such meter shall be installed, operated and maintained at the User's own cost and expense. Such records generated by this meter shall be retained for three (3) years and shall be made available to the City upon request.
- (11) If the City determines that an Industrial User needs to measure and report wastewater flow, the User shall install an approved flow meter. Such meter shall be installed, operated and maintained at the User's own cost and expense. Such records generated by this meter shall be retained for three (3) years and shall be made available to the City upon request.

(d) *Industrial Wastewater Permits:*

- (1) **Permits Required.** All Significant Industrial Users proposing to connect to, or discharge into any part of the wastewater system, shall apply for and obtain an industrial wastewater permit from the City prior to commencing discharge to the POTW. Such User shall comply with all of the provisions relating to an Industrial Wastewater Permit. A separate permit may be required for each User, building or complex of buildings. The discharge of wastewater to the POTW without a valid permit from a Significant Industrial User shall be a violation of this Article as specified in Section 13-2-20(d)(2). Such Users shall immediately contact the City and obtain a permit for discharge.
 - a. Upon a finding that a Significant Industrial User subject to Categorical Pretreatment Standards never discharges more than one hundred (100) gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standards) the City may determine the Industrial User a Non-Significant Categorical Industrial User rather than a Significant Industrial User if the following conditions are met:
 - 1. The Industrial User, prior to the City's finding, has consistently complied with all applicable Categorical Pretreatment Standards and requirements;

2. The Industrial User annually submits the certification statement required in 40 CFR Part 403.12(q) together with additional information necessary to support the certification statement; and
 3. The Industrial User never discharges any untreated concentrated wastewater.
- b. Upon a finding that a Significant Industrial User not subject to Categorical Pretreatment Standards has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from an Industrial User, determine that such Industrial User is not a Significant Industrial User.
 - c. By request from a Significant Industrial User and at the discretion of the City, a Non-discharging Industrial Wastewater Permit may be issued to the Significant Industrial User that requires specific controls and/or process configurations to prevent the discharge of wastewater from specific process operations, or of specific pollutants to the POTW.
- (2) Enforceability. Any violation of the terms and conditions of a wastewater permit, failure to apply for a permit as required, or discharging without a required permit shall be deemed a violation of this Article and subjects the Industrial User to the sanctions set out in Subsection 13-2-20(j). Obtaining an Industrial Wastewater Permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements.
- (3) New Users: Applying for an Industrial Wastewater Permit. Any User required to obtain an Industrial Wastewater Permit who proposes to begin or recommence discharging into the POTW must apply for and obtain such permit prior to the beginning or recommencing of such discharge. The User shall file a Wastewater Discharge Application with Englewood on forms provided by Englewood containing the information specified in Subsection 13-2-20(d)(5). The completed application for the Industrial Wastewater Permit must be filed at least ninety (90) days prior to the date upon which any discharge will begin or recommence.
- (4) Existing Users: Applying for Industrial Wastewater Permit Reissuance. A User with an expiring Industrial Wastewater Permit shall apply for a new permit with Englewood by submitting a complete permit application at least ninety (90) days prior to the expiration of the User's

existing discharge permit. The User shall file a Wastewater Discharge Application on forms provided by Englewood containing the information specified in Subsection 13-2-20(d)(5). An Industrial User with an existing permit that has filed a complete and timely application may continue to discharge as approved by Englewood through an administrative extension of the existing permit.

(5) *Application Contents.* In support of the application, the User shall submit, in units and terms appropriate for evaluation, the following information:

a. *Identifying Facility Information.*

1. The name of industry and address of the facility, mailing address if different;
2. The name of the business operator and owner;
3. The designated signatory authority and designated facility contact;

b. *Business Activities.*

1. Identification of industrial processes, industrial categories, or business activities;
2. A brief description of operations including materials used, products produced, materials handling, testing, storage, cleaning, waste handling, and wastewater pretreatment;
3. The Standard Industrial
4. Classification(s) or North American Industry Classification ODSsystem (NAICS) of the operation(s) carried out by such User;
5. Environmental Permits. A list of any environmental control permits held by or for the facility;
6. Facility operational characteristics including work days, work shifts, number of employees, and seasonal variations;
7. Planned or potential expansion;

c. *Water Supply and Consumption.*

1. Water sources, water bill information;

- 2. Water use distribution throughout facility;
- d. Sewer Connection Information.
- e. Raw Materials and Chemicals Used and Stored.
- f. Facility Infrastructure and Site Diagrams.
 - 1. Exterior site plans, interior building/floor plan, plumbing diagrams;
- g. Wastewater Discharge Information.
 - 1. Method of wastewater discharge;
 - 2. Wastewater discharge flow rates;
 - 3. Wastewater monitoring equipment and locations;
 - 4. Characteristics of wastewater including pollutant measurements;
- h. Process Flow Diagram.
- i. Generated Waste Handling Procedures.
- j. Wastewater Treatment Equipment and Operations.
- k. Control Plan for Spill Prevention.
- l. Any other information as may be deemed necessary by Englewood to evaluate the permit application.
- m. Certification. A statement, reviewed by an authorized representative of the Industrial User and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements.
 - 1. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards or Requirements, the shortest schedule by which the Industrial User will Provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable

Pretreatment Standard. A Compliance schedule must be in accordance with Section 13-2-20(e)(7);

- n. Application Signatories and Certifications. All Industrial Wastewater Permit applications, Industrial User reports and certification statements must be signed by an authorized representative of the User and contain the applicable certification statement(s) in Section 13-2-20(e)(6)(a).
- o. Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge per Section 13-2-20(e)(1)(e) of this Article.

(6) Industrial Wastewater Permit Issuance.

- a. The City shall issue an industrial wastewater permit to the applicant if the City finds that all of the following conditions are met:
 - 1. The applicant has provided a timely and complete permit application to the manager;
 - 2. The proposed discharge by the applicant is in compliance with the limitations established in this Article;
 - 3. The proposed operation and discharge of the applicant would permit the normal and efficient operation of the POTW; and
 - 4. The proposed discharge of the applicant would not result in a violation by the POTW of the terms and conditions of its CDPS permit or cause pass-through or interference.
- b. If the City finds that the condition set out in subsection 6.a.(2) of this Section is not met, the City may, at its discretion, issue an industrial wastewater permit to the applicant if the conditions set out in subsections 6.a.(1), 6.a.(3) and 6.a.(4) of this Section have been met and if the applicant submits, and the City approves, a compliance schedule setting out the measures to be taken by the applicant and the dates that such measures will be implemented to insure compliance with the local limits. At no time shall a discharge be allowed to cause violations of the General and Specific Prohibitions established in 13-2-2(b)(1) nor shall the final compliance date for a categorical standard be extended.

(7) Industrial Wastewater Permit Denial and Hearing.

- a. In the event an application for an industrial wastewater permit is denied, Englewood shall notify the applicant in writing of such denial. Such notification shall state the grounds for such denial with that degree of specificity which will inform the applicant of the measures or actions which must be taken by the applicant prior to issuance of a permit.
- b. Upon receipt of notification of denial of a permit, the applicant may request, and shall be granted, a hearing to be held by the City of Englewood Water and Sewer Board. At such hearing the applicant shall have the burden of establishing that the conditions set out in 13-2-20(d)(6), have been met and that a permit should be issued.
- c. The Water and Sewer Board may conduct the hearing and take the evidence or may designate a representative to:
 1. Issue in the name of the Water and Sewer Board notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
 2. Take the evidence;
 3. Transmit a report of the evidence and hearing, including transcripts and other evidence, to the Water and Sewer Board together with recommendations for action thereon.
- d. Testimony taken at any public hearing shall be under oath and recorded. The transcript as recorded shall be made available to any member of the public or any party to the hearing upon payment of the usual charges therefore.
- e. Upon review of the evidence by the Water and Sewer Board, the Board shall make written findings of fact. Thereupon the board may issue an order directing Englewood to issue an industrial wastewater permit, or directing that such permit shall not be issued, or give such other or further orders and directives as are necessary and appropriate.

(8) Industrial Wastewater Permit Conditions. Industrial wastewater permits shall be expressly subject to all provisions of this Article and all other regulations, and User charges and fees established by Englewood and the City. The conditions of industrial wastewater

permits shall be uniformly enforced in accordance with this Article and applicable State and Federal regulations. An industrial wastewater permit shall include such conditions as are deemed reasonably necessary by the City to prevent pass-through or interference, protect the quality of the receiving water, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

a. Industrial wastewater permits shall contain, as appropriate:

1. A statement that indicates the permit's issuance date, expiration date and effective date;
2. A statement that the permit is non-transferable;
3. Effluent limits, including Best Management Practices (BMPs), based on applicable Pretreatment Standards;
4. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or Best Management Practices) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law;
5. A statement of applicable administrative, civil and criminal penalties for violation of Pretreatment Standards and Requirements, the permit, this Article and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
6. Best Management Practices (BMPs) to control specific pollutants as necessary to meet the objectives of this Article.
7. Closure requirements for permitted facilities undergoing partial or complete closure activities to ensure closure activities are completed and wastes have been properly disposed and remaining access to sanitary and storm sewers are protected.
8. Requirements to notify Englewood and the City immediately of any changes at its facility affecting potential for a Spill or Slug Discharge and to notify the POTW immediately in the event of a slug, spill or accidental discharge to the POTW;
9. Compliance schedules;

10. Requirements to reapply for a new permit within ninety (90) days prior to expiration of the existing permit;
 11. The General and Specific Prohibitions;
 12. Additional monitoring to be reported.
 13. The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the discharge in accordance with Section 13-2-20(e)(1)(e) of this Article. Any grant of the monitoring waiver by the City must be included as a condition in the permit.
- b. Industrial wastewater permits may contain, but need not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 3. Requirements for the development and implementation of slug or spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 4. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 5. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices; and
 6. Other conditions as deemed appropriate by the City to ensure compliance with this Article, and State and Federal laws and regulations.

(9) Industrial Wastewater Permit Duration.

- a. Discharge permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period of less than five (5) years at the City's discretion or may be stated to expire on a specific date. The terms and conditions of the

permit may be subject to modification and change by the City during the life of the permit, as limitations or requirements as identified in this Article are modified and changed pursuant to 13-2-20(d)(11) The User shall be informed of any proposed changes in their permit at least thirty (30) days prior to the effective date of change unless such change is initiated by a violation of this Article. Any such change or new condition in the permit shall include a reasonable time schedule for compliance or as otherwise required by State or Federal regulations.

- b. Where the City is establishing permit specific local limits, the permit shall be public noticed for comment for thirty (30) days in a newspaper of meaningful circulation. The City shall consider all comments that are received and incorporate any comments as appropriate prior to issuing the permit.

(10) *Industrial Wastewater Permit Transfer.* Industrial Wastewater Permits are issued to a specific User for a specific operation. No permit shall be reassigned or transferred to different premises or a new or changed operation. Permits may be transferred to a new owner or operator only if the permittee gives at least thirty (30) days advance notice to Englewood and the City and Englewood approves the permit transfer. The notice to Englewood and the City must include a written certification by the new owner or operator which:

- a. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- b. Identifies the specific date on which the transfer is to occur; and
- c. Acknowledges full responsibility for complying with the existing permit.

(11) *Industrial Wastewater Permit Modification.* The City may modify an industrial wastewater permit for good cause, including, but not limited to, the following reasons:

- a. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
- b. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the industrial wastewater permit issuance;
- c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

- d. Information indicating that the permitted discharge poses a threat to the POTW, Englewood or City personnel, or the receiving waters;
- e. Violation of any terms or conditions of the industrial wastewater permit;
- f. Misrepresentations or failure to fully disclose all relevant facts in the industrial wastewater permit application or in any required reporting; or
- g. To correct typographical or other errors in the industrial wastewater permit.

(12) *Industrial Wastewater Permit Revocation.* A violation of the conditions of a permit or of this Article or of applicable State and Federal regulations shall be reason for revocation of such permit by the City. Upon revocation of the permit, any wastewater discharge from the affected User shall be considered prohibited and illegal. Grounds for revocation of a permit include, but are not limited to, the following:

- a. Failure of a User to accurately disclose or report the wastewater constituents and characteristics of their discharge;
- b. Failure of the User to report significant changes in operations or wastewater constituents and characteristics;
- c. Refusal of access to the User's premises for the purpose of inspection or monitoring;
- d. Falsification of records, reports or monitoring results;
- e. Tampering with monitoring equipment;
- f. Violation of conditions of the permit;
- g. Misrepresentation or failure to fully disclose all relevant facts in the industrial wastewater permit application;
- h. Failure to pay fines or penalties;
- i. Failure to pay sewer charges;
- j. Failure to pay permit and sampling fees; or
- k. Failure to meet compliance schedules.

(e) Reporting Requirements:

(1) Periodic Compliance Reports - All Significant Industrial Users.

- a. Except as specified in Section 13-2-20(e)(1)(f), any Industrial User subject to a Federal, State, or City Pretreatment Standard or Requirement must, at a frequency determined by Englewood submit no less than once per six (6) months, unless required more frequently in the permit or by Englewood, reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practices (BMPs) or pollution-prevention alternatives, the User must submit documentation required by the City or the Pretreatment Standard necessary to determine compliance status of the User. All periodic compliance reports must be signed and certified in accordance with 13-2-20(e)(6)(a).
- b. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that the sample results are unrepresentative of its discharge.
- c. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by Englewood, using the methods and procedures prescribed in 13-2-20(g), the results of this monitoring shall be included in the report.
- d. The sampling and analyses required for the reporting outlined above may be performed by Englewood in lieu of the permittee. Where Englewood itself makes arrangements with the User to collect all the information required for the report, the User will not be required to submit the report.
- e. Englewood may authorize a Significant Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Significant Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the discharge, or is present only at background levels from intake water and without any increase in

the pollutant due to activities of the Significant Industrial User. This authorization is subject to the following conditions:

1. The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater being discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
2. The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. The User must submit a new request for the waiver before the waiver can be granted for each permit.
3. In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one (1) sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
4. The request for a monitoring waiver must be signed and certified in accordance with Section 13-2-20(e)(6)(a) of this Article.
5. Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
6. Any grant of the monitoring waiver by Englewood must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the City for three (3) years after expiration of the waiver.
7. Upon approval of the monitoring waiver and revision of the User's permit by Englewood, the Industrial User must certify on each report with the statement in Section 13-2-20(e)(6)(d), that there has been no increase in the pollutant in its wastestream due to activities of the Industrial User.
8. In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply

with the monitoring requirements of Section 13-2-20(e)(1)(a), or other more frequent monitoring requirements imposed by Englewood, and notify Englewood and the City.

9. This provision does not supersede certification processes and requirements established in Categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.
- f. Englewood may reduce the requirement for periodic compliance reports in Section e(1)(a) to a requirement to report no less frequently than once a year, unless required more frequently in the Pretreatment Standard or by the EPA, where the Industrial User's total categorical wastewater flow does not exceed any of the following:
 1. 0.01 percent of the POTW's design dry-weather hydraulic capacity of the POTW, or five thousand (5,000) gallons per day, whichever is smaller, as measured by a continuous effluent flow monitoring device unless the Industrial User discharges in batches.
 2. 0.01 percent of the design dry-weather organic capacity of the POTW; and
 3. 0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical Pretreatment Standard for which approved wastewater discharge limits were developed in accordance with Section B(2)(b) of this Article. Reduced reporting is not available to Industrial Users that have in the last two (2) years been in Significant Noncompliance. In addition, reduced reporting is not available to an Industrial User with daily flow rates, production levels, or pollutant levels that vary so significantly that, in the opinion of Englewood, decreasing the reporting requirement for this Industrial User would result in data that are not representative of conditions occurring during the reporting period.

(2) Baseline Monitoring Reports - Categorical Industrial Users.

- a. Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR Part 403.6(a)(4), whichever is later, existing Industrial Users subject to Categorical Pretreatment Standards and currently

discharging to or scheduled to discharge to the POTW shall submit to Englewood a report which contains the information listed in paragraph b., below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable Categorical Standard, shall submit to the City a report which contains the information listed in paragraph b., below. A New Source shall report the method of pretreatment it intends to use to meet applicable Pretreatment Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged from regulated process streams and other non-process streams.

- b. Users described above shall submit the information set forth below.
 - 1. All information required in 13-2-20(d)(5).
 - 2. Measurement of pollutants.
 - (a) The User shall take a minimum of one (1) representative sample to compile the data necessary to comply with the requirements of this paragraph.
 - (b) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR Part 403.6(e) in order to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR Part 403.6(e) this adjusted limit along with supporting data shall be submitted to the City.
 - (c) Sampling and analysis shall be performed in accordance with 13-2-20(g);
 - (d) Englewood may allow the submission of a BMR which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.

- (e) The BMR shall indicate the time, date, and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

(3) *90-Day Compliance Reports - Categorical Industrial Users.*

- a. New Sources. All New Sources subject to existing Categorical Pretreatment Standards shall submit a report to Englewood within ninety (90) days from the date of first discharge to the POTW demonstrating actual and continuing compliance with those standards.
- b. Existing Sources. All Existing Sources required to comply with newly promulgated Categorical Pretreatment Standards shall submit a report to Englewood within ninety (90) days of the date on which compliance is required with those standards demonstrating that actual and continuing compliance with such standards has been achieved.
- c. Such 90-day Compliance Report shall contain at a minimum the information required in 13-2-20(d)(5) paragraphs g., l., m., and n.

(4) *24-Hour Notice and 30-Day Re-sampling.* If sampling performed by a User indicates a violation of this Article, the User shall notify Englewood within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to Englewood within thirty (30) days after becoming aware of the violations. For the purposes of this Article "becoming aware" shall be defined as the shortest reasonable time to determine compliance status not to exceed five (5) days after receipt of sampling data. The User is not required to re-sample if the following occurs:

- a. Englewood performs sampling at the User's facility at a frequency of at least once per month.
- b. Englewood performs sampling at the User's facility between the time when the User performs its initial sampling and the time when the User receives the results of this sampling. It is the sole responsibility of the User to verify if Englewood has performed this sampling.

(5) *Reports for Non-Significant Industrial Users.* Should the City deem it necessary to assure compliance with provisions of this Article, any

User of the POTW may be required to submit an Industrial Wastewater Permit Application, Industrial Waste Survey, or questionnaire to the City. Any User subject to this reporting requirement shall submit a completed report no later than thirty (30) days after receipt of the notification and appropriate forms.

(6) *Signatory Certification.*

- a. All reports and other submittals required to be submitted to Englewood by a Significant Industrial User, including permit applications, shall include the following certification statement signed by an authorized representative.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or the persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations."

- b. Periodic compliance reports submitted by Significant Industrial Users issued a non-discharging Industrial Wastewater Permit shall also include the following certification statement signed by an authorized representative: "I certify under penalty of law that (Permittee Name) has not discharged any regulated wastewater to the L/E WWTP during this reporting period" (if applicable).
- c. A facility determined to be a Non-Significant Categorical Industrial User must annually submit the following certification statement signed by an authorized representative: "Based on my inquiry of the person or persons directly responsible for managing compliance with the Categorical Pretreatment Standards under 40 CFR _____ [specify applicable National Pretreatment Standard part(s)]. I certify that, to the best of my knowledge and belief that during the period from _____, to _____ [month, days, year]:
 1. The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in 40 CFR 403.3(v)(2);

2. The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and
 3. The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period. The compliance certification is based upon the following information: _____.
- d. Significant Industrial Users that have an approved monitoring waiver based on Section E(1)(e) of this Article must submit on each compliance report with the following certification statement signed by an authorized representative that there has been no increase in the pollutant in its wastestream due to activities of the User: "Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)]. I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic compliance report.
 - e. If the authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization meeting the definition of an authorized representative in Subsection 13-2-10 must be submitted to Englewood and the City prior to or together with any reports to be signed by an authorized representative.
 - f. Industrial Waste Surveys or questionnaires required to be submitted to Englewood by an Industrial User shall include the following statement and signatory requirements. The representative signing any Industrial Waste Survey or questionnaire must sign the following certification statement:

"I have personally examined and am familiar with the information submitted in this document and attachments. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein. I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information." Industrial Waste Surveys or questionnaires shall be submitted to the City of Englewood, in electronic or hard copy format, within thirty (30) days of receipt.

(7) *Compliance Schedules.* Should any schedule of compliance be established in accordance with the requirements of this Article, the following conditions shall apply to such schedule:

- a. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Categorical Pretreatment Standards (e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, etc.);
- b. No increment referred to above shall exceed nine (9) months;
- c. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the User shall submit a progress report to Englewood including, at a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for delay, and the steps being taken by the User to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the manager.

(8) *Change in Discharge or Operations.* Every Significant Industrial User shall file a notification to Englewood a minimum of fourteen (14) days prior to any planned significant change in operations or wastewater characteristics. A significant change shall be a change equal to or greater than twenty (20) percent in the mass of a pollutant or volume of flow discharged to the POTW. In addition, this notification shall include changes to:

- a. Adding or removing processing, manufacturing or other production operations.
- b. New substances used which may be discharged.
- c. Changes in the listed or characteristic hazardous waste for which the User has submitted or is required to submit information to Englewood under this Article and 40 CFR Part 403.12(p) as amended.

(9) Spill Prevention and Control Plans.

- a. Each User shall provide protection from accidental discharges and slug loads of pollutants regulated under this Article. Facilities to prevent the discharge of spills or slug loads shall be provided and maintained at the User's expense.
- b. Englewood shall evaluate whether each Significant Industrial User needs a Spill Prevention and Control Plan or other action to control spills and Slug Discharges as defined in 13-2-20(d). The City may require a User to develop, submit for approval, and implement a Spill Prevention and Control Plan or take such other action that may be necessary to control spills and Slug Discharges.
- c. A Spill Prevention and Control plan shall address, at a minimum, the following:
 - 1. Detailed plans (schematics) showing facility layout and plumbing representative of operating procedures;
 - 2. Description of contents and volumes of any process tanks;
 - 3. Description of discharge practices, including non-routine batch discharges;
 - 4. Listing of stored chemicals, including location and volumes;
 - 5. Procedures for immediately notifying Englewood of any spill or Slug Discharge. It is the responsibility of the User to comply with the reporting requirements in 13-2-20(e)(10);
 - 6. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response; and
 - 7. Any other information as required by Englewood.
- d. Notice to employees. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of an accidental or Slug

Discharge. Employers shall ensure that all employees who work in any area where an accidental or Slug Discharge may occur or originate are advised to the emergency notification procedures.

(10) *Reports of Potential Problems.*

- a. In the case of any discharge, including, but not limited to, spills, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, a Slug Discharge or a discharge that may cause potential problems for the POTW, the User shall immediately telephone and notify Englewood and the City of the incident. This notification shall include:
 1. Name of the facility;
 2. Location of the facility;
 3. Name of the caller;
 4. Date and time of discharge;
 5. Date and time discharge was halted;
 6. Location of the discharge;
 7. Estimated volume of discharge;
 8. Estimated concentration of pollutants in discharge;
 9. Corrective actions taken to halt the discharge;
 10. Method of disposal if applicable.
- b. Within five (5) working days following such discharge, the User shall, unless waived by the manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Article.

(11) *Notification of the Discharge of Hazardous Waste.*

- a. Any User shall notify Englewood, the City, the EPA Regional Waste Management Division director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be hazardous waste under 40 CFR Part 261. Such notification to the City shall be made within the appropriate time frames specified in Subsection 13-2-20(e)(10)(a). Notification to the State and EPA is the responsibility of the User and shall be made as required under 40 CFR Part 403.12(p). The User shall copy Englewood and the City on all notifications made to the State and EPA.

Such notification must include:

1. The name of the hazardous waste as set forth 40 CFR Part 261;
 2. The EPA hazardous waste number;
 3. The type of discharge (continuous, batch, or other);
 4. An identification of the hazardous constituents contained in the wastes;
 5. An estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month;
 6. An estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months;
 7. Certification that the User has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical; and
 8. Signatory certification as required by Subsection 13-2-20(e)(6)(a).
- b. In the case of any new regulation under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as hazardous waste, the User must notify Englewood, the City, the EPA Regional City Waste Management Waste Division director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

- c. This provision does not create a right to discharge any substance not otherwise allowed to be discharged by this Article, a permit issued hereunder, or any applicable Federal or State law.

(12) *Date of Receipt of Reports.* Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of the receipt of the report shall govern.

(f) *Inspection and Records:*

(1) *Records and Monitoring.* Users subject to the reporting requirements of this Article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Article, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the sample; the dates analyses were performed; who performed the analyses; and analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or Englewood or the City, or where the User has been specifically notified of a longer retention period by Englewood or the City or when requested by the EPA.

(2) *Admission to Property and Access to Information.*

- a. Whenever it shall be necessary for the purposes of this Article, the City may enter upon any User's facility, property or premises subject to this Article that is located or conducted or where records are required to be kept for the purposes of:
 - 1. Performing all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by industrial or other Users, compliance or non-compliance with applicable Pretreatment Standards and Requirements by a User. Compliance monitoring and inspection shall be conducted at a frequency as determined by the City and may be announced or unannounced. Photo documentation or electronic recording devices may be used by the City during inspection, surveillance and monitoring procedures;

2. Examining and copying any records required to be kept under the provisions of this Article or of any other local, State or Federal regulation;
 3. Inspecting any monitoring equipment or method, pretreatment system equipment and/or operation;
 4. Sampling any discharge of wastewater into POTW; and/or
 5. Inspecting any production, manufacturing, fabricating or storage area where pollutants, regulated under this Article, could originate, be stored, or be discharged to the POTW.
- b. The occupant of such property or premises shall render all proper assistance in such activities.
- c. Failure to allow entry: In the event the City or other duly authorized representative of the City is refused admission for any purpose, the City may cause water and/or wastewater service to the premises in question to be discontinued and other enforcement actions undertaken as allowed for under this Article.

(g) Sample Collection and Analytical Methods:

- (1) Sample Collection. Compliance determinations with respect to prohibitions and limitations in this Article may be made on the basis of either grab or composite samples of wastewater as specified by Englewood. Such samples shall be taken at a point or points which Englewood determines to be suitable for obtaining a representative sample of the discharge. Composite samples may be taken over a twenty-four (24) hour period, or over a longer or shorter time span, as determined by Englewood to meet specific circumstances.
- (2) Sample Type. Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, and based on data that is representative of conditions occurring during the reporting period.
 - a. Except as indicated in 13-2-20(g)(b) and (c), the User must collect representative wastewater samples using twenty-four (24) hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is required by Englewood. Where time-proportional composite sampling or grab sampling is authorized by Englewood, the samples must be representative of the permitted discharge.

- b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a twenty-four (24) hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composited samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by Englewood, as appropriate. In addition, grab samples may be required to show compliance with instantaneous local limits, including pH.
 - c. For sampling required in support of baseline monitoring and ninety (90) day compliance reports required in 13-2-20(e)(2) and (3), a minimum of four (4) grab samples must be used for pH, total phenols, oil and grease, sulfides, and volatile organic compounds for facilities for which historical representative sampling data do not exist. Where historical data are available, the City may authorize a lower minimum. For the reports required by 13-2-20(e)(1), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.
- (3) *Analytical Requirements.* All pollutant analysis, including sampling techniques, to be submitted as part of an industrial wastewater permit application, report, permit or other analyses required under this Article shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by Englewood or other parties approved by the EPA.

(h) Industrial User Permits (Non-Significant Industrial Users):

- (1) The City may issue a Wastewater Control Permit to any Industrial User, who is not otherwise considered a Significant Industrial User, and who is discharging or proposes to discharge wastewater containing substances regulated under Subsection 13-2-20(b). The terms of the Wastewater Control Permit shall be in accordance with this Article.
- (2) The Wastewater Control Permit may contain, as conditions for discharging, requirements for treatment, wastewater discharge limitations and prohibitions, BMPs, monitoring, sampling and analysis requirements, reporting and recordkeeping requirements, conditions for accessible inspections and other conditions as required in Section 13-2-20 to ensure compliance with this Article.

(i) Sector Control Programs:

(1) General Requirements.

- a. Authority. Englewood will establish specific Sector Control Programs for Industrial Users to control specific pollutants as necessary to meet the objectives of this Article. Pollutants subject to these Sector Control Programs shall be controlled using Best Management Practices (BMPs) or by permits as determined by Englewood, which shall establish policies for each sector control program. Englewood may delegate through agreement specific sector control responsibilities to municipalities or sanitation districts that contribute wastewater to the South Platte Renew Wastewater Treatment Plant.
- b. Facility Identification and Compliance. Englewood shall establish an Industrial User Identification and Characterization Program through which Users shall be identified for inclusion into applicable Sector Control Programs. Once identified and included into one (1) or more Sector Control Programs, the facility shall be required to comply with each applicable program policy.
- c. Notification to Englewood by the User and Management Review. Englewood shall review new construction and existing facilities undergoing any physical change, change in ownership, change in operations, or other change that could change the nature, properties, or volume of wastewater discharge, to ensure that current Sector Control Program policies are incorporated and implemented.

The User shall inform Englewood and the City prior to:

1. Sale or transfer of ownership of the business; or
2. Change in the trade name under which the business is operated; or
3. Change in the nature of the services provided that affect the potential to discharge Sector Control Program pollutants; or
4. Remodeling of the facility that may result in an increase in flow or pollutant loading or that otherwise requires the facility to submit plans or specifications for approval through a building or zoning department, or any other formal approval process of a city, county, or other jurisdiction.

d. *Inspections.*

1. The City may conduct inspections of any facility with or without notice for the purpose of determining applicability and/or compliance with Sector Control Program requirements.
2. If any inspection reveals non-compliance with any provision of a Sector Control Program policy requirement, corrective action shall be required pursuant to the applicable sector control program policy.
3. Inspection results will be provided in writing or electronically submitted to the facility.

e. *Closure.* The City may require closure of plumbing, treatment devices, storage components, containments, or other such physical structures that are no longer required for their intended purpose. Closure may include the removal of equipment, the filling in of a void and/or cementing, capping, plugging, etc. Closure requirements shall be described for each Sector Control Program in a respective Policy.

f. *Variance.* A variance as to the requirements of any sector control program for existing facilities may be granted by the City for good cause. The facility has the burden of proof of demonstrating through data and other information why a variance should be granted. In no case shall a variance result in violation of any requirement or effluent limit specified in this Article. The granting of any variance shall be at the sole discretion of Englewood. The

Water and Sewer Board shall have authority to review a decision to deny the approval of a variance made by Englewood.

If a variance is granted, the facility shall institute Best Management Practices and other mitigation measures to achieve compliance with this Article as determined by Englewood.

g. *Enforcement and Compliance.*

1. These requirements form a part of this Article. Enforcement of this regulation is governed by the express terms herein and the enforcement provisions of Subsections 13-2-20(j)(3) and (4) of this Article.
2. The City has the right to reject acceptance of any waste which may be harmful to or cause obstruction of the wastewater collection system, or which may cause or contribute to interference or pass-through or violate any local limits adopted by the City.
3. Facility owners and lessees regulated under this Section shall be jointly and severally responsible for complying with the requirements and standards established by these requirements.
4. Any extraordinary costs incurred by the POTW, the City or Englewood, due to interference, damage, pass-through, or maintenance necessary in the treatment and/or collection system shall be paid by the User to the POTW, the City or Englewood respectively. The direct costs of all labor, equipment and materials incurred in rectifying the interference or damage, including reasonable attorney's fees, shall be billed directly to the owner or the User by the POTW, the City or Englewood, and such costs shall become part of the total charges due and owing to the POTW, the City or Englewood and shall constitute a lien on the User until paid in full.

(2) *Program Descriptions.*

- a. *FOG (Fats, Oils, and Grease) Program Requirements.* Users are subject to the FOG Requirements Established by the City of Englewood, found at Section 12-2-50(l)(2)(a) of the Englewood Code, as amended from time to time.
- b. *POGS (Petroleum Oil, Grease, and Sand) Program Requirements.* Users are subject to the PGS Requirements

Established by the City of Englewood, found at Section 12-2-50(l)(2)(b) of the Englewood Code, as amended from time to time.

- c. *Trucked and Hauled Septage*. Users are subject to the Trucked and Hauled Septage Requirements Established by the City of Englewood, found at Section 12-2-50(l)(2)(c) of the Englewood Code, as amended from time to time.

(j) *Compliance and Enforcement:*

- (1) Enforcement Response Plan. The City may adopt policies and procedures as set forth in the City's Enforcement Response Plan for carrying out the provisions of this Article, provided that such policies and procedures are not in conflict with this Article or any applicable State or Federal law or regulation.
- (2) Publication of Users In Significant Non-Compliance. The City shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Significant Industrial Users which, at any time during the previous twelve (12) months, were in Significant Non-Compliance (13-2-20(d) with applicable Pretreatment Standards and Requirements. In addition, any User found to be in significant non-compliance with 13-2-20(d), Significant Non-Compliance, paragraphs (c), (d), or (h) shall also be published in the newspaper.
- (3) Administrative Enforcement Actions.
 - a. Verbal Notification. When the City finds a User has committed a minor isolated violation of a Sector Control Program, the City may notify the User informally through a phone call or in person. Verbal notifications related to enforcement or the investigation of suspected violations are documented in writing and placed in the respective Industrial User file.
 - b. Warning Letter. When the City finds a User has committed a minor isolated violation of any provision of this Article or an Industrial Wastewater Permit, the City may serve upon the User a written warning letter. Warning letters may be issued as follow-up correspondence to verbal notifications or in lieu of verbal notifications.
 - c. Notice of Non-Compliance. When the City finds a User has violated requirements of a Sector Control Program, the City may serve upon the User a written notice of non-compliance

containing corrective actions and a schedule for completing the corrective action in accordance with the Sector Control Program Policy.

- d. Notice of Violation (NOV). When the City finds that a User has violated, or continues to violate, any provision of this Article, an Industrial Wastewater Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may serve upon the User a written notice of violation. Notice of Violations may include conditions and requirements to address the violation including an explanation of the violation and a plan for the satisfactory correction or prevention thereof. Within a time frame established by the City, a written plan to include specific required actions, shall be submitted by the User to the City. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this Section shall limit the authority of the City to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.
- e. Administrative Compliance Order. When the City finds that a User has violated, or continues to violate, any provision of this Article, an Industrial Wastewater Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may issue an order to the User responsible for the discharge directing that the User come into compliance within a specific time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain administrative fines and/or other requirements to address the non-compliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.
- f. Consent Orders. The City may enter into consent orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for non-compliance. Such documents shall include specific actions to be

taken by the User to correct the non-compliance within a time period specified by the document. A consent order may include penalties, supplemental environmental projects, or other conditions and requirements as agreed to by the City and the User.

g. Show Cause Hearing.

1. The City may order a User which has violated, or continues to violate, any provision of this Article, an industrial wastewater permit, an order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Water and Sewer Board and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any authorized representative of the User as defined in 13-2-10(d). A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.
2. The Englewood Water and Sewer Board may conduct the hearing and take the evidence, or may designate a representative to:
 - (a) Issue in the name of the Water and Sewer Board notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any such hearings;
 - (b) Take the evidence;
 - (c) Transmit a report of the evidence and hearing to the Water and Sewer Board, including transcripts and other evidence, together with recommendations for action thereon.
3. At any public hearing, testimony taken before the hearing authority or any person designated by it, shall be under oath and recorded stenographically. The transcript so recorded will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

4. Upon review of the evidence by the Water and Sewer Board, the Board shall make written findings of fact and conclusion upholding, modifying or striking the proposed enforcement action.

h. Administrative Fines.

1. When the City finds that a User has violated, or continues to violate, any provision of this Article, an Industrial Wastewater Permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may fine such User in an amount not to exceed five thousand dollars (\$5,000.00) per day, per violation. Such fines shall be assessed on a per violation, per day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
2. In determining the amount of administrative fine, the City shall take into account all relevant circumstances, including but not limited to, the impact or threat to the POTW, worker and public health, or the environment as a result of the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, compliance history and good faith actions by the User, and any other factor as justice requires.
3. The City may seek compliance history from other local, State, or Federal sources as it relates to the provisions of this Article.
4. The City preserves all rights under applicable law to file a claim in a Court of competent jurisdiction to recover liabilities in excess of the Administrative Fine threshold.
5. A lien against the User's property shall be sought for unpaid charges, fines, and penalties.
6. Users desiring to appeal such fines must file a written request for the City to reconsider the fine along with full payment of the fine amount within fifteen (15) days of being notified of the fine. Such notice or appeal shall set forth the nature of the order or determination being appealed, the date of such order or determination, the reason for the appeal, and request a hearing pursuant to procedures outlined in Subsection 13-2-20(j)(3)(g).

7. Issuance of an administrative fine shall not be a bar against, or prerequisite for, taking any other action against the User.

(4) Judicial Enforcement Remedies.

- a. Injunctive Relief. When the City finds that a User has violated, or continues to violate, any provision of this Article, an industrial wastewater permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the City may petition the Cherry Hills Village Municipal Court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the industrial wastewater permit, order, or other requirement imposed by this Article on activities of the User. The City may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.
- b. Civil Penalties.
 1. A User who has violated, or continues to violate, any provision of this Article, an industrial wastewater permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to the City for a maximum civil penalty not to exceed five thousand dollars (\$5,000.00) per day, per violation. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of violation.
 2. The City may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
 3. In determining the amount of civil liability, the court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
 4. Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

- c. Criminal Prosecution. A User who willfully or negligently violates any provision of this Article or willfully, negligently introduces any substance into the POTW which causes personal injury or property damage or knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed or required to be maintained an industrial wastewater permit or order issued hereunder, or any other Pretreatment Standard or Requirement, shall upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed five thousand dollars (\$5,000.00) per day per violation and be subject to imprisonment for not more than one (1) year, or both.
- d. Remedies Non-Exclusive. The remedies provided for in this Article are not exclusive of any other remedies that the City may have under the provisions of Federal and State law. The City may take any, all, or any combination of these actions against a non-compliant User. Enforcement of pretreatment violations will generally be in accordance with the Enforcement Response Plan. However, the City may take other action against any User when the circumstances warrant and may take more than one (1) enforcement action against any non-compliant User.

(5) Supplemental Enforcement Actions.

- a. Performance Bonds. The City may decline to issue or reissue an industrial wastewater permit to any User who has failed to comply with any provision of this Article, a previous industrial wastewater permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to the City, in a sum not to exceed a value determined by the City to be necessary to assure consistent compliance.
- b. Liability Insurance. The City may decline to issue or reissue an industrial wastewater permit to any User who has failed to comply with any provision of the permit or order issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.
- c. Payment of Outstanding Fees and Penalties. The City may decline to issue or reissue an industrial wastewater permit to any User who has failed to pay any outstanding fees, fines or

penalties incurred as a result of any provision of this Article, a previous industrial wastewater permit, or order issued hereunder.

- d. **Public Nuisances.** A violation of any provision of this Article, an industrial wastewater permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the City. Any person(s) creating a public nuisance shall be subject to the provisions of the City Municipal Code governing such nuisances, including reimbursing the City for any costs incurred in removing, abating, or remedying said nuisance.
- e. **Contractor Listing.** Users which have not achieved compliance with applicable Pretreatment Standards and Requirements are not eligible to receive a contractual award for the sale of goods or services to the City. Existing contracts for the sale of goods or services to the City held by a User found to be in Significant Non-Compliance with Pretreatment Standards or Requirements may be terminated at the discretion of the City.

(6) Affirmative Defenses to Discharge Violations.

a. **Upset.**

- 1. For the purposes of this Section, upset means an exceptional incident in which there is unintentional and temporary non-compliance with Categorical Pretreatment Standards because of factors beyond the reasonable control of the User. An upset does not include non-compliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- 2. An upset shall constitute an affirmative defense to an action brought for non-compliance with Categorical Pretreatment Standards if the requirements of paragraph (3) below, are met.
- 3. A User who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (a) An upset occurred and the User can identify the cause(s) of the upset;

- (b) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - (c) The User has submitted the following information to the City and Englewood within twenty-four (24) hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five (5) days);
 - (i) A description of the indirect discharge and cause of non-compliance;
 - (ii) The period of non-compliance, including exact dates and times or, if not corrected, the anticipated time the non-compliance is expected to continue; and
 - (iii) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the non-compliance.
- 4. In any enforcement proceeding, the User seeking to establish the occurrence of an upset shall have burden of proof.
- 5. Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for non-compliance with Categorical Pretreatment Standards.
- 6. Users shall control production or all discharges to the extent necessary to maintain compliance with Categorical Pretreatment Standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of treatment facility is reduced, lost or fails.
- b. Prohibited Discharge Standards. A User shall have an affirmative defense to an enforcement action brought against it for non-compliance with the general and specific prohibitions in 13-2-20(b)(1) if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause interference or pass-through and that either:
 - 1. A local limit exists for each pollutant discharged and the User was in compliance with each limit directly prior to, and during, the interference or pass-through; or

2. No local limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when the City was regularly in compliance with its CDPS permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements; or
3. The User disclosed the pollutants causing the violation in the wastewater permit application.

c. Bypass.

1. For the purposes of this Section, Bypass means the intentional diversion of wastestreams from any portion of a User's treatment facility. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
2. A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (3) and (4).
3. Bypass Notifications.
 - (a) If a User knows in advance of the need for a bypass, it shall submit prior notice to the City, at least ten (10) days before the date of the bypass, if possible.
 - (b) A User shall submit oral notice to the City and Englewood of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The City or

Englewood may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

4. Bypass is prohibited, and the City may take an enforcement action against a User for a bypass, unless:
 - (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (c) The User submitted notices as required under paragraph (3).
5. The City may approve an anticipated bypass, after considering its adverse effects, if the City determines that it will meet the three conditions listed in paragraph (4).

(k) Recovery of Costs:

- (1) It is the purpose of this section to provide for the recovery of costs from Users of the City's wastewater disposal system for the implementation of the program established herein. These fees relate solely to the matters covered by these Industrial Pretreatment Program Regulations and are separate from all other fees chargeable by the City.
- (2) The City may adopt charges and fees that may include:
 - a. Fees for reimbursement of costs of setting up and operating the POTW's pretreatment program;\
 - b. Fees for Industrial User identification, monitoring, inspections and surveillance procedures;
 - c. Fees for reviewing spill prevention and control procedures and construction;
 - d. Fees for permit issuance, including public notice costs;

- e. Fees for filing appeals;
 - f. Fees for consistent removal of pollutants otherwise subject to Federal Pretreatment Standards;
 - g. Fees for the cost of publication in the newspaper for annual Significant Non-Compliance notifications; and
 - h. Other fees as the City may deem necessary, including pass-through fees charged to the City by the POTW or any third-party, to carry out the requirements contained herein.
- (3) Civil Fine Pass-Through. In the event that a User discharges such pollutants which cause the City, the POTW, or Englewood to violate any condition of a CDPS permit and the City, the POTW, or Englewood is fined by the EPA or the State for such violation, then such User shall be fully liable for the total amount of the fine assessed against the City, the POTW, or Englewood by EPA and/or the State.
- (4) Industrial Surcharge Cost Recovery. Industries that are permitted as Significant Industrial Users or have been issued a Wastewater Control Permit and discharge wastewater with BOD, COD and/or TSS in excess of Normal Domestic Strength Wastewater (Section 13-2-10(d)) will be charged for the cost of handling and treatment of these wastes as specified in Section 13-2-20(d)(2). The use of surcharges does not permit the User to otherwise exceed any prohibitions, Local Limits, or BMPs specified at Subsections 13-2-20(b) and (i), or any Federal and State Pretreatment Standards or Requirements.

Section 13-2-30. Enforcement and Penalties.

- (a) Legal Action Authorized. If any User discharges into the POTW contrary to the provisions of this Article, or any order of the City, the POTW, or Englewood, then the City may commence or authorize the commencement of an action for appropriate legal and equitable relief, including a petition in a court of competent jurisdiction for a temporary restraining order, preliminary and permanent injunction against the violation.
- (b) Termination of Service. The City, the POTW, or Englewood may terminate or cause to be terminated wastewater treatment service to any User for a violation of any provisions herein.

- (c) **Appeal Procedure and Order.** Any permit applicant, permit holder, or other User affected by any decision, action, or determination, including cease and desist orders, made by the City, the POTW, or Englewood, other than any judicial action filed or under litigation in any court, including the Cherry Hills Village Municipal Court, or any permit issued hereunder, may file with the City a written request for reconsideration and a stay of the decision within ten (10) days of such decision, action, or determination, setting forth in detail the facts supporting the request, whereupon a hearing shall be held. The request for reconsideration shall be acted upon by the City within ten (10) days from the date of filing. The decision, action or determination may be stayed during such period of review by the City Manager or designee.

If the decision of the City Manager or designee is unsatisfactory to the person appealing, they may file a written appeal to the Englewood Water and Sewer Board within ten (10) days after receipt of the decision. The Englewood Water and Sewer Board may hear the appeal and shall make a final ruling on the appeal within thirty five (35) days of receipt of the User's written appeal. The decision, action or determination of the City Manager or designee may be stayed during such period of review by the Englewood Water and Sewer Board. After the Englewood Water and Sewer Board has reviewed the evidence, it may issue an order to cease and desist to the User responsible for the discharge directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued. The decision of the Englewood Water and Sewer Board shall be binding on all entities and the User until and unless ruled otherwise by an appropriate court.

Section 2. Safety Clause. The City Council of the City of Cherry Hills Village deems this Ordinance to be necessary for the public health, safety and welfare.

Section 3. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this Ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion be declared invalid.

Section 4. Effective Date. This Ordinance shall become effective ten (10) days after publication after second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. _____, Series 2026, by the City Council of the City of Cherry Hills Village, Colorado this _____ day of _____, 2026.

(SEAL)

Kathleen Brown, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Gillespie, City Clerk

Kathie B. Guckenberger, City Attorney

Published in *The Villager*

Published: _____

Legal #: _____

RETURN TO:

City Attorney
1000 Englewood Parkway
Englewood, CO 80110

Reception #: D4115912, 12/10/2014 at
03:17:13 PM, 1 OF 10, ORD, Rec Fee
\$56.00
Arapahoe County CO Matt Crane, Clerk &
Recorder

9 b iii

BY AUTHORITY

ORDINANCE NO. 66
SERIES OF 2014

COUNCIL BILL NO. 67
INTRODUCED BY COUNCIL
MEMBER OLSON

AN ORDINANCE APPROVING A NEW CONNECTOR'S AGREEMENT BETWEEN
THE CITY OF CHERRY HILLS VILLAGE AND THE CITY OF ENGLEWOOD,
COLORADO.

WHEREAS, the Englewood City Council approved the original Connector's Agreement
between the City of Cherry Hills Village on September 30, 1993; and

WHEREAS, the City and Englewood amended the Connector's Agreement on
November 15, 1995 (the "1995 Modification") to enlarge the service area under the
Connector's Agreement to include the entire geographic area of the City of Cherry Hills
Village as the same now exists or may be amended from time to time, and as such service
area is more particularly described and set forth in the 1995 Modification; and

WHEREAS, the Connector's Agreement, as modified by the 1995 Modification, is set to
expire on September 30, 2014; and

WHEREAS, the Englewood Water and Sewer Board recommended City Council's
approval of this Agreement at the May 13, 1997 meeting of the Board; and

WHEREAS, the City will continue to receive and treat sewage gathered by the City of
Cherry Hills Village; and

WHEREAS, the Connector's Agreement enables the City of Cherry Hills Village to
utilize the facilities owned by the City and the Bi-City Wastewater Treatment Plant for the
treatment of sewage; and

WHEREAS, the City of Englewood Utilities Department will bill the City of Cherry
Hills Village users directly for service charges; and

WHEREAS, the Connector's Agreement provides that the City's permitting
requirements will be followed by the City of Cherry Hills Village and its users; and

WHEREAS, the Connector's Agreement provides that no permit shall be final or service
provided until construction is approved by the City of Englewood; and

WHEREAS, the term of the Connector's Agreement is for a three year period and is
automatically renewed for six subsequent three year periods unless either party gives a
minimum of six months written notice;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The Connector's Agreement between City of Cherry Hills Village and the City of Englewood which enables the City of Cherry Hills Village to utilize the facilities owned by the City and the Bi-City Wastewater Treatment Plant for the treatment of sewage; is hereby approved for a three year period and is automatically renewed for six subsequent three year periods unless either party gives a minimum of six months written notice, a copy of said Agreement is attached hereto as Exhibit 1.

Section 2. The Mayor and City Clerk are hereby authorized to sign and attest, respectively, the said Agreement for and on behalf of the City Council and the City of Englewood, Colorado.

Introduced, read in full, and passed on first reading on the 3rd day of November, 2014.

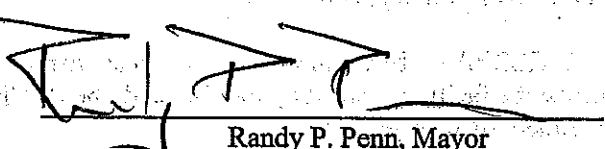
Published by Title as a Bill for an Ordinance in the City's official newspaper on the 7th day of November, 2014.

Published as a Bill for an Ordinance on the City's official website beginning on the 5th day of November, 2014 for thirty (30) days.

Read by title and passed on final reading on the 17 day of November, 2014.

Published by title in the City's official newspaper as Ordinance No. 66, Series of 2014, on the 21st day of November, 2014.

Published by title on the City's official website beginning on the 19th day of November, 2014 for thirty (30) days.


Randy P. Penn, Mayor

ATTEST:


Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by title as Ordinance No. 66, Series of 2014.


Loucrishia A. Ellis

4/19/2012
Revision

WASTEWATER
CONNECTOR'S AGREEMENT
For CITY OF CHERRY HILLS

Sewer Contract No. _____

THIS AGREEMENT, made and entered into this 17th day of NOVEMBER, 2014 to be effective as of NOVEMBER 19, 2014; by and between the CITY OF ENGLEWOOD, COLORADO, a municipal corporation, hereinafter referred to as "City," acting by and through its duly elected, qualified and authorized Mayor and City Clerk, and the CITY OF CHERRY HILLS, a municipal corporation and subdivision of the State of Colorado, hereinafter called "Cherry Hills," acting by and through its authorized Representative.

WITNESSETH

WHEREAS, the City owns and operates a sewage system, including a sewage treatment plant which is jointly owned and operated with the City of Littleton, so situated physically as to be able to receive and treat the sewage from a designated area served by Cherry Hills and gathered by the Cherry Hills' sanitary-sewage system; and

WHEREAS, it is the desire of Cherry Hills to utilize the facilities owned by the City for the treatment of sewage and the City is willing to serve Cherry Hills for treatment of sewage under certain conditions;

NOW, THEREFORE, IN CONSIDERATION of the promises and for other good and valuable consideration hereinafter set forth, it is mutually agreed by the parties as follows:

1. The City hereby agrees under the conditions hereinafter set forth, to treat the sewage originating from the Cherry Hills' sanitary sewer system within the area served by Cherry Hills as approved by the City and as indicated in the description attached hereto, incorporated herein and marked as "Exhibit A."

Cherry Hills specifically agrees to prevent sewage from any area other than that described herein, from being discharged into Cherry Hills' sanitary sewage system connected to the City's trunk line and to prevent connections to the system from or in any area other than those described herein.

2. In the operation of the Cherry Hills sanitary sewer system, Cherry Hills agrees that all applicable Code provisions and rules and regulations of the City, including amendments thereto during the term of the contract, shall be the minimum standards for the Cherry Hills' system. Cherry Hills further agrees to abide by all applicable state and federal laws, rules, regulations, or permits, including those of the Environmental Protection Agency (the EPA) as they become effective or implemented or upon notice from the City. Cherry Hills shall inform all users, contractors and subcontractors of such standards, rules and regulations upon inquiry from such persons, and shall not furnish any information inconsistent therewith. In this regard, it shall be the responsibility of Cherry Hills to obtain the applicable requirements from the appropriate governing body.

The City shall attempt to maintain and provide information on all requirements to Cherry Hills; however, the City does not guarantee the accuracy or completeness of government regulations other than the City's own regulations.

3. Regarding the provision of sewer service, the City's permitting requirements shall be followed by Cherry Hills and its users. All sewer plans, specifications and methods of work within Cherry Hills shall be submitted to the City in writing and approved by the City prior to any construction or tap in Cherry Hills' designated area. No permit shall be final and no service shall be provided to property until construction is approved, in writing by the City.
4. Cherry Hills shall be responsible for the proper maintenance of its sewer system and shall rectify any problems or conditions which have been determined by Cherry Hills or the City to be detrimental to the City's treatment process or system. Should the City determine that any discharge enters the sewer system contrary to applicable laws, ordinances, statutes, rules, regulations or permits; Cherry Hills agrees to proceed at once to take whatever lawful means may be necessary to rectify any such problem or condition.
5. The City shall have the right to allocate service under this Contract, and the City may deny additional service for any utility-related reason, but in no event will the City terminate or refuse any service without cause. The City shall have the right to disconnect service to any area annexed to Cherry Hills when such annexation takes place without prior written City approval.

Within one year of this agreement, Cherry Hills shall provide the City with an estimate of the number of equivalent service taps needed for the next five (5) years under current zoning and planned build out in the Cherry Hills area as shown on Exhibit A. Cherry Hills shall continue to monitor zoning changes within its area to estimate its tap requirements and provide the City with notice of tap requirement for the next five (5) year period which time shall be given to the City on each anniversary date of this Agreement in a form satisfactory to the City.

6. The City may impose and collect reasonable fees, tolls and charges, which shall be uniform as to all outside-City users for the services provided by the City under this Connector's Agreement.

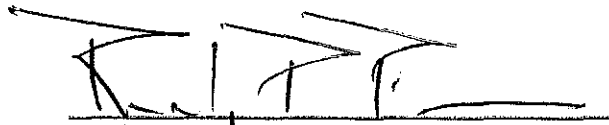
The City shall bill Cherry Hills' users directly for all applicable City charges for services rendered under this Agreement. Should any user not pay the City, the City shall bill Cherry Hills and Cherry Hills shall pay the amount due to City within forty-five (45) days of such billing. These charges are subject to adjustment by the City from time to time. When such adjustment to these charges are made, the City shall give Cherry Hills forty-five (45) days advance written notice.

The City may bill and collect "District Charges" imposed by Cherry Hills as an additional item to be billed and collected by the City along with the City's Treatment charge and other fees. The "District Charges" received by the City shall be remitted by the City to Cherry Hills annually; less an amount equal to the City and Cherry Hills charges which remain delinquent. Cherry Hills shall notify the City of any changes in the Cherry Hills charges to be imposed and the remittance schedule before May 1st of each year.

7. Subject to the terms of the Taxpayer's Bill of Rights (TABOR), the term of this Agreement is for a period of three (3) years from the date of execution and automatically renewed for six (6) subsequent three (3) year periods unless either party gives a minimum of six (6) months written notice, during which time Cherry Hills agrees that all effluent produced from taps within Cherry Hills shall not be in violation of any federal, state or City laws, rules or regulations, or any other applicable governmental regulations or the permits under which the City operates its sewage treatment system. The City agrees, during the term hereof, to treat said effluent and to maintain adequate facilities for treating the same.
8. Cherry Hills agrees that it will maintain, at its own expense, all lines now owned and operated by Cherry Hills, it being specifically agreed that the City assumes no responsibility should any of Cherry Hills' lines become clogged, damaged, or require maintenance. Cherry Hills shall, if it deems necessary, notify its users of Cherry Hills' procedure to remedy service disruption.
9. The City is providing only sewage treatment service and, pursuant thereto; any permits incidental to the use of the City's sewage lines shall be governed only by this individual Contract with Cherry Hills and the City does not, by this Contract, offer treatment service except in strict accordance with the terms hereof. This Contract does not offer, and shall not be construed as offering, sewage treatment service to the public generally or to any area outside the limits of Cherry Hills' service area described in Exhibit A.
10. This Contract may not be assigned, sold or transferred by Cherry Hills without the City's written consent.
11. Should any federal law, rule, permit or regulation or should a decree or order of a court render void or unenforceable any provision of this Contract, in whole or in part, the remainder shall remain in full force and effect.
12. Cherry Hills shall enforce this Agreement and each of its terms and conditions within the area described in "Exhibit A." Cherry Hills shall refuse to serve a user or potential user; disconnect the service of any user pursuant to appropriate law; or take other appropriate action in the event of:
 - a. Nonpayment of such user of any charge made by the City for services;
 - b. Any violation or noncompliance by such user with the terms of this Agreement;
 - c. Any violation or noncompliance by such user with the applicable laws, rules, permits or regulations of the City, the United States government, including the EPA, the State of Colorado, the Department of Health, or other law, rule, permit or applicable regulation.

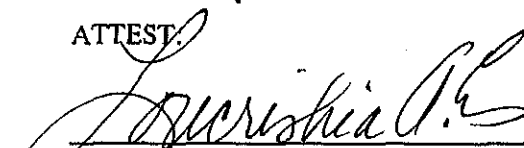
13. Continued breach of this Agreement by Cherry Hills and/or its users shall be considered cause for the City to terminate this Agreement. Should Cherry Hills fail to promptly rectify a breach of any provisions identified herein, after notice thereof, the City may take such steps and do such work as it deems necessary to enforce this Agreement, including litigation and specifically a right to injunction or specific performance against Cherry Hills or any of its users as is necessary to protect the City's system and operations. The prevailing party shall be entitled to expenses and costs of suit, including attorney fees.
14. Should more than one district or City be connected to a sewer line, all districts or Cities on the sewer line who are in breach of this Agreement shall be jointly and severally liable for any such breach of this Agreement and each such district shall immediately, after notice, rectify any problem or condition detrimental to the treatment process arising within its legal boundaries. When more than one district is connected to a sewer line, and the City discovers any violation of the terms of this connector's agreement; the City shall not be required to prove which district is at fault but shall make available to all such affected districts and Cities all information developed or accumulated by the City pertaining to such breach. Nothing contained herein shall preclude a claim for indemnity or contribution by any District or City against another District or City connected to a common sewer line. CRS-13-21-111.5, as amended shall govern the percentage of liability of any district on a common sewer line in the event the City seeks to impose liability based upon negligence or fault.
15. This Contract shall not be used as a legal defense or prohibition to the mandatory consolidation of facilities by either party as may be required by the laws of the State of Colorado of all existing sewer collection systems and facilities to a governmental entity created to assume responsibility for sewer service in the area in which both the City and State are a part under statutory or constitutional authority.

CITY OF ENGLEWOOD, COLORADO



Randy P. Penry, Mayor

ATTEST.



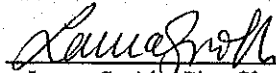
Loucishia A. Ellis, City Clerk

CITY OF CHERRY HILLS VILLAGE, COLORADO

By: 


Douglas M. Tisdale, Mayor, authorized pursuant to Resolution No. 17, Series 2014

ATTEST:



Laura Smith, City Clerk

Approved as to form:

By: 

Linda C. Michow, City Attorney

EXHIBIT "A"

Geographic boundaries of the City of Cherry Hills Village, County of Arapahoe, State of Colorado:

Commencing at the NW corner of the S 1/2 of the NW 1/4 of the NW 1/4 of Section 2, Township 5 South, Range 68 West of the 6th Principal Meridian; thence East to the SW corner of the NW 1/4 of the NE 1/4 of the NW 1/4, thence North to the NW corner of the NE 1/4 of the NE 1/4 of the NW 1/4 of said Section 2, thence East along the North line of Section 2 to the NW corner of Section 1, Township 5 South, Range 68 West, continuing East along the North line of said Section 1 to the NW corner of Section 6, Township 5 South, Range 67 West of the 6th Principal Meridian, continuing East along the North line of said Section 6 to the NE corner of the NW 1/4 of said Section 6, thence South along the East line of the NW 1/4 of said Section 6 to the center of Section 6, Township 5 South, Range 67 West, thence East along the North line of the SE 1/4 of said Section 6, 2,642.16 feet to the NE corner of the SE 1/4 of said Section 6, thence North along the East line of said Section 6, 10.88 feet to the center line of Happy Canyon Road, thence South 44°35'35" East 3,708.45 feet to the North 1/4 corner of Section 8, Township 5 South, Range 67 West of the 6th Principal Meridian, thence South on the West line of the NE 1/4 of Section 8, Township 5 South, Range 67 West to the center of said Section 8, continuing South along the West line of the SE 1/4 of said Section 8 to the SW corner of the SE 1/4 of said Section 8, thence West to the SE corner of Section 7, Township 5 South, Range 67 West of the 6th Principal Meridian; continuing West along the South line of said Section 7 to the SE corner of Section 12, Township 5 South, Range 68 West of the 6th Principal Meridian, continuing West along the South line of said Section 12 to the SE corner of Section 11, Township 5 South, Range 68 West of the 6th Principal Meridian, continuing West along the South line of said Section 11 to the SW corner of said Section 11, thence North along the west line of said section 11 to the SW corner of Section 2, Township 5 South, Range 68 West of the 6th Principal Meridian, continuing North along the West line of said section 2 to the point of beginning.

EXCLUDING THE PROPERTY ON THE SOUTHEAST CORNER OF UNIVERSITY AND EAST HAMPDEN AVENUE KNOWN AS THE BUELL PROPERTY

LEGAL DESCRIPTION
OF THE PROPERTY KNOWN AS
THE BUELL PROPERTY

A parcel of land lying in the Northwest one-quarter (NW 1/4) of Section 1, Township 5 South, Range 68 West of the 6th Principal Meridian, City of Cherry Hills Village, County of Arapahoe, State of Colorado, more particularly described as follows:

For the purpose of this description the bearing are based on the easterly line of said NW 1/4 to bear South 00°18'12" West.

Commencing at the Northwest corner of said Section 1;
Thence South 00°18'00" West along the westerly line of said Section 1 a distance of 75.00 feet to a point;
Thence North 89°57'19" East parallel with and 75.00 feet southerly of the northerly line of said Section 1 a distance of 87.00 feet to the POINT OF BEGINNING;
Thence continuing North 89°57'19" East along the southerly right of way of East Hampden Avenue (US 285) as described in Book 1153 at Page 81 a distance of 992.16 feet to a point;
Thence South 00°02'41" East continuing along said southerly right of way line a distance of 5.00 feet to a point;
Thence North 89°57'19" East continuing along said southerly right of way line a distance of 826.67 feet to a point;
Thence South 00°19'28" West a distance of 2077.26 feet to a point;
Thence North 89°13'30" West a distance of 1165.00 feet to a point on the easterly line of The Reserve at Cherry Hills;
Thence North 00°18'00" East along said easterly line a distance of 1180.00 feet to the northeast corner of said Reserve;
Thence North 89°13'30" West a distance of 680.00 feet along the northerly line of said Reserve to a point on the easterly right of way line of South University Avenue as described in Book 1597 at Page 237;
Thence North 00°18'00" East along said easterly right of way line a distance of 601.03 feet to a point;
Thence North 07°06'00" East continuing along said easterly right of way line a distance of 100.70 feet to a point;
Thence North 00°18'00" East continuing along said easterly right of way line a distance of 160.00 feet to a point;
Thence North 45°27'02" East continuing along said easterly right of way line a distance of 21.27 feet to the POINT OF BEGINNING.

Containing 69.07 acres, more or less.

This is a detailed street map of the Cherry Hills Village area in Colorado. The map shows a grid of streets including Sherman, Grant, Englewood, Oxford, Princeton, Quincey, Radcliffe, Stanford, Tufts, Pearl, Washington, Union, Ogden, Downing, Lafayette, Stanford, High, Cherry Moor, Private, Meade, Cherry Ridge, Lincoln, Vista, Monroe, Colorado, Albion, Middle Parkway, Elm, Forest, Glendale, Hudson, Hibiscus, Jersey, Monaco, and others. It also shows major roads like I-25 and I-70, and landmarks like Cherry Hills Park. A scale bar at the bottom indicates distances up to 0.5 miles.

ADDENDUM TO WASTEWATER CONNECTOR'S AGREEMENT

For Owners with Industrial Users

This Addendum is made and entered into this 21st day of February, 2016, to be effective as of _____, by and between the CITY of ENGLEWOOD, COLORADO, hereinafter referred to as "City", a municipal corporation, acting by and through its duly elected, qualified and authorized Mayor and City Clerk, and _____, City of Cherry Hills Village _____, (Name of Owner) a Colorado home rule municipality _____ of the State of _____ (Type of Entity) Colorado, hereinafter called "CHV", acting by and through its authorized Representative.

WITNESSETH

WHEREAS, the City and CHV previously entered into a Connector's Agreement, ("Agreement") dated November 17, 2014, a copy of which is attached hereto and incorporated by reference, pursuant to which the City and CHV agreed that the City would provide wastewater treatment services to CHV through the Littleton/Englewood Bi-City Wastewater Treatment Plant ("Wastewater Plant"); and

WHEREAS, the terms and provisions of the Agreement remain in effect unless expressly modified by this Addendum; and

WHEREAS, the United States Environmental Protection Agency ("EPA") has instructed the City to establish an inter-jurisdictional agreement between the City and CHV which provides the City with the authority to implement the "Industrial Pretreatment Program", contained in 40 CFR Part 403 promulgated by the EPA and Title 12, Chapter 2, Section 5, of the City of Englewood Municipal Code, and Title 7, Chapter 5, Section 25 of the City of Littleton Municipal Code, for any industrial users currently located or hereafter locating in CHV; and

WHEREAS, the Agreement provides that in the operation of CHV's sanitary sewer system all applicable City municipal code provisions and rules and regulations of the City shall be the minimum standards for CHV's sanitary sewer system; and

WHEREAS, the City has determined that the provisions of the Agreement provide the City with sufficient authority to satisfy the inter-jurisdictional agreement requirements imposed by the EPA; and

WHEREAS, the parties desire to further clarify and designate the obligations and responsibilities of CHV and the City with respect to the enforcement of the City's Municipal Code, rules and regulations within the service area of CHV; and

WHEREAS, the EPA defines "Industrial User" as "a source of nondomestic waste" and "any nondomestic source discharging pollutants to a Publicly Owned Treatment Works". EPA defines Nondomestic User as "any person or entity that discharges wastewater from any facility other than a residential unit".

NOW THEREFORE, in consideration of the mutual promises and covenants hereinafter contained, the parties agree as follows:

1. The recitals above are incorporated herein by this reference.
2. The City and CHV mutually agree to comply fully with all applicable federal, state and local laws, rules and regulations, including but not limited to 40 CFR Part 403 promulgated by the EPA, Colorado Regulations 5 CCR 1002-63 promulgated by the Colorado Water Quality Commission pursuant to Colorado Revised Statute 22-8-508, and Title 12, Chapter 2, Section 5 of the Englewood Municipal Code, and Title 7, Chapter 5, Section 25 of the City of Littleton Municipal Code, as each is amended from time to time, and all wastewater contribution requirements adopted by the City in accordance with the Agreement.
3. The parties, from time to time, shall review and cooperate to revise this Addendum, if necessary, to ensure compliance with 42 U.S.C. § 1251 et. seq., of the Federal Clean Water Act, the federal rules and regulations found at 40 CFR Part 403 issued thereunder, and the City Municipal Code.

I. City Responsibilities

1. The City shall be responsible for and shall accept the following duties and perform the following actions in relation to all current and future Industrial Users and/or Nondomestic Users located within CHV, and CHV agrees to cooperate to the extent necessary for the City to successfully carry out its responsibilities:
 - A. The City, on behalf of and as an agent for CHV, shall perform technical and administrative duties necessary to assist CHV with the implementation and enforcement of CHV's rules and regulations regarding Industrial Users and/or Nondomestic Users. Without limiting the generality of the foregoing, the City agrees that it shall:
 - (i) Update the City's industrial waste survey;
 - (ii) Issue permits to all Industrial Users and/or Nondomestic Users within CHV required to obtain a permit;
 - (iii) Have the right to conduct inspections, sampling, and analysis;
 - (iv) Take all appropriate enforcement actions as outlined in the City's enforcement response plan and consistent with this Addendum;
 - (v) Provide notice to CHV of enforcement actions taken by the City against any Industrial User and/or Nondomestic Users located within CHV boundaries;
 - (vi) Perform any other technical or administrative duties the parties deem appropriate;
 - (vii) Upon reasonable notice to the City, provide CHV access to all records or documents relevant to the Industrial Pretreatment Program for any Industrial User and/or Nondomestic Users located within CHV's service area.

- (viii) The City will make a reasonable effort to notify CHV in advance of any public hearing to change municipal code provisions referenced in this Addendum, and make a reasonable effort to provide an opportunity for CHV to comment on proposed changes.
- B. In addition, the City may, as appropriate, and as an agent of CHV, take emergency action to stop or prevent the discharge from Industrial Users or Nondomestic Users of any wastewater which presents or may present an imminent danger to the health, safety and welfare of humans or which reasonably appears to threaten the environment, or which threatens to cause interference with, or pass through the Wastewater Plant, or cause sludge contamination. In the event the City deems such emergency action appropriate it shall provide CHV with notice thereof in advance, if possible, but no later than 24-hours after the action is initiated.
- C. The City, on behalf of CHV, agrees to perform the following actions as set forth in 40 CFR Part 403.8(f) and summarized as follows:
 - (i) Control through permit, or similar means, the contribution to the City by Industrial Users and/or Nondomestic Users;
 - (ii) Require compliance with applicable Industrial Pretreatment Program standards and requirements by Industrial Users and/or Nondomestic Users;
 - (iii) Deny or condition new or increased contributions of pollutants or changes in the nature of pollutants by Industrial Users and/or Nondomestic Users;
 - (iv) Require the development of compliance schedules by each Industrial Users and/or Nondomestic Users for the installation of technology required to meet applicable Industrial Pretreatment Program standards and requirements;
 - (v) Require the submission of all notices and self-monitoring reports from Industrial Users and/or Nondomestic Users as are necessary to assess and assure compliance by Industrial Users and/or Nondomestic Users with Industrial Pretreatment Program standards and requirements, including, but not limited to, the reports required in 40 CFR 402.12;
 - (vi) Carry out all inspection, surveillance and monitoring procedures necessary to determine, independent of information supplied by Industrial Users and/or Nondomestic Users, compliance or noncompliance with applicable Industrial Pretreatment Program standards and requirements by Industrial Users;
 - (vii) Enter premises of any Industrial User and/or Nondomestic User in which a discharge source or treatment system is located, or in which records are required to be kept pursuant to 40 CFR 403.12(o), to assure compliance with Industrial Pretreatment Program standards and requirements;
 - (viii) Evaluate compliance with the Industrial Pretreatment Program standards and requirements and obtain remedies, including the ability to seek injunctive relief and assess civil or criminal penalties for each violation;
 - (ix) Conform to confidentiality requirements set forth in 40 CFR Part 403.14 of the Industrial Pretreatment Program standards and requirements.

- D. If CHV performs its own fats, oils and grease ("FOG") program or petroleum, oil, grease and sand ("POGS") program it shall notify the City in the event that CHV discontinues its FOG or POGS program. In case of CHV's discontinuance, the City shall be authorized to administer the FOG and POGS program in addition to administering the remaining sector control programs on behalf of and as agent for CHV. The City shall have the right to charge a reasonable inspection fee to CHV for any inspection related to Industrial Users and/or Nondomestic Users within CHV's service area.
- E. In the event that CHV does not perform FOG or POGS programs the parties agree that the City shall perform and be responsible for the administration of these programs, as well as the remaining sector control programs. The City shall have the right to charge a reasonable inspection fee to CHV for any inspection related to Industrial Users or Nondomestic Users within CHV.
- F. The City shall be responsible for administering the remaining sector control programs in CHV notwithstanding that CHV performs its own FOG and POGS programs.

II. CHV Responsibilities

- 1. CHV is responsible for, and shall accept, the following duties and perform the following actions for and in relation to all current and future Industrial Users and/or Nondomestic Users within CHV's service area:
 - A. No later than June 30, 2017, CHV shall adopt enforceable local sewer use rules and/or regulations which are no less stringent and are as broad in scope as the Industrial Pretreatment Program section of the Wastewater Utility Ordinance found in Title 12, Chapter 2, Section 5, of the City of Englewood Municipal Code or found in Title 7, Chapter 5, Section 25 of the City of Littleton Municipal Code. The City will provide to CHV model regulations and any necessary revisions to the rule and/or regulations from time to time, and CHV will promptly present to its City Council for adoption any necessary revisions to its local sewer use rules and/or regulations that are at least as stringent as those adopted by the City to assure compliance with the Industrial Pretreatment Program.
 - B. CHV will maintain current information, as reasonably required by the City, on Industrial Users and/or Nondomestic Users located within CHV's service area, and provide Industrial Users' information to the City upon request. CHV agrees to provide to the City access to all records or documents relevant to the Industrial Pretreatment Program for any Industrial User and/or Nondomestic Users located within CHV's service area provided that the City shall comply with the Colorado Open Records Act in the event of an open records request seeking the release of such records or documents under C.R.S. § 24-72-(3)(a)(IX).

- C. In the event CHV fails to take adequate enforcement action in accordance with its local sewer use regulations against noncompliant Industrial Users and/or Nondomestic Users served by the City in CHV on a timely basis, CHV agrees and hereby delegates its authority and police powers to the City to the extent necessary to take such action on behalf of and as an agent for CHV, provided that the City provides advance notice of such action to CHV where reasonably practicable.
 - D. CHV shall cooperate with the City to implement and enforce the Industrial Pretreatment Program standards and requirements for the Industrial Users and/or Nondomestic Users in CHV with the City's oversight of the program. In the event CHV does not provide resources, or adequately implement or enforce the Industrial Pretreatment Program, CHV agrees that the City may take such action on behalf of and as an agent for CHV, provided that the City provides notice of such action to CHV.
 - E. CHV agrees that the City shall take responsibility for inspections of Industrial Users and/or Nondomestic Users on behalf of CHV and hereby delegates its authority and police powers to the City for such purposes. If, in the future, CHV assumes responsibility for inspections of Industrial Users and/or Nondomestic Users, CHV agrees that, in the event that CHV fails to take actions consistent with such responsibility, including inaction, refusal to inspect, or lack of personnel to inspect, the City may reassume this responsibility, including the authority and police powers necessary for the same, and charge CHV for the costs of the inspections.
 - F. CHV agrees that if the authority of the City to act as agent for CHV under this Addendum is successfully challenged by an Industrial User and/or Nondomestic User, court of law, or otherwise, CHV will take action to ensure the implementation and enforcement of its local sewer use regulations against any Industrial Users and Nondomestic Users, within CHV's service area, including but not limited to, implementing and enforcing its local sewer regulations on its own behalf or cooperating with the City to amend this Addendum to clarify the City's authority.
 - G. CHV IS NOT responsible for administering the FOG and POGS programs, including conducting all inspections required by these programs.
2. If any term of this Addendum is held to be invalid in any judicial action, the remaining terms will be unaffected.


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CITY OF ENGLEWOOD

Mayor

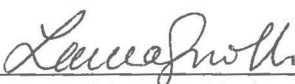
Attest

CITY OF CHERRY HILLS VILLAGE:



Laura Christman, Mayor

ATTEST:



Laura Smith, City Clerk

Approved as to form:



Linda C. Michow, City Attorney

RETURN TO:

City Attorney
1000 Englewood Parkway
Englewood, CO 80110

Reception #: D4115912, 12/10/2014 at
03:17:13 PM, 1 OF 10, ORD, Rec Fee
\$56.00
Arapahoe County CO Matt Crane, Clerk &
Recorder

9 b iii

BY AUTHORITY

ORDINANCE NO. 66
SERIES OF 2014

COUNCIL BILL NO. 67
INTRODUCED BY COUNCIL
MEMBER OLSON

AN ORDINANCE APPROVING A NEW CONNECTOR'S AGREEMENT BETWEEN
THE CITY OF CHERRY HILLS VILLAGE AND THE CITY OF ENGLEWOOD,
COLORADO.

WHEREAS, the Englewood City Council approved the original Connector's Agreement
between the City of Cherry Hills Village on September 30, 1993; and

WHEREAS, the City and Englewood amended the Connector's Agreement on
November 15, 1995 (the "1995 Modification") to enlarge the service area under the
Connector's Agreement to include the entire geographic area of the City of Cherry Hills
Village as the same now exists or may be amended from time to time, and as such service
area is more particularly described and set forth in the 1995 Modification; and

WHEREAS, the Connector's Agreement, as modified by the 1995 Modification, is set to
expire on September 30, 2014; and

WHEREAS, the Englewood Water and Sewer Board recommended City Council's
approval of this Agreement at the May 13, 1997 meeting of the Board; and

WHEREAS, the City will continue to receive and treat sewage gathered by the City of
Cherry Hills Village; and

WHEREAS, the Connector's Agreement enables the City of Cherry Hills Village to
utilize the facilities owned by the City and the Bi-City Wastewater Treatment Plant for the
treatment of sewage; and

WHEREAS, the City of Englewood Utilities Department will bill the City of Cherry
Hills Village users directly for service charges; and

WHEREAS, the Connector's Agreement provides that the City's permitting
requirements will be followed by the City of Cherry Hills Village and its users; and

WHEREAS, the Connector's Agreement provides that no permit shall be final or service
provided until construction is approved by the City of Englewood; and

WHEREAS, the term of the Connector's Agreement is for a three year period and is
automatically renewed for six subsequent three year periods unless either party gives a
minimum of six months written notice;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. The Connector's Agreement between City of Cherry Hills Village and the City of Englewood which enables the City of Cherry Hills Village to utilize the facilities owned by the City and the Bi-City Wastewater Treatment Plant for the treatment of sewage; is hereby approved for a three year period and is automatically renewed for six subsequent three year periods unless either party gives a minimum of six months written notice, a copy of said Agreement is attached hereto as Exhibit 1.

Section 2. The Mayor and City Clerk are hereby authorized to sign and attest, respectively, the said Agreement for and on behalf of the City Council and the City of Englewood, Colorado.

Introduced, read in full, and passed on first reading on the 3rd day of November, 2014.

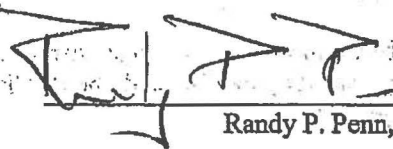
Published by Title as a Bill for an Ordinance in the City's official newspaper on the 7th day of November, 2014.

Published as a Bill for an Ordinance on the City's official website beginning on the 5th day of November, 2014 for thirty (30) days.

Read by title and passed on final reading on the 17 day of November, 2014.

Published by title in the City's official newspaper as Ordinance No. 66 Series of 2014, on the 21st day of November, 2014.

Published by title on the City's official website beginning on the 19th day of November, 2014 for thirty (30) days.


Randy P. Penn, Mayor

ATTEST:


Loucrishia A. Ellis, City Clerk

I, Loucrishia A. Ellis, City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of the Ordinance passed on final reading and published by title as Ordinance No. 66 Series of 2014.


Loucrishia A. Ellis

4/19/2012
Revision

WASTEWATER
CONNECTOR'S AGREEMENT
For CITY OF CHERRY HILLS

Sewer Contract No. _____

THIS AGREEMENT, made and entered into this 17th day of November, 2014 to be effective as of NOVEMBER 19, 2014; by and between the CITY OF ENGLEWOOD, COLORADO, a municipal corporation, hereinafter referred to as "City," acting by and through its duly elected, qualified and authorized Mayor and City Clerk, and the CITY OF CHERRY HILLS, a municipal corporation and subdivision of the State of Colorado, hereinafter called "Cherry Hills," acting by and through its authorized Representative.

WITNESSETH

WHEREAS, the City owns and operates a sewage system, including a sewage treatment plant which is jointly owned and operated with the City of Littleton, so situated physically as to be able to receive and treat the sewage from a designated area served by Cherry Hills and gathered by the Cherry Hills' sanitary-sewage system; and

WHEREAS, it is the desire of Cherry Hills to utilize the facilities owned by the City for the treatment of sewage and the City is willing to serve Cherry Hills for treatment of sewage under certain conditions;

NOW, THEREFORE, IN CONSIDERATION of the promises and for other good and valuable consideration hereinafter set forth, it is mutually agreed by the parties as follows:

1. The City hereby agrees under the conditions hereinafter set forth, to treat the sewage originating from the Cherry Hills' sanitary sewer system within the area served by Cherry Hills as approved by the City and as indicated in the description attached hereto, incorporated herein and marked as "Exhibit A."

Cherry Hills specifically agrees to prevent sewage from any area other than that described herein, from being discharged into Cherry Hills' sanitary sewage system connected to the City's trunk line and to prevent connections to the system from or in any area other than those described herein.

2. In the operation of the Cherry Hills sanitary sewer system, Cherry Hills agrees that all applicable Code provisions and rules and regulations of the City, including amendments thereto during the term of the contract, shall be the minimum standards for the Cherry Hills' system. Cherry Hills further agrees to abide by all applicable state and federal laws, rules, regulations, or permits, including those of the Environmental Protection Agency (the EPA) as they become effective or implemented or upon notice from the City. Cherry Hills shall inform all users, contractors and subcontractors of such standards, rules and regulations upon inquiry from such persons, and shall not furnish any information inconsistent therewith. In this regard, it shall be the responsibility of Cherry Hills to obtain the applicable requirements from the appropriate governing body.

The City shall attempt to maintain and provide information on all requirements to Cherry Hills; however, the City does not guarantee the accuracy or completeness of government regulations other than the City's own regulations.

3. Regarding the provision of sewer service, the City's permitting requirements shall be followed by Cherry Hills and its users. All sewer plans, specifications and methods of work within Cherry Hills shall be submitted to the City in writing and approved by the City prior to any construction or tap in Cherry Hills' designated area. No permit shall be final and no service shall be provided to property until construction is approved, in writing by the City.
4. Cherry Hills shall be responsible for the proper maintenance of its sewer system and shall rectify any problems or conditions which have been determined by Cherry Hills or the City to be detrimental to the City's treatment process or system. Should the City determine that any discharge enters the sewer system contrary to applicable laws, ordinances, statutes, rules, regulations or permits; Cherry Hills agrees to proceed at once to take whatever lawful means may be necessary to rectify any such problem or condition.
5. The City shall have the right to allocate service under this Contract, and the City may deny additional service for any utility-related reason, but in no event will the City terminate or refuse any service without cause. The City shall have the right to disconnect service to any area annexed to Cherry Hills when such annexation takes place without prior written City approval.

Within one year of this agreement, Cherry Hills shall provide the City with an estimate of the number of equivalent service taps needed for the next five (5) years under current zoning and planned build out in the Cherry Hills area as shown on Exhibit A. Cherry Hills shall continue to monitor zoning changes within its area to estimate its tap requirements and provide the City with notice of tap requirement for the next five (5) year period which time shall be given to the City on each anniversary date of this Agreement in a form satisfactory to the City.

6. The City may impose and collect reasonable fees, tolls and charges, which shall be uniform as to all outside-City users for the services provided by the City under this Connector's Agreement.


The City shall bill Cherry Hills' users directly for all applicable City charges for services rendered under this Agreement. Should any user not pay the City, the City shall bill Cherry Hills and Cherry Hills shall pay the amount due to City within forty-five (45) days of such billing. These charges are subject to adjustment by the City from time to time. When such adjustment to these charges are made, the City shall give Cherry Hills forty-five (45) days advance written notice.

The City may bill and collect "District Charges" imposed by Cherry Hills as an additional item to be billed and collected by the City along with the City's Treatment charge and other fees. The "District Charges" received by the City shall be remitted by the City to Cherry Hills annually; less an amount equal to the City and Cherry Hills charges which remain delinquent. Cherry Hills shall notify the City of any changes in the Cherry Hills charges to be imposed and the remittance schedule before May 1st of each year.

7. Subject to the terms of the Taxpayer's Bill of Rights (TABOR), the term of this Agreement is for a period of three (3) years from the date of execution and automatically renewed for six (6) subsequent three (3) year periods unless either party gives a minimum of six (6) months written notice, during which time Cherry Hills agrees that all effluent produced from taps within Cherry Hills shall not be in violation of any federal, state or City laws, rules or regulations, or any other applicable governmental regulations or the permits under which the City operates its sewage treatment system. The City agrees, during the term hereof, to treat said effluent and to maintain adequate facilities for treating the same.
8. Cherry Hills agrees that it will maintain, at its own expense, all lines now owned and operated by Cherry Hills, it being specifically agreed that the City assumes no responsibility should any of Cherry Hills' lines become clogged, damaged, or require maintenance. Cherry Hills shall, if it deems necessary, notify its users of Cherry Hills' procedure to remedy service disruption.
9. The City is providing only sewage treatment service and, pursuant thereto; any permits incidental to the use of the City's sewage lines shall be governed only by this individual Contract with Cherry Hills and the City does not, by this Contract, offer treatment service except in strict accordance with the terms hereof. This Contract does not offer, and shall not be construed as offering, sewage treatment service to the public generally or to any area outside the limits of Cherry Hills' service area described in Exhibit A.
10. This Contract may not be assigned, sold or transferred by Cherry Hills without the City's written consent.
11. Should any federal law, rule, permit or regulation or should a decree or order of a court render void or unenforceable any provision of this Contract, in whole or in part, the remainder shall remain in full force and effect.
12. Cherry Hills shall enforce this Agreement and each of its terms and conditions within the area described in "Exhibit A." Cherry Hills shall refuse to serve a user or potential user; disconnect the service of any user pursuant to appropriate law; or take other appropriate action in the event of:
 - a. Nonpayment of such user of any charge made by the City for services;
 - b. Any violation or noncompliance by such user with the terms of this Agreement;
 - c. Any violation or noncompliance by such user with the applicable laws, rules, permits or regulations of the City, the United States government, including the EPA, the State of Colorado, the Department of Health, or other law, rule, permit or applicable regulation.

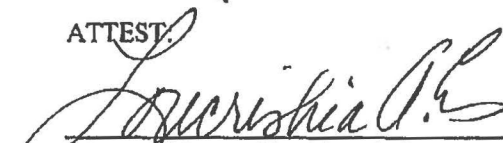
13. Continued breach of this Agreement by Cherry Hills and/or its users shall be considered cause for the City to terminate this Agreement. Should Cherry Hills fail to promptly rectify a breach of any provisions identified herein, after notice thereof, the City may take such steps and do such work as it deems necessary to enforce this Agreement, including litigation and specifically a right to injunction or specific performance against Cherry Hills or any of its users as is necessary to protect the City's system and operations. The prevailing party shall be entitled to expenses and costs of suit, including attorney fees.
14. Should more than one district or City be connected to a sewer line, all districts or Cities on the sewer line who are in breach of this Agreement shall be jointly and severally liable for any such breach of this Agreement and each such district shall immediately, after notice, rectify any problem or condition detrimental to the treatment process arising within its legal boundaries. When more than one district is connected to a sewer line, and the City discovers any violation of the terms of this connector's agreement; the City shall not be required to prove which district is at fault but shall make available to all such affected districts and Cities all information developed or accumulated by the City pertaining to such breach. Nothing contained herein shall preclude a claim for indemnity or contribution by any District or City against another District or City connected to a common sewer line. CRS-13-21-111.5, as amended shall govern the percentage of liability of any district on a common sewer line in the event the City seeks to impose liability based upon negligence or fault.
15. This Contract shall not be used as a legal defense or prohibition to the mandatory consolidation of facilities by either party as may be required by the laws of the State of Colorado of all existing sewer collection systems and facilities to a governmental entity created to assume responsibility for sewer service in the area in which both the City and State are a part under statutory or constitutional authority.

CITY OF ENGLEWOOD, COLORADO



Randy P. Penrith, Mayor

ATTEST:



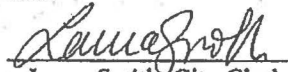
Loucrishia A. Ellis, City Clerk

CITY OF CHERRY HILLS VILLAGE, COLORADO

By: 


Douglas M. Tisdale, Mayor, authorized pursuant to Resolution No. 17, Series 2014

ATTEST:



Laura Smith, City Clerk

Approved as to form:

By: 

Linda C. Michow, City Attorney

EXHIBIT "A"

Geographic boundaries of the City of Cherry Hills Village, County of Arapahoe, State of Colorado;

Commencing at the NW corner of the S 1/2 of the NW 1/4 of the NW 1/4 of Section 2, Township 5 South, Range 68 West of the 6th Principal Meridian; thence East to the SW corner of the NW 1/4 of the NE 1/4 of the NW 1/4, thence North to the NW corner of the NE 1/4 of the NE 1/4 of the NW 1/4 of said Section 2, thence East along the North line of Section 2 to the NW corner of Section 1, Township 5 South, Range 68 West, continuing East along the North line of said Section 1 to the NW corner of Section 6, Township 5 South, Range 67 West of the 6th Principal Meridian, continuing East along the North line of said Section 6 to the NE corner of the NW 1/4 of said Section 6, thence South along the East line of the NW 1/4 of said Section 6 to the center of Section 6, Township 5 South, Range 67 West, thence East along the North line of the SE 1/4 of said Section 6, 2,642.16 feet to the NE corner of the SE 1/4 of said Section 6, thence North along the East line of said Section 6, 10.88 feet to the center line of Happy Canyon Road, thence South 44°35'35" East 3,708.45 feet to the North 1/4 corner of Section 8, Township 5 South, Range 67 West of the 6th Principal Meridian, thence South on the West line of the NE 1/4 of Section 8, Township 5 South, Range 67 West to the center of said Section 8, continuing South along the West line of the SE 1/4 of said Section 8 to the SW corner of the SE 1/4 of said Section 8, thence West to the SE corner of Section 7, Township 5 South, Range 67 West of the 6th Principal Meridian; continuing West along the South line of said Section 7 to the SE corner of Section 12, Township 5 South, Range 68 West of the 6th Principal Meridian, continuing West along the South line of said Section 12 to the SE corner of Section 11, Township 5 South, Range 68 West of the 6th Principal Meridian, continuing West along the South line of said Section 11 to the SW corner of said Section 11, thence North along the west line of said section 11 to the SW corner of Section 2, Township 5 South, Range 68 West of the 6th Principal Meridian, continuing North along the West line of said section 2 to the point of beginning.

EXCLUDING THE PROPERTY ON THE SOUTHEAST CORNER OF UNIVERSITY AND EAST HAMPDEN AVENUE KNOWN AS THE BUELL PROPERTY

LEGAL DESCRIPTION
OF THE PROPERTY KNOWN AS
THE BUELL PROPERTY

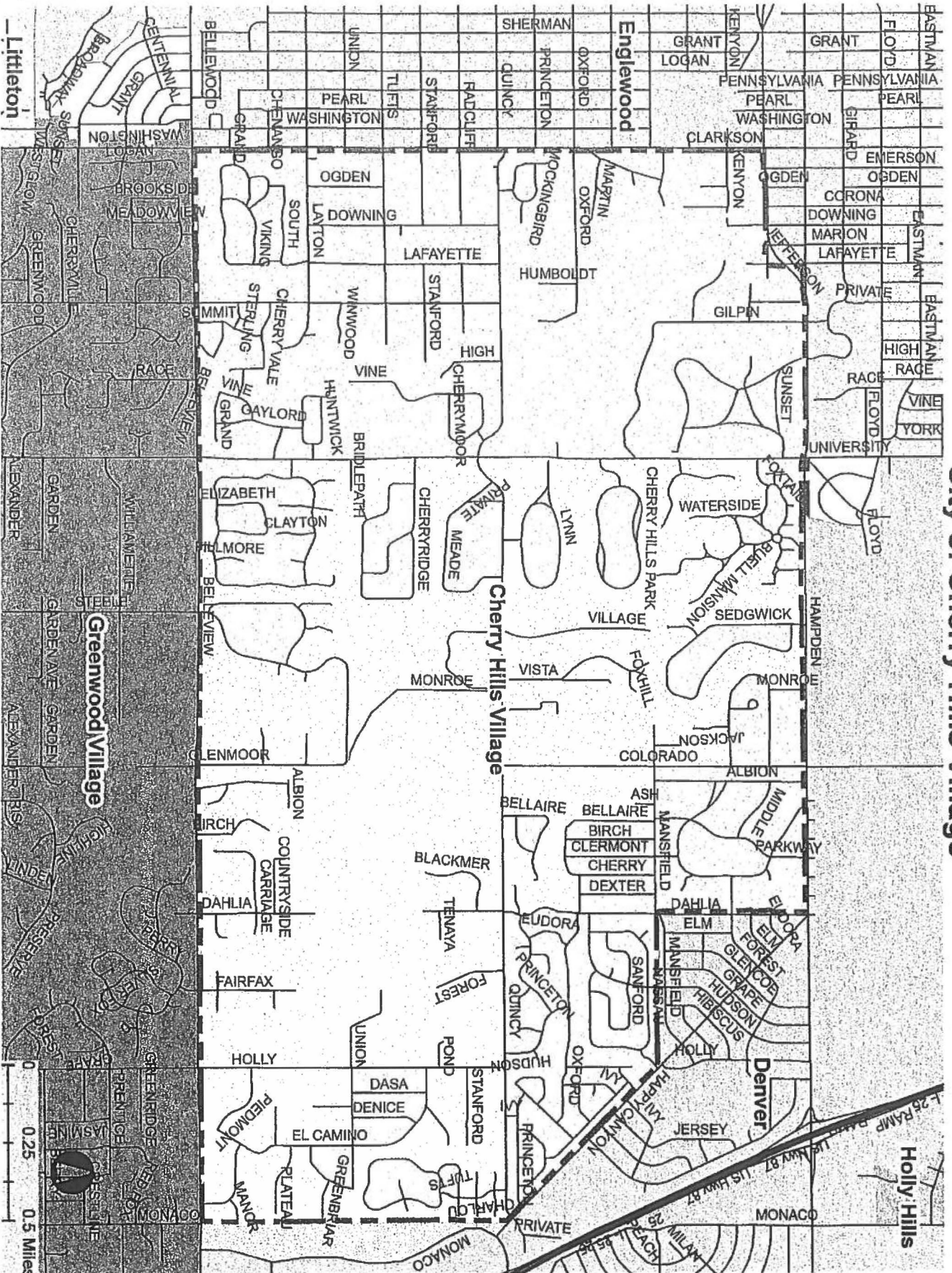
A parcel of land lying in the Northwest one-quarter (NW 1/4) of Section 1, Township 5 South, Range 68 West of the 6th Principal Meridian, City of Cherry Hills Village, County of Arapahoe, State of Colorado, more particularly described as follows:

For the purpose of this description the bearing are based on the easterly line of said NW 1/4 to bear South 00°18'12" West.

Commencing at the Northwest corner of said Section 1;
Thence South 00°18'00" West along the westerly line of said Section 1 a distance of 75.00 feet to a point;
Thence North 89°57'19" East parallel with and 75.00 feet southerly of the northerly line of said Section 1 a distance of 87.00 feet to the POINT OF BEGINNING;
Thence continuing North 89°57'19" East along the southerly right of way of East Hampden Avenue (US 285) as described in Book 1153 at Page 81 a distance of 992.16 feet to a point;
Thence South 00°02'41" East continuing along said southerly right of way line a distance of 5.00 feet to a point;
Thence North 89°57'19" East continuing along said southerly right of way line a distance of 826.67 feet to a point;
Thence South 00°19'28" West a distance of 2077.26 feet to a point;
Thence North 89°13'30" West a distance of 1165.00 feet to a point on the easterly line of The Reserve at Cherry Hills;
Thence North 00°18'00" East along said easterly line a distance of 1180.00 feet to the northeast corner of said Reserve;
Thence North 89°13'30" West a distance of 680.00 feet along the northerly line of said Reserve to a point on the easterly right of way line of South University Avenue as described in Book 1597 at Page 237;
Thence North 00°18'00" East along said easterly right of way line a distance of 601.03 feet to a point;
Thence North 07°06'00" East continuing along said easterly right of way line a distance of 100.70 feet to a point;
Thence North 00°18'00" East continuing along said easterly right of way line a distance of 160.00 feet to a point;
Thence North 45°27'02" East continuing along said easterly right of way line a distance of 21.27 feet to the POINT OF BEGINNING.

Containing 69.07 acres, more or less.

City of Cherry Hills Village



CITY OF CHERRY HILLS VILLAGE
COLORADO

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

City Hall
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 10b

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL

FROM: JASON LYONS, POLICE CHIEF

SUBJECT: RESOLUTION 5, SERIES 2026; ACCEPTING A DONATION FROM THE
CHERRY HILLS VILLAGE POLICE FOUNDATION ON BEHALF OF THE
CHERRY HILLS VILLAGE POLICE DEPARTMENT

DATE: JANUARY 20, 2026

ISSUE

Shall City Council approve Resolution 5, Series 2026; accepting a donation from the Cherry Hills Village Police Foundation on behalf of the Cherry Hills Village Police Department (Exhibit A)?

DISCUSSION

The Cherry Hills Village Police Department received an unanticipated and generous donation from the Cherry Hills Village Police Foundation in the amount of \$37,720 for the purchase of specific police equipment.

The Cherry Hills Village Home Rule Charter, Section 13.7, titled *Bequests, Gifts and Donations*, authorizes the City Council to receive bequests, gifts and donations of all kinds of property for public, charitable or other purposes and to do all things and acts necessary to carry out the purposes of such bequests, gifts and donations. The Police Department desires to utilize the proceeds of the donation to fund the purchase of specific equipment used for the analysis of suspected narcotics which limits the officer's physical interaction of suspected drugs.

It is important to recognize the Department has not received any favors or offered any favors in exchange for this gift.

BUDGET IMPACT

There is no impact to the 2026 budget.

STAFF RECOMMENDATION

Staff recommends approval of Resolution 5, Series 2026.

CHERRY HILLS VILLAGE
COLORADO

RECOMMENDED MOTION

“I move to approve Resolution 5, Series 2026; accepting a donation from the Cherry Hills Village Police Foundation on behalf of the Cherry Hills Village Police Department.”

ATTACHMENTS

Exhibit A: Resolution 5, Series 2026

RESOLUTION NO. 5
SERIES 2026

INTRODUCED BY:
SECONDED BY:

**A
RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
ACCEPTING A DONATION FROM THE CHERRY HILLS VILLAGE POLICE FOUNDATION
ON BEHALF OF THE CHERRY HILLS VILLAGE POLICE DEPARTMENT**

WHEREAS, Section 13.7, titled *Bequests, Gifts and Donations*, of the Cherry Hills Village Home Rule Charter, authorizes the City Council to receive bequests, gifts and donations of all kinds of property for public, charitable or other purposes and to do all things and acts necessary to carry out the purposes of such bequests, gifts and donations; and

WHEREAS, the Cherry Hills Village Police Department received an unanticipated and generous donation from the Cherry Hills Village Police Foundation to be used by the Police Department in the amount of \$37,720.00; and

WHEREAS, the Police Department desires to utilize the proceeds of the donation for the purchase of specific police equipment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cherry Hills Village, Colorado that:

Section 1. The City Council hereby gratefully accepts a cash donation in the amount of \$37,720.00 from the Cherry Hills Village Police Foundation to be used by the Cherry Hills Village Police Department to be expended as determined necessary or desirable by the Police Chief.

Section 2. The City Council directs City staff, including the Police Chief, Finance Director, and City Manager, to take all steps necessary to effectuate the donation and to carry out the purpose of such donation.

Section 3. This Resolution shall be effective immediately upon adoption.

Introduced, passed and adopted at the
regular meeting of City Council this 20th day
of January, 2026, by a vote of ___ yes ___ no.

(SEAL)

Kathleen Brown, Mayor

ATTEST:

APPROVED AS TO FORM:

Laura Gillespie, City Clerk

Kathie B. Guckenberger, City Attorney

DRAFT

DRAFT

DRAFT

**RECESS OF THE CITY COUNCIL
TO CONVENE AS THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING
GENERAL IMPROVEMENT DISTRICT BOARD**

Mayor Brown recessed the City Council meeting and convened the meeting of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board.

**MEETING OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING
GENERAL IMPROVEMENT DISTRICT**

Chair Brown called the meeting to order at 9:05 PM.

ROLL CALL OF MEMBERS

The City Council for the City of Cherry Hills Village serving ex-officio as the Board of Directors of the Cherry Hills Village Charlou Park 3rd Filing General Improvement District: Mayor Katy Brown, Mayor Pro Tem Earl Hoellen, Councilors Doug Robinson, Susan Maguire, Dave Heller, Robert Eber, and Karen Fisher were present on roll call.

Absent: none.

Also present were the administrative staff of the City serving as the administrative staff of the GID: City Manager Chris Cramer, City Attorney Kathie Guckenberger, Deputy City Manager/Public Works Director Jay Goldie, Community Development Director Paul Workman, Finance Director Kelly Newman, Police Chief Jason Lyons, Parks Project and Operations Manager Emily Black, and City Clerk Laura Gillespie.

CONSENT AGENDA

Vice Chair Hoellen moved, seconded by Board Member Maguire, to approve the following items on the Consent Agenda:

- 13a. Approval of December 10, 2025 Minutes
- 13b. Resolution 1, Series 2026; Designating the Public Place for Posting Notices of Regular and Special Meetings
- 13c. Resolution 2, Series 2026; Adopting a Budget Calendar for the 2027 Budget

The motion passed unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

The Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board meeting adjourned at 9:05 PM.

MEETING OF THE CHERRY HILLS VILLAGE SOUTHMOOR CIRCLE AND HUDSON PARKWAY GENERAL IMPROVEMENT DISTRICT

Chair Brown called the meeting to order at 9:05 PM.

ROLL CALL OF MEMBERS

The City Council for the City of Cherry Hills Village serving ex-officio as the Board of Directors of the Cherry Hills Village Southmoor Circle and Hudson Parkway General Improvement District: Mayor Katy Brown, Mayor Pro Tem Earl Hoellen, Councilors Doug Robinson, Susan Maguire, Dave Heller, Robert Eber, and Karen Fisher were present on roll call.

Absent: none.

Also present were the administrative staff of the City serving as the administrative staff of the GID: City Manager Chris Cramer, City Attorney Kathie Guckenberger, Deputy City Manager/Public Works Director Jay Goldie, Community Development Director Paul Workman, Finance Director Kelly Newman, Police Chief Jason Lyons, Parks Project and Operations Manager Emily Black, and City Clerk Laura Gillespie.

CONSENT AGENDA

Vice Chair Hoellen moved, seconded by Board Member Heller, to approve the following items on the Consent Agenda:

20a. Approval of December 10, 2025 Minutes

20b. Resolution 1, Series 2026; Designating the Public Place for Posting Notices of Regular and Special Meetings

20c. Resolution 2, Series 2026; Adopting a Budget Calendar for the 2027 Budget

The motion passed unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA

None.

DRAFT**DRAFT****DRAFT****NEW BUSINESS**

None.

ADJOURNMENT

The Cherry Hills Village Charlou Park 3rd Filing General Improvement District Board meeting adjourned at 9:05 PM.

MEETING OF THE CHERRY HILLS VILLAGE SOUTHMOOR CIRCLE AND HUDSON PARKWAY GENERAL IMPROVEMENT DISTRICT

Chair Brown called the meeting to order at 9:05 PM.

ROLL CALL OF MEMBERS

The City Council for the City of Cherry Hills Village serving ex-officio as the Board of Directors of the Cherry Hills Village Southmoor Circle and Hudson Parkway General Improvement District: Mayor Katy Brown, Mayor Pro Tem Earl Hoellen, Councilors Doug Robinson, Susan Maguire, Dave Heller, Robert Eber, and Karen Fisher were present on roll call.

Absent: none.

Also present were the administrative staff of the City serving as the administrative staff of the GID: City Manager Chris Cramer, City Attorney Kathie Guckenberger, Deputy City Manager/Public Works Director Jay Goldie, Community Development Director Paul Workman, Finance Director Kelly Newman, Police Chief Jason Lyons, Parks Project and Operations Manager Emily Black, and City Clerk Laura Gillespie.

CONSENT AGENDA

Vice Chair Hoellen moved, seconded by Board Member Heller, to approve the following items on the Consent Agenda:

20a. Approval of December 10, 2025 Minutes

20b. Resolution 1, Series 2026; Designating the Public Place for Posting Notices of Regular and Special Meetings

20c. Resolution 2, Series 2026; Adopting a Budget Calendar for the 2027 Budget

The motion passed unanimously.

ITEMS REMOVED FROM THE CONSENT AGENDA

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

The Cherry Hills Village Southmoor Circle and Hudson Parkway General Improvement District Board meeting adjourned at 9:06 PM.

RECONVENE THE CITY COUNCIL MEETING

The City Council meeting was reconvened at 9:06 PM.

REPORTS**Mayor**

Mayor Brown reported on upcoming legislative events, including Metro Mayor's Caucus and other kickoff events. She noted the state budget situation and potential implications for local governments, particularly regarding unfunded mandates.

Councilor Robinson clarified that the state's budget shortfall discussion was somewhat misleading, as the budget is actually increasing but not as much as expected, largely due to Medicaid costs.

Members of City Council

Councilor Fisher thanked everyone who donated to the winter essentials drive, noting that over 60 coats had been collected along with other items requested by HAAT Force. She also thanked Police Chief Lyons for resolving the issue of a person setting off incendiary devices along the High Line Canal, which presented a significant fire risk.

Councilor Hoellen raised a question about the City's tree removal provisions, expressing concern about the inconsistency in requiring tree replacement only in conjunction with new homes or major additions.

Councilor Eber reported that he would attend the DRCOG meeting the next day. He thanked City staff for the winter event, praising their commitment and the quality of the celebration.

Councilor Heller thanked the Chief for the recent police work, including arrests related to thefts in his district. He also provided an update from the Centennial Airport Noise Roundtable, noting proposed changes for departures to the north which may actually reduce noise over the City due to the altitude of aircraft.

City Council Communication

Date:
January 20, 2026

Agenda Number:
25c(i)

Subject:
Department Monthly Reports

Presented by City Staff

Each of the major staff functions prepares a monthly statistical report of their activities. The functions covered are listed below:

- Community Development Department
- Police Department
- Municipal Court (quarterly)
- Public Works Department

These reports are used by staff members to evaluate the performance and efficiency of their respective departments and are forwarded to the City Council for your information as well. Questions or comments are welcome.

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF THE CITY COUNCIL

FROM: PAUL WORKMAN, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: COMMUNITY DEVELOPMENT DEPARTMENT MONTH-END REPORT FOR DECEMBER 2025

DATE: JANUARY 20, 2026

BUILDING PERMITS SUMMARY:

	December 2025	YTD 2025	YTD 2024	YTD % Change
Total Permits	79	953	866	10%
Total Revenue	\$122,482	\$2,113,484	\$1,483,163	43%
New Home Permits	1	9	11	-18%
New Home Revenue	\$27,065	\$521,860	\$427,281	22%
Remodel/Addition Permits	7	119	114	4%
Remodel/Addition Revenue	\$40,383	\$1,046,219	\$665,331	57%

PLANNING AND ZONING COMMISSION (COMMISSION):

- The Planning and Zoning Commission met on December 9, 2025, to discuss a site plan amendment request by the Cherry Hills Country Club. The Commission voted unanimously to recommend approval of the application.

BOARD OF ADJUSTMENT AND APPEALS:

- The Board of Adjustment and Appeals did not meet in December due to nothing on the agenda.

ATTACHMENTS:

Exhibit A: Planning Project Activity List

Exhibit B: Year-to-Date Permit Activity Graphs

Exhibit C: Permit Summary Table

DECEMBER 2025 APPLICATION REPORT

Portal Submitted = Application is incomplete and not under review, Pending = Application is complete and under review

NOTE: City Council, the Planning and Zoning Commission, and the Board of Adjustment and Appeals are advised not to discuss quasi-judicial land use matters with any person outside of the public hearing process, as it is considered ex parte communication and is illegal. The restriction on discussing quasi-judicial matters is considered to take effect once a formal appliation has been filed with the City. The following is a list of applicaitons for which the City has recieved a formal application.City Council, the Planning and Zoning Commission, and the Board of Adjustment and Appeals are advised to use caution when discussing any land use application that may become a quasi-judicial application, even before the application is formally filed with the City.

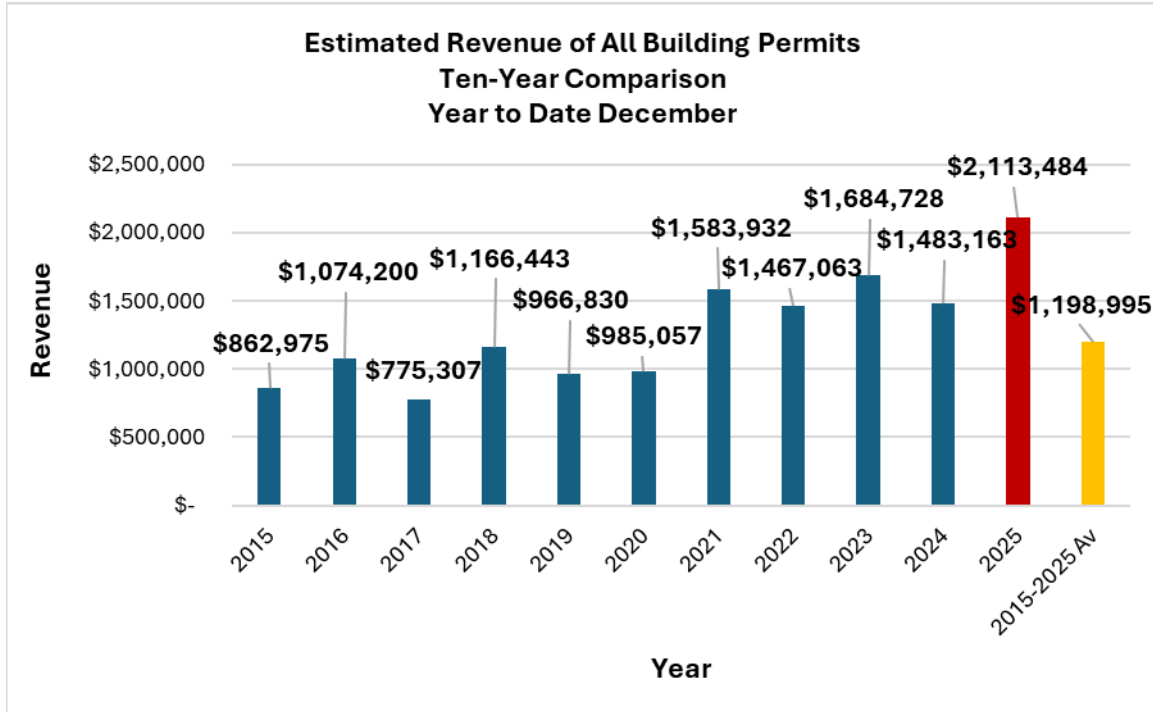
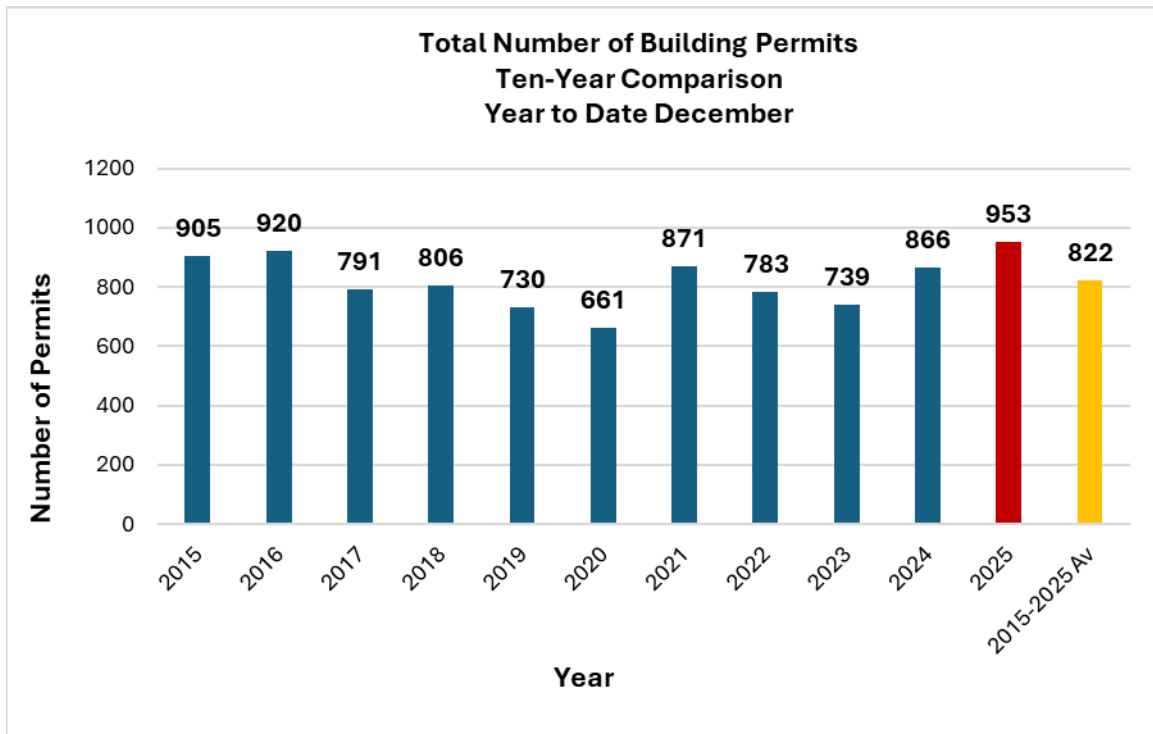
Location	Owner Name	File Date	Project Name	Project Use	Project Type	Current Use Proposed Changes	Status	Planning & Zoning Commission	City Council	Board of Adjustment & Appeals
1776 E TUFTS AVE	JANICE A HUNT QUALIFIED PERSONAL RESIDENCE TRUST	3-Jul-24	FDP-002-24_1776 E. TUFTS AVE FLOODPLAIN DEVELOPMENT PERMIT	Floodplain Development Permit	Administrative	The proposed project will stabilize an outside bend of Little Dry Creek where streambank erosion is threatening a buried sanitary sewer utility. The project will stabilize the streambank through grading and use of soil riprap, coir matting, and	Pending	NA	NA	NA
4650 S UNIVERSITY BLVD	C K J K CORPORATION	31-Dec-24	MS-001-25 MINOR SUBDIVISION TO CREATE	Minor Subdivision/Amended Plat	City Council	minor subdivision plat to create two (2) residential lots	Pending.	TBD	TBD	NA
4350 S FRANKLIN ST	MANIATIS KONSTANTINOS G FREESTONE KRISTIN A	10-Feb-25	FPV-001-25_4350 S FRANKLIN ST (NEW STRUCTURE)	Floodplain Variance	City Council	Pump house construction.	Pending. Waiting on 2nd submittal.	TBD	TBD	NA
1 CHERRY HILLS PARK DR	MARSICO CHRISTOPHER J MARSICO TAMMY C	4-Jun-25	MS-002-25_1 CHERRY HILLS PARK DR	Minor Subdivision/Amended Plat	City Council	As more particularly described in the Project Narrative submitted with this Application, the Applicant desires to re-subdivide the Subject Property into two lots of approximately equal size, which subdivision will revert the Subject Property to the configuration as it existed prior to the consolidation evidenced by that certain Cherry	Pending	1/13/2026	2/17/2026	NA
3699 S ALBION ST	SUNDRU MOODLEY TRUST	15-Jul-25		Variance	Board of Adjustment and Appeals	A barn to replace our original dilapidated barn, same size.	Portal Submitted	NA	NA	TBD
4500 E HAMPDEN AVE	BETHANY LUTHERAN CHURCH	18-Aug-25		Site Plan/Site Plan Amendment	City Council		Portal Submitted	TBD	TBD	NA
110 GLENMOOR DR	GLENMOOR COUNTRY CLUB	28-Oct-25	SPA-005-25 GLENMOOR COUNTRY CLUB PICKLEBALL	Site Plan/Site Plan Amendment	City Council	Addition of four pickleball courts, with surrounding wall, and associated grading and parking lot modifications.	Pending. Waiting on 2nd submittal.	TBD	TBD	NA
110 GLENMOOR DR	GLENMOOR COUNTRY CLUB	28-Oct-25	V-002-25 GLENMOOR COUNTRY CLUB PICKLEBALL FENCE	Variance	Board of Adjustment and Appeals	Addition of four pickleball courts, with surrounding wall, and associated grading and parking lot modifications. Variance request for height of wall surrounding the pickleball courts.	Pending. Waiting on 2nd submittal.	NA	NA	TBD

4000 E Quincy Ave	Kent-Denver Country Day School	10-Nov-25	SPA-006-25 BLACKMER HALL EXPANSION	Site Plan/Site Plan Amendment	TBD	The project is a proposed expansion and modification of Blackmer Hall. The building is currently occupied by the business office, faculty housing, and a daycare for KDS staff. The addition will include approximately 3,400 square feet, of which approximately 2,700 sf will be a Daycare Expansion. The balance of additional square feet is associated with an elevator, stair, and utilities required to bring the combined addition and existing building into code compliance.	Pending. Waiting on 2nd submittal.	TBD	TBD	NA
1516 E OXFORD LN	REBERRY JEFF CHARLES REBERRY PAIGE GOODSON	1-Dec-25	BPV-001-25 BULK PLANE VARIANCE	Administrative Bulk Plane Modification	Administrative	The current Main home and Accessory building are being repaired and remodeled with minor additions and HVAC and material upgrades through-out.	Pending. Waiting on 2nd submittal.	NA	NA	NA
4650 S UNIVERSITY BLVD	C K J K CORPORATION	15-Dec-25	MS-001.1-25_4650 S. University Blvd	Minor Subdivision/Amended Plat	City Council	variance request to fee-in-lieu for minor subdivision.	Pending. 1st review cycle ends 1/17/26	TBD	TBD	NA
4450 S DAHLIA ST	ARAPAHOE TENNIS CLUB	12-Dec-25	SPA-007-25_ATC OVERFLOW PARKING	Site Plan/Site Plan Amendment	City Council	Gravel parking lot site plan amendment	Portal Submitted	TBD	TBD	NA

12 Records

TOTAL PERMITS

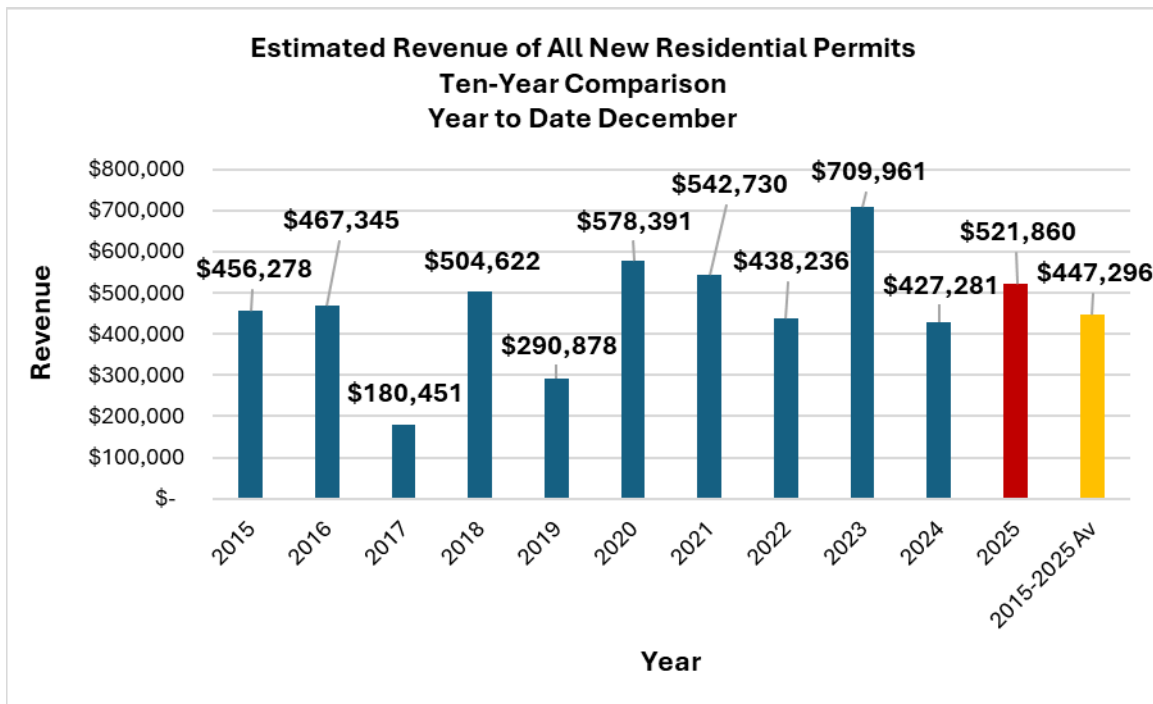
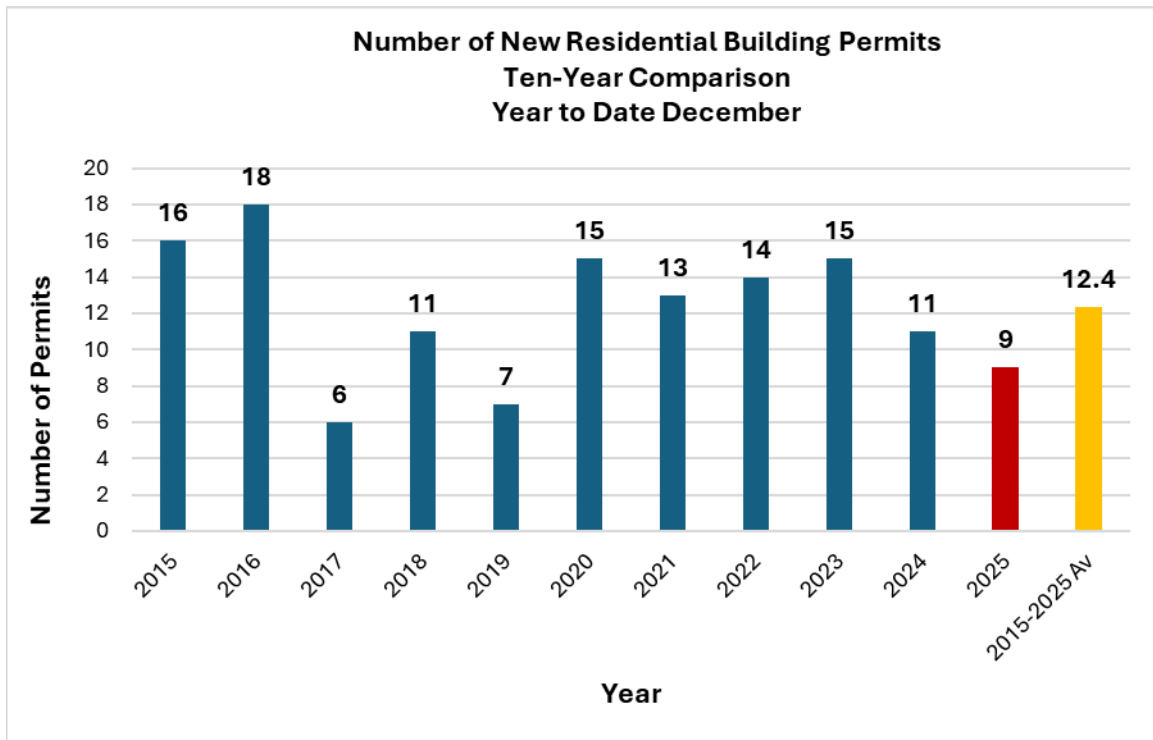
Year to Date through December
10 Year COMPARISON



NEW RESIDENCES

Year to Date through December

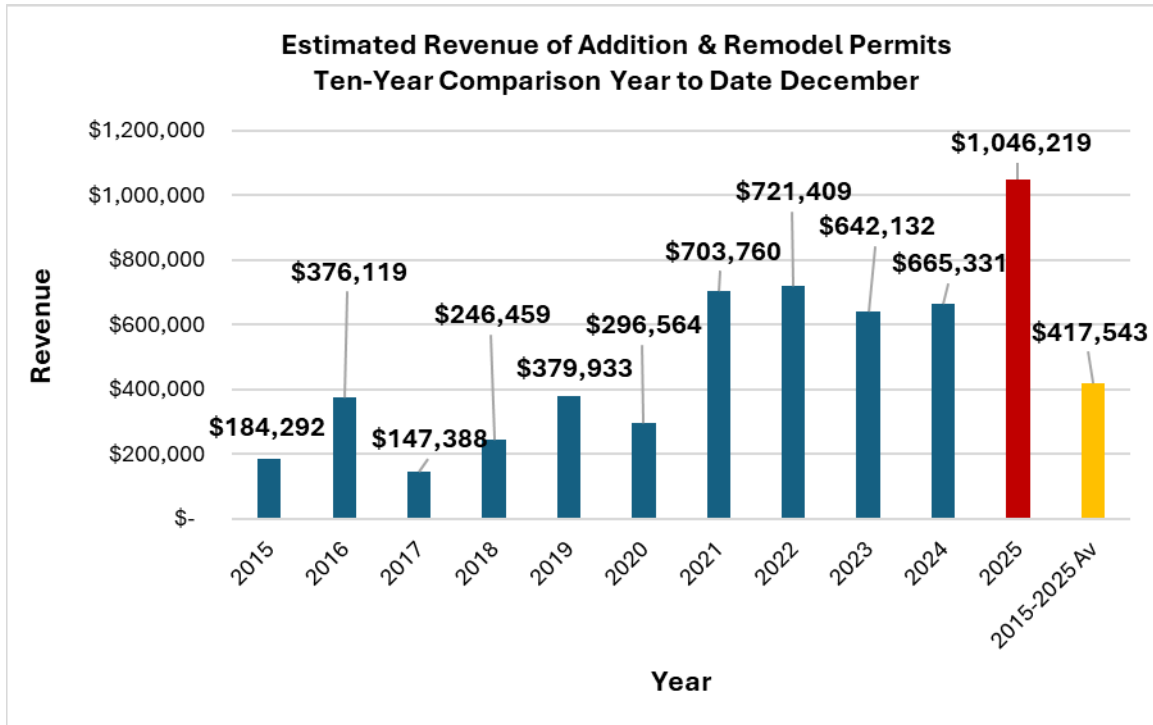
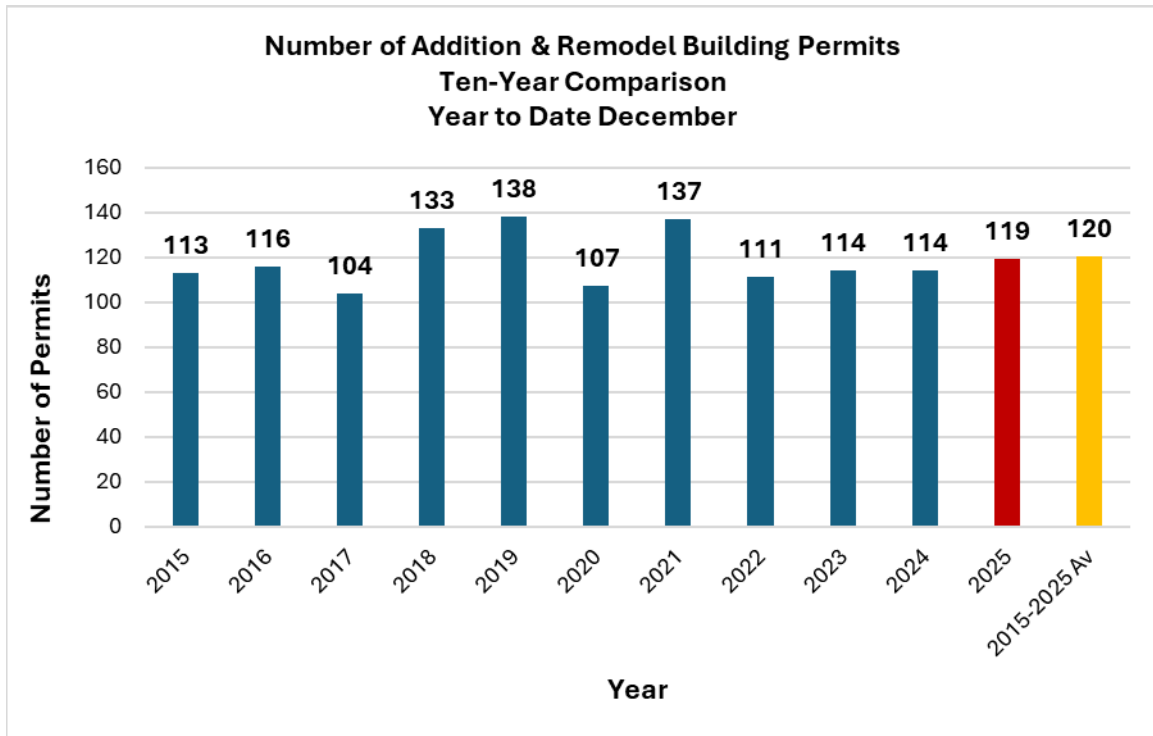
10 YEAR COMPARISON



ADDITIONS & REMODELS

Year to Date through December

10 YEAR COMPARISON



CITY OF CHERRY HILLS VILLAGE BUILDING DEPARTMENT

MONTHLY REPORT

December 1 - 31, 2025

	2025 YTD	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
1. Residences													
Number Issued	9	0	2	0	0	0	0	0	0	2	3	1	1
Project Valuation	\$39,389,990.00	\$0.00	\$6,700,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$17,339,990.00	\$12,250,000.00	\$1,100,000.00	\$2,000,000.00
Building Permit Fee	\$393,899.90	\$0.00	\$67,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$173,399.90	\$122,500.00	\$11,000.00	\$20,000.00
Reinspection/ Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Review Fee	\$40,305.00	\$0.00	\$6,505.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,830.00	\$17,510.00	\$2,955.00	\$3,505.00
Service Expansion Fee	\$87,655.39	\$0.00	\$19,729.89	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$24,417.20	\$29,202.40	\$10,746.00	\$3,559.90
Arapahoe County Use Tax	\$84,849.98	\$0.00	\$3,125.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$43,349.98	\$30,625.00	\$2,750.00	\$5,000.00
2. Addition & Remodels													
Number Issued	119	7	6	5	9	11	10	13	13	13	15	10	7
Project Valuation	\$87,194,132.80	\$1,536,880.00	\$2,198,530.00	\$1,272,439.00	\$30,859,500.00	\$3,035,633.00	\$20,231,200.00	\$7,754,055.80	\$1,605,803.00	\$6,667,000.00	\$6,821,092.00	\$1,883,000.00	\$3,329,000.00
Building Permit Fee	\$875,215.56	\$15,368.80	\$21,985.30	\$12,724.39	\$308,595.00	\$30,356.33	\$202,312.00	\$78,528.31	\$16,058.03	\$66,670.00	\$70,497.40	\$18,830.00	\$33,290.00
Reinspection/ Investigation Fee	\$650.00	\$0.00	\$0.00	\$0.00	\$650.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Review Fee	\$97,851.75	\$3,230.00	\$3,740.00	\$3,561.75	\$15,235.00	\$10,540.00	\$11,645.00	\$7,045.00	\$8,840.00	\$12,325.00	\$11,752.50	\$4,760.00	\$5,177.50
Service Expansion Fee	\$72,500.38	\$431.50	\$1,437.60	\$1,069.20	\$13,428.90	\$3,382.60	\$34,670.70	\$1,119.90	\$1,218.15	\$6,222.60	\$7,559.30	\$45.33	\$1,914.60
Arapahoe County Use Tax	\$194,606.84	\$1,921.10	\$3,729.41	\$3,181.10	\$77,148.75	\$7,589.08	\$50,578.00	\$16,747.39	\$4,014.51	\$16,667.50		\$4,707.50	\$8,322.50
3. Accessory & Recreational Structures													
Number Issued	63	2	8	5	0	3	10	4	2	10	5	8	6
Project Valuation	\$9,975,557.12	\$443,970.00	\$2,413,970.00	\$533,137.00	\$0.00	\$222,000.00	\$996,992.00	\$152,470.00	\$648,000.00	\$2,214,264.00	\$1,210,220.12	\$581,490.00	\$559,044.00
Building Permit Fee	\$99,775.37	\$4,439.70	\$24,139.70	\$5,331.37	\$0.00	\$2,220.00	\$9,969.92	\$1,524.70	\$6,480.00	\$22,142.64	\$12,122.00	\$5,814.90	\$5,590.44
Reinspection/ Investigation Fee	\$750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Review Fee	\$38,950.00	\$2,922.50	\$6,707.50	\$1,950.00	\$0.00	\$2,442.50	\$6,545.00	\$2,727.50	\$1,020.00	\$5,240.00	\$2,000.00	\$6,035.00	\$1,360.00
Service Expansion Fee	\$14,645.03	\$342.00	\$3,127.10	\$1,276.70	\$0.00	\$0.00	\$2,897.88	\$317.20	\$544.50	\$2,780.40	\$1,418.15	\$1,285.10	\$656.00
Arapahoe County Use Tax	\$24,047.02	\$554.96	\$5,417.46	\$1,082.84	\$0.00	\$555.00	\$2,486.23	\$381.18	\$1,620.00	\$6,072.47	\$3,025.55	\$1,453.73	\$1,397.61
4. Other Buildings, Structures, Misc.													
Number Issued	472	40	32	45	44	27	46	29	37	36	50	45	41
Project Valuation	\$48,037,486.50	\$1,480,620.54	\$420,682.24	\$802,157.71	\$20,176,117.77	\$699,630.43	\$1,582,096.00	\$1,076,031.62	\$1,092,748.73	\$900,576.62	\$7,963,637.51	\$5,472,410.93	\$6,370,776.40
Building Permit Fee	\$197,417.85	\$12,963.20	\$4,624.92	\$7,816.58	\$9,851.18	\$6,246.30	\$16,141.93	\$9,642.08	\$11,353.47	\$9,006.80	\$17,740.69	\$54,195.79	\$37,834.91
Reinspection/ Investigation Fee	\$826.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$826.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Review Fee	\$49,539.80	\$3,145.00	\$3,740.00	\$5,392.50	\$7,532.50	\$3,285.00	\$6,945.00	\$1,195.00	\$1,810.00	\$2,787.30	\$2,900.00	\$5,212.50	\$5,595.00
Service Expansion Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Arapahoe County Use Tax	\$34,630.44	\$1,212.17	\$629.29	\$1,871.71	\$1,722.79	\$1,404.08	\$3,732.73	\$1,852.47	\$1,116.22	\$1,926.57	\$4,045.87	\$12,940.60	\$2,175.94
5. Electrical													
Number Issued	290	23	22	24	21	22	29	23	17	35	23	27	24
Project Valuation	\$7,123,787.48	\$352,660.00	\$204,609.00	\$244,736.00	\$2,508,099.00	\$115,555.00	\$1,501,968.00	\$293,020.00	\$156,166.10	\$1,137,782.00	\$152,461.38	\$295,333.00	\$161,398.00
Building Permit Fee	\$135,512.95	\$6,002.71	\$4,663.30	\$5,128.12	\$49,979.99	\$3,016.65	\$30,372.95	\$6,640.91	\$3,585.16	\$12,151.78	\$4,036.97	\$6,190.59	\$3,743.82
Reinspection/ Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Review Fee	\$7,990.00	\$1,360.00	\$0.00	\$1,275.00	\$340.00	\$0.00	\$1,445.00	\$1,020.00	\$0.00	\$1,530.00	\$0.00	\$765.00	\$255.00
Service Expansion Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Arapahoe County Use Tax	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals													
Number Issued	953	72	70	79	74	63	95	69	69	96	96	91	79
Project Valuation	\$191,720,953.90	\$3,814,130.54	\$11,937,791.24	\$2,852,469.71	\$53,543,716.77	\$4,072,818.43	\$24,312,256.00	\$9,275,577.42	\$3,502,717.83	\$28,259,612.62	\$28,397,411.01	\$9,332,233.93	\$12,420,218.40
Building Permit Fee	\$1,701,821.63	\$38,774.41	\$122,413.22	\$31,000.46	\$368,426.17	\$41,839.28	\$258,796.80	\$96,336.00	\$37,476.66	\$283,371.12	\$226,897.06	\$96,031.28	\$100,459.17
Reinspection/ Investigation Fee	\$2,226.10	\$0.00	\$0.00	\$0.00	\$650.00	\$0.00	\$750.00	\$826.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Review Fee	\$234,636.55	\$10,657.50	\$20,692.50	\$12,179.25	\$23,107.50	\$16,267.50	\$26,580.00	\$11,987.50	\$11,670.00	\$31,712.30	\$34,162.50	\$19,727.50	\$15,892.50
Service Expansion Fee	\$174,800.80	\$773.50	\$24,294.59	\$2,345.90	\$13,428.90	\$3,382.60	\$37,568.58	\$1,437.10	\$1,762.65	\$33,420.20	\$38,179.85	\$12,076.43	\$6,130.50
Total Fees Collected by City	\$2,113,485.08	\$50,205.41	\$167,400.31	\$45,525.61	\$405,612.57	\$61,489.38	\$323,695.38	\$110,586.70	\$50,909.31	\$348,503.62	\$299,239.41	\$127,835.21	\$122,482.17

CITY OF CHERRY HILLS VILLAGE
COLORADO

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

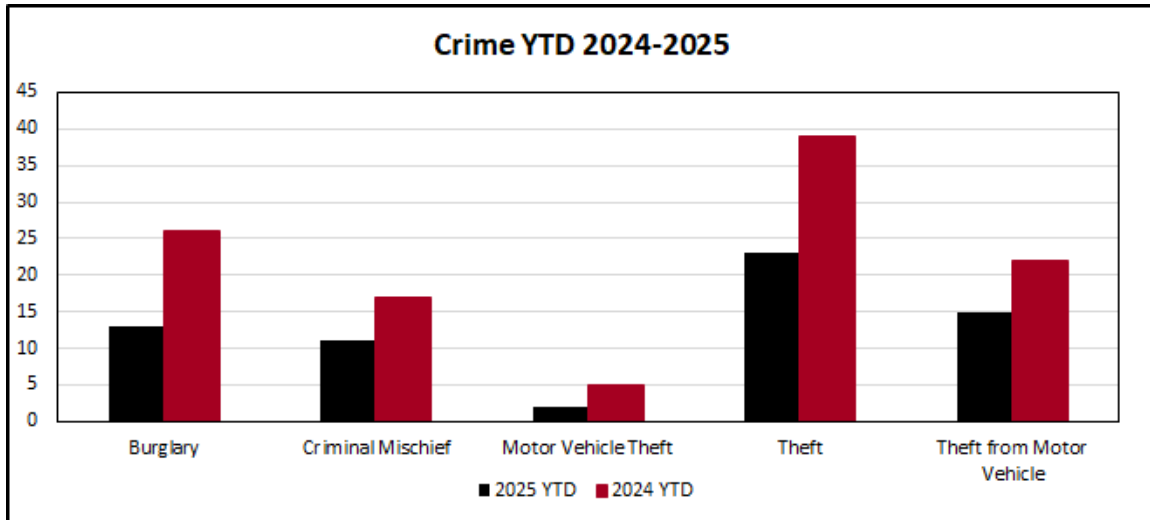
City Hall
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 25c(i)

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL
FROM: JASON LYONS, CHIEF OF POLICE
SUBJECT: POLICE DEPARTMENT MONTH END REPORT FOR DECEMBER 2025
DATE: JANUARY 20, 2026

The December 2025 monthly report for the Police Department is attached.



CRIME	DECEMBER	2025 YTD	2024 YTD	YTD % CHANGE
BURGLARY	1	13	26	-50.00%
CRIMINAL MISCHIEF	0	11	17	-35.29%
MOTOR VEHICLE THEFT	0	2	5	-60.00%
THEFT	2	23	39	-41.03%
THEFT FROM MOTOR VEHICLE	1	15	22	-31.82%

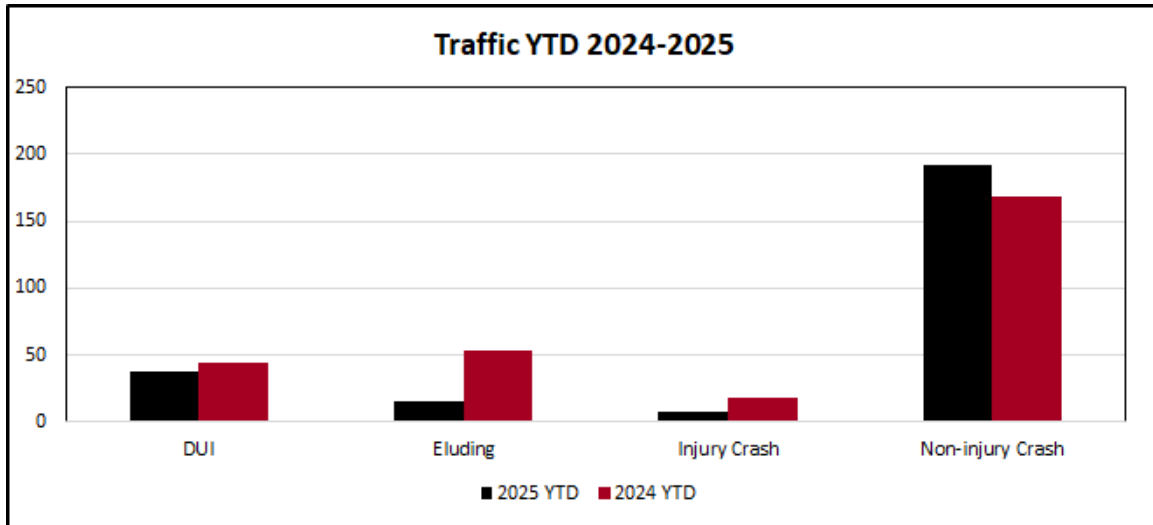
Year in Review: Reflecting on Service, Safety, and Community

As we close out the year, we want to take a moment to reflect on the work accomplished over the past twelve months and to thank the community we proudly serve. This year highlighted the strength of collaboration between our department, our partners, and our residents.

Throughout the year, officers and staff remained committed to public safety through proactive patrols, targeted enforcement, and community-focused initiatives. From responding to calls for service and investigating crimes to participating in community events and outreach programs, our personnel worked diligently to keep our neighborhoods safe and connected.

We are especially grateful for the ongoing support from our residents. Whether through neighborhood participation, attendance at community meetings, or simply looking out for one another, your involvement strengthens public safety efforts and helps build trust.

Thank you for your partnership and support throughout the year. We look forward to continuing to serve you in the year ahead.



TRAFFIC	DECEMBER	2025 YTD	2024 YTD	YTD % CHANGE
DUI ARRESTS	2	38	44	-13.64%
ELUDING	2	16	54	-70.37%
INJURY CRASH	0	8	18	-55.56%
NON-INJURY CRASH	19	192	169	13.61%

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL
FROM: ARIANA WOODS, MUNICIPAL COURT CLERK
SUBJECT: 4th QUARTER 2025 MUNICIPAL COURT
DATE: JANUARY 20, 2026

ISSUE

Municipal Court Statistics 4th Quarter 2025: October 1, 2025 – December 31, 2025

Quarterly Totals

Quarterly Comparison	4Q2024	4Q2025	Difference
Citations Filed	389	294	-24%
Court Appearances	230	175	-24%
Plea by Mail	57	41	-28%
Accident Citations	38	48	26%
Revenue Collected	\$31,375	\$26,455	-16%

BUDGET IMPACT STATEMENT

Through December 31, 2025, the Municipal Court collected \$130,956 or 73% of the total budgeted revenue for 2025.

ATTACHMENTS

Exhibit A – 2025Q4 Municipal Court Quarterly Activities and Graphs

Municipal Court Quarterly Activity and Graphs**4th Quarter 2025****October 1, 2025 – December 31, 2025**

Between October 1, 2025, and December 31, 2025, there were 294 tickets written into the Municipal Court. Of these, 41 traffic defendants were eligible for a “Plea By Mail”. There were 44 No Proof of Insurance violations with 10 being dismissed for showing proof of insurance on or before their court date. Court was held October 8th and 22nd, November 5th and 19th, and December 3rd and 17th.

Highlights from the 4Q2024 to 4Q2025 comparison listings are:

- 41 Plea by Mail offers which was a 28% decline from the 57 Plea by Mail offers from 4Q2024.
- 175 defendants seen in court which was a 24% decline from the 230 defendants seen in 4Q2024.
- \$26,455 collected for Municipal Court fines which was a 16% decrease from the \$31,375 collected in 4Q2024.
- 44 No Proof of Insurance citations which was a 15% increase from the 38 written in 4Q2024.
- 48 accidents were cited in Q4 2025 which is a 26% increase from the 38 in 4Q2024.

Total break-out of tickets issued for the quarter are below:

Traffic

- 4 point (Speeding 10-19 MPH)
 - 40 violations
 - School zone: 2 violations
 - TOTAL: 42**
- 6 point (Speeding 20-39 MPH)
 - 32 violations
 - School zone: 1 violation
 - TOTAL: 33**
- Insurance
 - No Proof of Insurance: 44
 - TOTAL: 44**
- Accidents
 - Reckless Driving: 8 violations
 - Backing on Roadway: 2 violations
 - Following Too Closely: 8 violations
 - Failed to Yield Right of Way: 3 violations
 - Careless Driving: 27 violations
 - TOTAL: 48**

- Other Infractions
 - Drive on Laned Roadways: 1 violation
 - Failed to Stop at Stop Sign: 1 violation
 - Obstructed Windshield: 0 violation
 - Red Light/Red Arrow: 6 violations
 - Failed to Use Seat Belt: 1 violation

TOTAL: 9

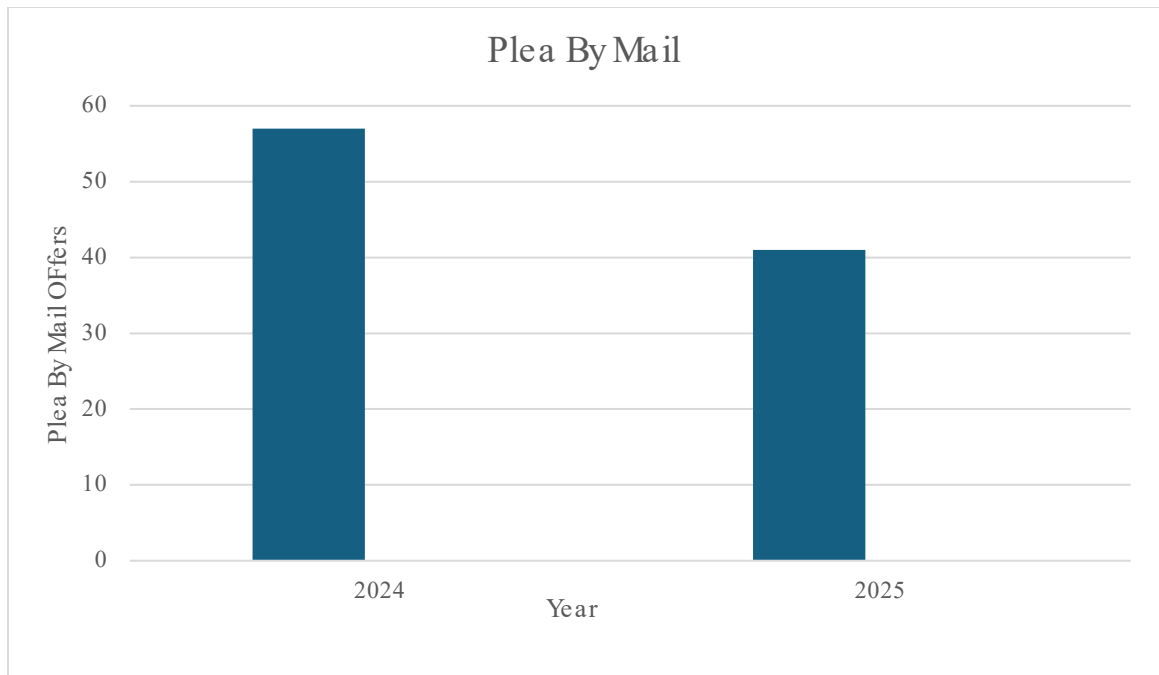
- Parking Tickets
 - Signs Prohibit Parking: 3 violations

TOTAL: 3

Failure to Comply with Terms of Plea

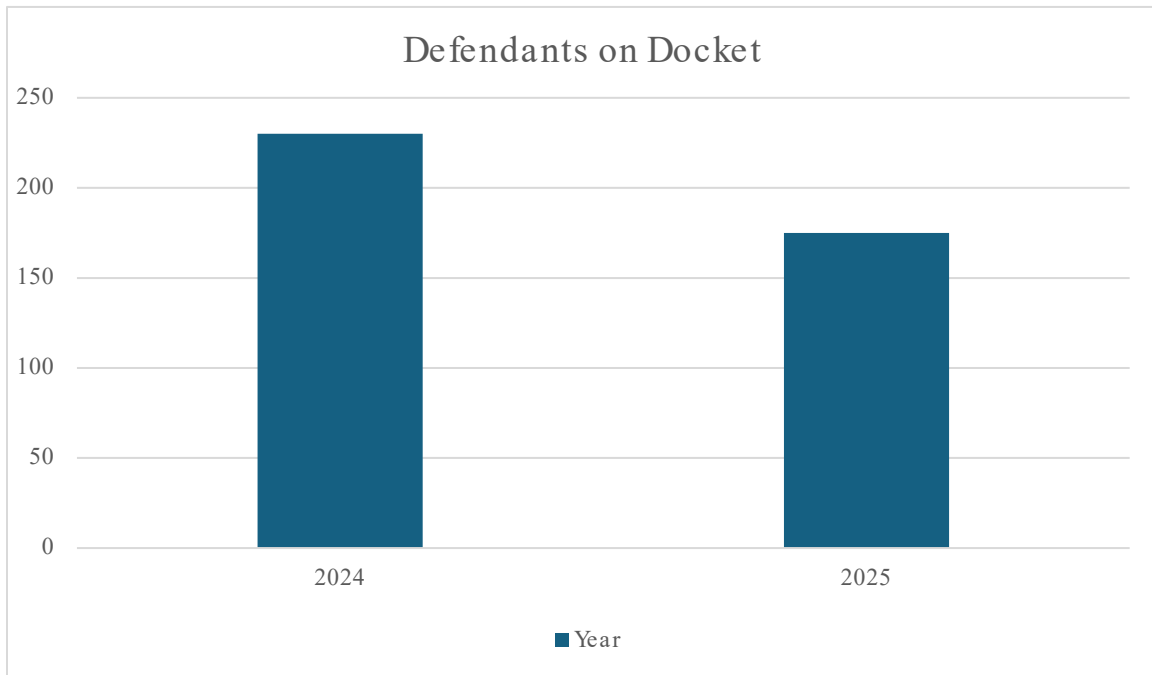
- Warrants
 - 0 warrants issued
- Default Judgements
 - 0 defaults issued
- Amended Points
 - 0 amended points issued

Plea By Mail 4Q2025 compared to 4Q2025



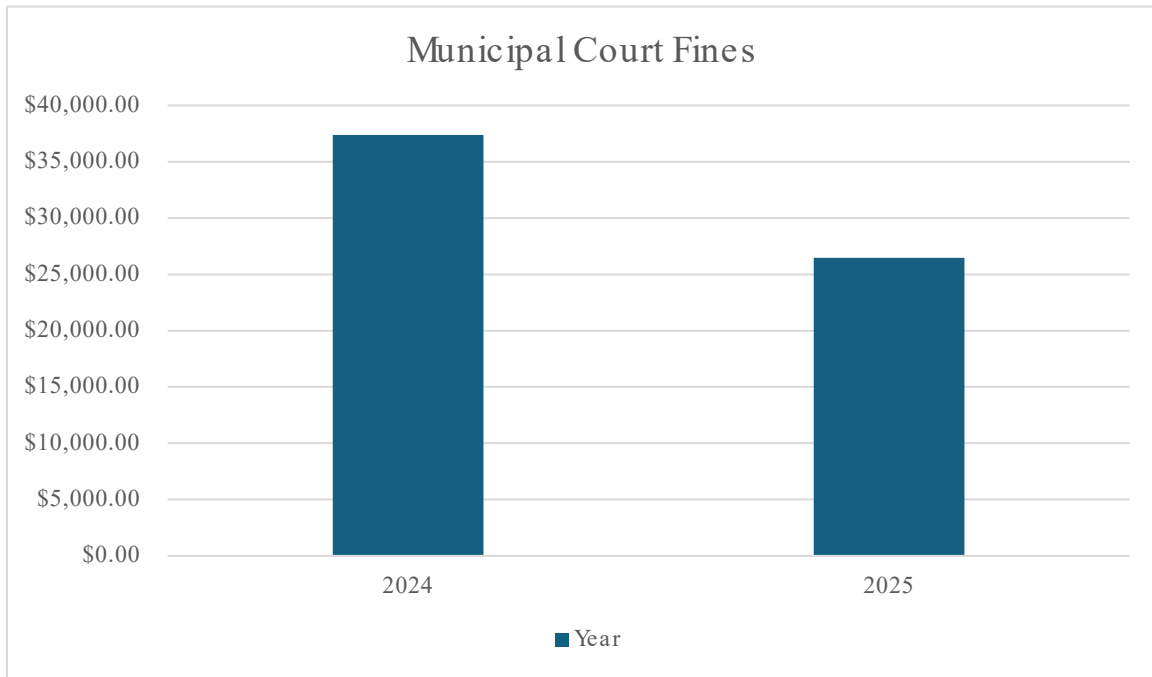
There were 41 Plea by Mail offers which was a 28% decline from the 57 Plea by Mail offers from 2024.

Defendants on Docket 4Q2024 compared to 4Q2025



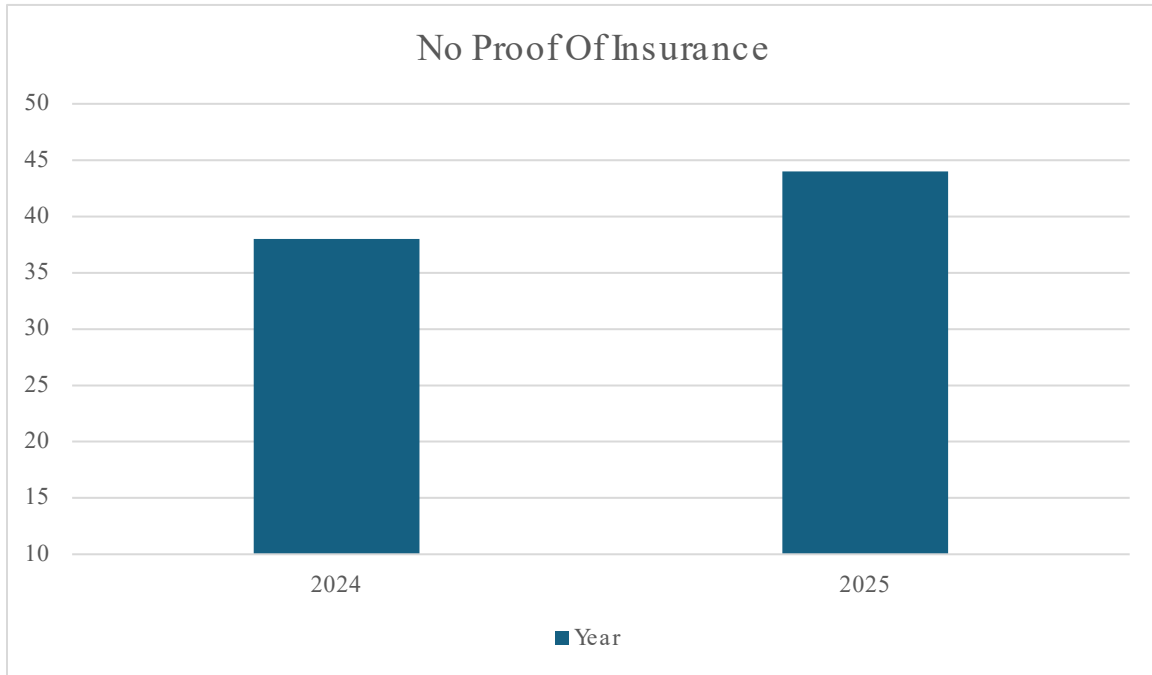
175 defendants seen in court which was a 24% decline from the 230 defendants seen in 2024.

Fines Paid 4Q2024 compared to 4Q2025



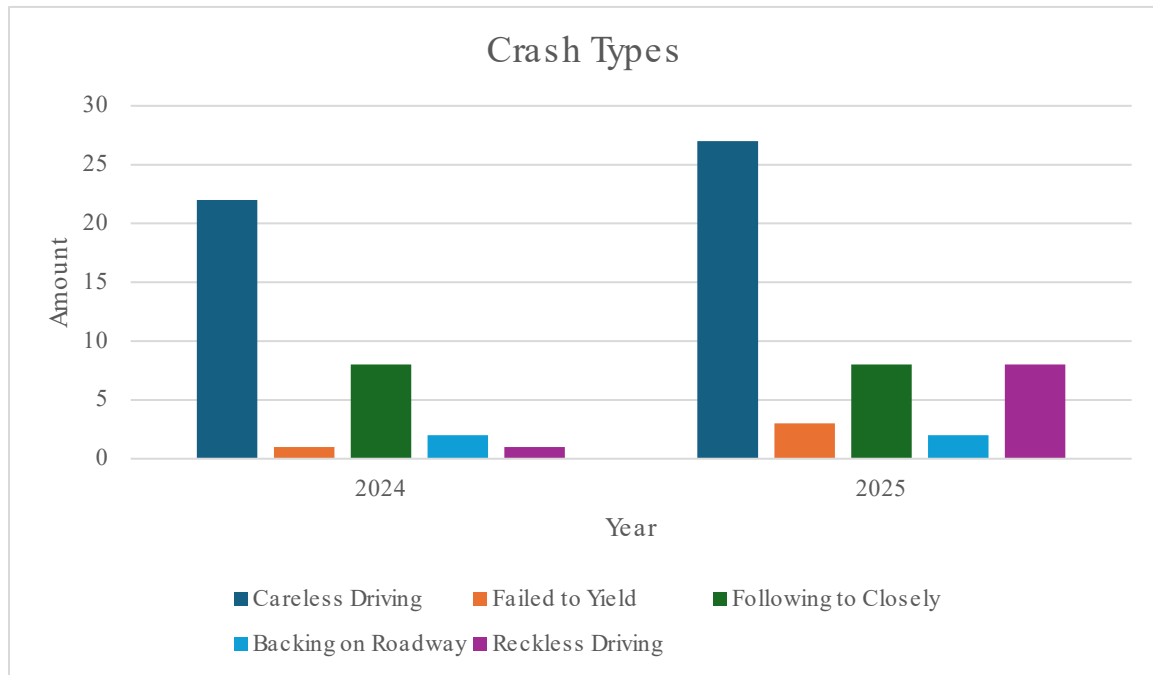
\$26,455 collected for Municipal Court fines which was a 16% decrease from the \$31,375 collected in 2024.

Insurance Violations 4Q2024 compared to 4Q2025



44 No Proof of Insurance citations which was a 15% increase from the 38 written in 2024.

Accidents 2Q2024 compared to 2Q2025



There were 27 Careless Driving crashes compared to 22 in 2024.
There were 3 Failed to Yield crashes compared to 1 in 2024.
There were 8 Following Too Closely crashes compared to 8 in 2024.
There were 2 Backing on Roadway crashes compared to 2 in 2024.
There were 8 Reckless Driving crashes compared to 1 in 2024.

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL

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

SUBJECT: PUBLIC WORKS DEPARTMENT MONTH END REPORT FOR NOVEMBER 2025

DATE: JANUARY 20, 2026

Streets Division

- **Concrete Repairs**
 - Demoed and repoured 15-foot section of curb and gutter on Jefferson Ave. 23 80lb. bags for half yard repair. 1 ton of demoed concrete. 70 hours.
- **Sign Maintenance**
 - Fixed speed limit sign on S. Colorado Blvd.
 - Replaced downed stop sign at Radcliff Ave and Downing. 10 hours.
- **Purchasing Materials**
 - Performed inventory of tools and supplies and made a list for end of year purchases.
 - Purchased hand tools, electric hedge trimmers, grease gun, hot mix asphalt supplies (lute rakes, tack, slide out, crack seal, DeTack), roll up street signs, slow/stop paddles, hydraulic hoses and couplers, concrete.
 - Received demonstration of mobile asphalt machine for purchase in 2026. 57 hours.
- **Equipment**
 - Met with Bruckner and Buyers to get Mack truck's hydraulics calibrated.
 - Purchased, stocked and replaced wiper blades, tow chains and jumper cables on all trucks.
 - Cleaned and organized all trucks.
 - Repaired and cleaned electric grease gun and small engine water pump.
 - New truck plow installed, installed snow deflector to plow, seat covers and floormats and delivered to Englewood for beacon light installation.
 - Put snowplows on all pickup trucks, greased, checked fluids and hoses and blades.
 - Removed and replaced old worn hydraulic hoses on dump trucks 48 and 88.
 - Delivered loader to Englewood for service. 158.5 hours.

- **Shop Maintenance**
 - Routine shop maintenance and bi-weekly cleaning of shop. 16 hours.
- **Shouldering Work**
 - Shouldered Holly St. after CIP. Road base 85 tons. 119 hours.
- **Training**
 - Jakob attended CDL Driving School. 25 hours.
 - Crew attended LTAP drainage class (Dominic and Daniel completed Road Scholar 1). 50 hours.
 - Plow training. 16 hours.
 - Sweeper training. 10 hours.
- **Sweeper Operations and Cleanup**
 - Daniel trained Reed in sweeper operations. 10 hours.
 - Swept all city streets west of University.
 - Swept half of city streets on east side of city, east of Colorado and south of Quincy.
 - Sweepings 43 tons. Water 2970 gallons. 59 hours.
- **Thermoplastics**
 - Installed stop bar at Bellaire Circle entrance. 2 boxes. 10 hours.
- **Snow Removal Operations**
 - First storm of the season. 3.5 tons of Ice Slicer. 8 hours.
- **Tree Trimming**
 - Clearance trimming for snow plowing throughout the city. 5 truckloads. 76 hours.
- **Administrative**
 - Dominic completed end of month report and employees' annual end of year reviews. 32 hours.

Parks Division

- **Hazard Inspection**
 - Parks and Public Works supervisors drove around and inspected parks, trails, and right of ways for potential hazards and regular maintenance needs.
- **Projects**
 - Parks crew built a form and poured concrete for a wall in the new material storage bay.
 - Parks staff worked diligently to clean, repaint, decorate, and build new holiday props for the Winter Celebration event.
 - Parks also spent a week and a half hanging holiday lights around the Village Center.
- **Tree Care**
 - Parks workers spent three full days and utilized roughly 3,000 gallons of water to water small trees in all open space parks for drought operations.
 - Finished clearance pruning maintenance on hardscape trails, adding another 12 truck loads of branches and chipping it into roughly 8 yards of wood chips to be recycled.
- **Flower Bed Maintenance**
 - The Parks horticulturalist spent roughly one week prepping flower beds with end of the year maintenance.

- **Quincy Farm Care**
 - Parks Division spent four days to remove buckthorn and Russian olives growing around the Quincy Farm pond.
 - Chipping roughly 10 yards of wood chips.
- **ROW Upkeep**
 - Parks crew made one final round of mowing side streets (Happy Canyon and Belleview between Monaco and Holly).
- **Equipment**
 - All snowplow equipment was thoroughly checked for maintenance and made ready for snowplow operations.
- **Training/Education**
 - Parks Crew Chief spent three days with the three new Parks employees (one day for each) training them on proper procedure for snow removal and all necessary tasks required.

ATTACHMENTS

November 2025 Streets Activity Log

November 2025 Parks Activity Log

November 2025 Right of Way Log

November 2025 Code Enforcement in Rights of Way Log

NOVEMBER 2025 STREETS LOG

	Week 45	Week 46	Week 47	Week 48	TOTALS
ad - Administrative Office Work	0	0	16	16	32
as - Asphalt patching operations	0	0	0	0	0
bm - Building Maintenance	0	0	0	0	0
cn - Concrete repairs	0	70	0	0	70
cp - Overseeing contractor operations	0	0	0	0	0
cr - Sealing Operation	0	0	0	0	0
dr - Drainage Work	0	0	0	0	0
em - Equipment Maintenance	6	38	108.5	6	158.5
gm - General Maintenance	0	0	0	0	0
gr - Grounds Maintenance	0	0	0	0	0
gv - Gravel road maintenance	0	0	0	0	0
hl-d - Loads to dump	0	0	0	0	0
hl-po - Materials hauled to shop	0	0	0	0	0
hl-r - Loads to recycle plant	0	0	0	0	0
hl-s - Loads to shop	0	0	0	0	0
ir - Irrigation repairs	0	0	0	0	0
ln - Landscape Repairs	0	0	0	0	0
ms - Material Stockpiling	0	0	0	0	0
Misc	10	4	4	0	18
oc - On Call	0	0	0	0	0
pm - Preventative Maintenance	0	0	0	0	0
po - Purchasing materials	0	22	35	0	57
pt - Painting Street	0	0	0	0	0
sg - Sign Work	4	0	0	6	10
sh - Shouldering Work	119	0	0	0	119
shp - Shop Maintenance	0	0	4	12	16
sn - Snow removal operations	0	0	0	8	8
sp - Specal Event	0	0	0	0	0
sw - Sweeper operations & cleanup	8	5	36	10	59
tp - Thermo Plastic	0	10	0	0	10
tr - Training	53	5	3	20	81
tr-pl - Plow Training	0	16	0	0	16
tr-sw - Sweeper Training	0	10	0	0	10
tr-sa - Safety Training	0	0	0	0	0
tr-he - Heavy Equipment Training	0	0	0	0	0
wo - Work Order	0	0	0	0	0
tt - Tree Trimming	0	30	32	14	76
pto - Paid time off	0	30	1.5	52	83.5
Hol - Holiday	0	0	0	96	96
TOTALS	200	240	240	240	920

MATERIALS

as- Asphalt	tons	0	0	0	0	0
rb - Road base	tons	85	0	0	0	85
cm - Cold Mix	bags	0	0	0	0	0
cn-d - Concrete (Demo)	tons	0	1	0	0	1
cn-l - Concrete (Laid)	yards	0	0.5	0	0	0.5
cr - Crack Seal	bags	0	0	0	0	0
ts - Topsoil	yards	0	0	0	0	0
tb - Tree Branches	loads	0	2	2	1	5
cf - Crusher Fine	tons	0	0	0	0	0
ik - Ice Kicker	tons	0	0	0	0	0
is - Ice Slicer	tons	0	0	0	3.5	3.5
ms - Misc.	loads	0	0	0	0	0
sw - Sweepings	tons	8	3	32	0	43
tp - Thermo Plastic	boxes	0	2	0	0	2
Rock/Ditch Dirt	tons	0	0	0	0	0
Water	gal	330	660	1980	0	2970
Mag Chloride	gal	0	0	0	0	0
Debris	tons	0	0	0	0	0

DECEMBER 2025 STREETS LOG

		Week 49	Week 50	Week 51	Week 52	Week 53	TOTALS
ad - Administrative Office Work		4	0	0	6	14	24
as - Asphalt patching operations		0	48	0	0	0	48
bm - Building Maintenance		0	0	0	0	0	0
cn - Concrete repairs		0	0	0	0	0	0
cp - Overseeing contractor operations		0	0	0	0	0	0
cr - Sealing Operation		0	0	0	0	0	0
dr - Drainage Work		0	0	0	0	96	96
em - Equipment Maintenance		46.5	72	14	0	10	142.5
gm - General Maintenance		0	0	0	0	0	0
gr - Grounds Maintenance		0	0	0	0	0	0
gv - Gravel road maintenance		0	0	0	0	0	0
hl-d - Loads to dump		0	0	0	0	0	0
hl-po - Materials hauled to shop		0	0	0	0	0	0
hl-r - Loads to recycle plant		0	0	0	0	0	0
hl-s - Loads to shop		0	0	0	0	0	0
ir - Irrigation repairs		0	0	0	0	0	0
ln - Landscape Repairs		0	0	0	0	0	0
ms - Material Stockpiling		0	0	0	0	0	0
Misc		0	0	52	0	0	52
oc - On Call		0	0	0	0	0	0
pm - Preventative Maintenance		0	0	0	0	0	0
po - Purchasing materials		4	0	0	0	0	4
pt - Painting Street		0	0	0	0	0	0
sg - Sign Work		19	20	76	6	12	133
sh - Shouldering Work		0	0	0	42	0	42
shp - Shop Maintenance		22	22	0	0	8	52
sn - Snow removal operations		102	30	0	0	22	154
sp - Specal Event		0	0	0	0	0	0
sw - Sweeper operations & cleanup		0	0	0	8	10	18
tp - Thermo Plastic		0	0	0	0	0	0
tr - Training		15	21.5	0	0	0	36.5
tr-pl - Plow Training		0	0	0	0	0	0
tr-sw - Sweeper Training		0	0	0	18	0	18
tr-sa - Safety Training		0	0	8	0	0	8
tr-he - Heavy Equipment Training		0	0	0	0	0	0
wo - Work Order		13	12	20	0	0	45
tt - Tree Trimming		0	0	0	0	0	0
pto - Paid time off		14.5	14.5	70	64	12	175
Hol - Holiday		0	0	0	96	48	144
TOTALS		240	240	240	240	240	1200

MATERIALS

as- Asphalt	tons	0	3	0	0	0	3
rb - Road base	tons	0	0	0	1	0	1
cm - Cold Mix	bags	0	0	0	0	0	0
cn-d - Concrete (Demo)	tons	0	0	0	0	0	0
cn-l - Concrete (Laid)	yards	0	0	0	0	0	0
cr - Crack Seal	bags	0	0	0	0	0	0
ts - Topsoil	yards	0	0	2	4	0	6
tb - Tree Branches	loads	0	0	0	0	0	0
cf - Crusher Fine	tons	0	0	0	0	0	0
ik - Ice Kicker	tons	26.25	3	0	0	0.25	29.5
is - Ice Slicer	tons	0	0	0	0	4	4
ms - Misc.	loads	0	0	0	0	0	0
sw - Sweepings	tons	0	0	0	8	0	8
tp - Thermo Plastic	boxes	0	0	0	0	0	0
Rock/Ditch Dirt	tons	0	0	0	0	5	5
Water	gal	0	0	0	0	0	0
Mag Chloride	gal	0	0	0	660	0	660
Debris	tons	0	0	0	0	0	0

NOVEMBER 2025 PARKS LOG

	Week 45	Week 46	Week 47	Week 48		TOTALS
ad - Administrative Office Work	10	3	7	9		29
bm - Building Maintenance	0	0	0	0		0
cn - Concrete	10	0	0	0		10
cp - Overseeing contractor project	0	0	0	0		0
cr - Crackseal trails	0	0	0	0		0
fn - Fence repair/installation	10	0	0	0		10
ft - Fertilizing Trees	0	0	0	0		0
gm - Gen. Maint to trails, parks, ROW	53	74	0	0		127
gps - GPS and Mapping	0	0	0	0		0
hlc - Work done on High Line Canal	0	0	0	0		0
hl-d - Loads to dump	0	20	0	0		20
hl-po - Materials to shop	0	0	0	0		0
hl-r - Loads to recycle shop	0	0	0	0		0
hl-s - Loads to shop	0	0	0	0		0
ir - Irrigation repair/install/maint.	0	0	0	0		0
ln - Landscape Repairs	0	0	0	0		0
Misc - Miscellaneous	6	0	0	24		30
mw-p - Mowing Parks	0	0	0	0		0
mw-e - Mowing/maint. In entry features	0	0	0	0		0
mw-r - Mowing rights of ways	14	0	0	0		14
mw-t - Mowing Trails	0	0	0	0		0
pl - Planting	0	0	0	0		0
pm - Preventative maint/equip repair	0	0	0	0		0
po - Purchase materials	0	0	0	0		0
QF - Work done at Quincy Farm	8	0	117	15		140
se - Special Events	0	0	88	10		98
sg - Sign repair	0	0	0	0		0
shp - Shop Work	82	170	42	37		331
sn - Snow removal operations	0	0	0	0		0
spw - Spray Weeds	0	0	0	0		0
sw-t - Sweeping trails	0	0	0	0		0
tr - Training/Conference/safety	0	41	0	10		51
ts - Trash pickup both cans and loose	5	5	10	20		40
tt - Tree pruning/maintenance	57	0	0	0		57
wa - Watering	35	0	0	0		35
wd-m - Weed cutting mains	0	0	0	0		0
wd-p - Weed cutting parks	0	0	0	0		0
wd-r - Weed cutting rights of ways	0	0	0	0		0
wd-t - Weed cutting trails	0	0	0	0		0
pto - Paid Time Off	30	7	56	67		160
hol - Holiday Pay	0	0	0	128		128
to-c - Time off comp	0	0	0	0		0
to-w - Time off for workers comp	0	0	0	0		0
TOTAL HOURS	320	320	320	320	0	1280
MATERIALS						
is - Ice slicer- tons	0	0	0	0		0
mu - Mulch- yards	8	0	0	0		8
ts - Top soil- yards	0	0	0	0		0
sr-r - Split rail - Rails	0	0	0	0		0
sr-p - Split rail - Posts	0	0	0	0		0
tb - Tree branches- truckloads	12	0	0	0		12
Sod	0	0	0	0		0
ms - Misc materials	0	0	0	0		0
rb - Road Base- tons	0	0	0	0		0
Bollards	2	0	0	0		2
Rock	0	0	0	0		0
Construction Materials	0	0	0	0		0
Clippings	0	0	0	0		0
Trash	0	36	0	0		36
Planters Mix	0	0	0	0		0

DECEMBER 2025 PARKS LOG

	Week 49	Week 50	Week 51	Week 52		TOTALS
ad - Administrative Office Work	29.5	10	80	0		119.5
bm - Building Maintenance	0	0	0	0		0
cn - Concrete	0	0	0	0		0
cp - Overseeing contractor project	0	0	0	0		0
cr - Crackseal trails	0	0	0	0		0
fn - Fence repair/installation	0	0	0	0		0
ft - Fertilizing Trees	0	0	0	0		0
gm - Gen. Maint to trails, parks, ROW	0	8	64	12		84
gps - GPS and Mapping	0	0	0	0		0
hlc - Work done on High Line Canal	0	0	0	0		0
hl-d - Loads to dump	0	0	0	0		0
hl-po - Materials to shop	0	0	0	0		0
hl-r - Loads to recycle shop	0	0	0	0		0
hl-s - Loads to shop	0	0	0	0		0
ir - Irrigation repair/install/maint.	0	0	0	0		0
ln - Landscape Repairs	0	0	0	0		0
Misc - Miscellaneous	40	36	0	3		79
mw-p - Mowing Parks	0	0	0	0		0
mw-e - Mowing/maint. In entry features	0	0	0	0		0
mw-r - Mowing rights of ways	0	0	0	0		0
mw-t - Mowing Trails	0	0	0	0		0
pl - Planting	0	0	0	0		0
pm - Preventative maint/equip repair	0	0	0	0		0
po - Purchase materials	0	0	0	0		0
QF - Work done at Quincy Farm	0	0	0	0		0
se - Special Events	26	133	0	13		172
sg - Sign repair	0	0	0	0		0
shp - Shop Work	87	160	99	0		346
sn - Snow removal operations	82	0	0	2		84
spw - Spray Weeds	0	0	0	0		0
sw-t - Sweeping trails	0	0	0	0		0
tr - Training/Conference/safety	4	0	0	0		4
ts - Trash pickup both cans and loose	30	10	6	6		52
tt - Tree pruning/maintenance	0	0	20	0		20
wa - Watering	0	0	0	0		0
wd-m - Weed cutting mains	0	0	0	0		0
wd-p - Weed cutting parks	0	0	0	0		0
wd-r - Weed cutting rights of ways	0	0	0	0		0
wd-t - Weed cutting trails	0	0	0	0		0
pto - Paid Time Off	21.5	0	51	156		228.5
hol - Holiday Pay	0	0	0	128		128
to-c - Time off comp	0	0	0	0		0
to-w - Time off for workers comp	0	0	0	0		0
TOTAL HOURS	320	357	320	320	0	1317
MATERIALS						
is - Ice slicer- tons	1	0	0	0		1
mu - Mulch- yards	0	0	0	0		0
ts - Top soil- yards	0	0	0	0		0
sr-r - Split rail - Rails	0	0	0	0		0
sr-p - Split rail - Posts	0	0	0	0		0
tb - Tree branches- truckloads	0	0	0	0		0
Sod	0	0	0	0		0
ms - Misc materials	0	0	0	0		0
rb - Road Base- tons	0	0	0	0		0
Bollards	0	1	0	0		1
Rock	0	0	0	0		0
Construction Materials	0	0	0	0		0
Clippings	0	0	0	0		0
Trash	0	0	0	0		0
Planters Mix	0	0	0	0		0

2025 RIGHT-OF-WAY PERMITS MONTHLY REPORT

Jan-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
8		2	4	3	1		18
Feb-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
6		1	4				11
Mar-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
3	2	6	4	1	1		17
Apr-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
12		7	11	1			31
May-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
6	1	6	10				23
Jun-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
11	3	4	4		1		23
Jul-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
4	2	7	2		2		17
Aug-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
5	1	3	8	1			18
Sep-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
5	1	15	5	1		1	28
Oct-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
12	3	6	8	1			30

Nov-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
7	1	5	2	2			17

Dec-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
							0

2025 YEAR END TOTALS							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
79	14	62	62	10	5	1	233

2025 RIGHT-OF-WAY PERMITS MONTHLY REPORT

Jan-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
8		2	4	3	1		18
Feb-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
6		1	4				11
Mar-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
3	2	6	4	1	1		17
Apr-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
12		7	11	1			31
May-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
6	1	6	10				23
Jun-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
11	3	4	4		1		23
Jul-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
4	2	7	2		2		17
Aug-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
5	1	3	8	1			18
Sep-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
5	1	15	5	1		1	28
Oct-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
12	3	6	8	1			30

Nov-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
7	1	5	2	2			17

Dec-25							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
12	3	3		1			19

2025 YEAR END TOTALS							
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	VEHICLE TRACKING PAD	OCCUPANCY	PARKS/ TRAILS	LANDSCAPE	MAJOR JOBS	TOTAL PERMITS
91	17	65	62	11	5	1	252

CHV Right of Way Log	
November	
Location	Notes
Vista Rd	Materials in ROW - removed
Hudson Way	Signs in ROW - removed
Cherryridge Road	Site parking - moved
E Tufts Ave	Tree trimmers in ROW - contacted warned - moved
S Colorado Blvd	Site parking - moved
Carriage Lane	Site parking - moved
Manor Dr	POD in ROW - notice issued - moved
E Layton Ave	Site parking - moved
S Franklin St	vehicle tracking - new VTC installed
S Downing St	Site parking - moved
E Princeton Ave	Driveway tracking - warned - cleaned
Cherry Hills Farms West	Portable toilet in ROW - moved
Manor Dr	POD in ROW - notice issued - removed

CHV Right of Way Log	
December	
Location	Notes
S. Vine Way	Tree in ROW-contacted and removed
Dahlia St	Site parking-moved
S Franklin St	Construction parking-moved
Winwood Dr	Follow up check for VTC-in compliance
Mansfield	Follow up check for VTC-in compliance
Franklin/Tufts	No parking signs-placed in error by barricade company-removed
S Denice Dr	Street tracking-warning issued-cleaned
Tamarac Ln	Site parking-moved
S Colorado Blvd	Illegal parking-moved

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: 25c(ii)

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL

FROM: KELLY NEWMAN, DIRECTOR OF FINANCE AND ADMINISTRATION

SUBJECT: STAFF APPROVED CONTRACTS MONTHLY REPORT PER CITY
PURCHASING POLICY – DECEMBER 2025

DATE: JANUARY 20, 2026

ISSUE

How many City contracts, agreements, or purchase orders were signed by authorized staff during the month of December 2025 per the City's purchasing policy?

DISCUSSION

Section VI (Spending and Signature Authority) of the City's Purchasing Policy includes a requirement that the City Manager provide City Council 'with a copy of each executed Contract and Purchase Order in a monthly report, regardless of whether it was budgeted or unanticipated.' Please note that this report only includes contracts or purchase orders signed by the City Manager or staff as they have been delegated that authority per the Purchasing Policy; this report excludes contracts or agreements executed by the Mayor, or approved by City Council to be executed by staff.

Contractor	Description	Term	Cost	Budgeted?	Dept
Power DMS	Electronic ticketing	Jan 1, 2026 through Dec 31, 2026	\$18,203.88	Yes	Police
Humane Society	Lost dog services	Jan 1, 2026 through Dec 31, 2026	\$5,390.00	Yes	Police
Prestige Towing	Towing services	Jan 1, 2026 through Dec 31, 2026	As needed but not more than \$10k/year for past 10 years	Yes	Police

ATTACHMENTS

Exhibit A: Staff Approved Contracts – December 2025

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

Re: Renewal of Agreement for Animal Sheltering Services with the City of Cherry Hills Village

In accordance with Section 3.1.2 of the Professional Services Agreement ("Agreement") entered into between the City of Cherry Hills Village ("City") and Humane Society of the South Platte Valley, Inc. ("Society") with an effective date of January 1, 2025, this letter agreement confirms a renewal of the Agreement between the City and the Society for an additional one-year term.

1. The Agreement shall be renewed for an additional one-year term, and shall be effective from January 1, 2026 to December 31, 2026.
2. The annual compensation for services performed in 2026 shall be Five Thousand Three Hundred Ninety Dollars and Zero Cents (\$5,390.00). The City shall pay this amount in a lump sum payment to the Society within thirty (30) days of the City's receipt of an invoice from the Society.
3. Except as amended herein, the original terms and conditions of the Agreement shall remain in full force and effect.

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

HUMANE SOCIETY OF THE SOUTH PLATTE VALLEY, INC.

BY: Leslie Maisonneuve

Name: Leslie Maisonneuve

Title: Shelter Director

Date: 12/16/25

CITY OF CHERRY HILLS VILLAGE

BY: Jason Lyons

Name: Jason Lyons

Title: Chief of Police

Date: 12/29/25

THIS IS NOT AN INVOICE

Contract Records		Order Details	
Account Number:	A-23204	Order #:	Q-401793
Customer:	Cherry Hills Village Police Department (CO)	Valid Until:	1/1/2026
Effective Employee Count:	29		
Sales Rep:	Salesforce Administrator		

Customer Contact		Shipping Contact	
Billing Contact:	Cherry Hills Village Police Department (CO) Terri Littleford	Shipping Contact :	Cherry Hills Village Police Department (CO) Terri Littleford
Billing Address:	2460 E Quincy Ave Cherry Hills Village, CO 80113	Shipping Address:	2460 E Quincy Ave Cherry Hills Village, CO 80113
Billing Contact Email:	tlittleford@cherryhillsvillage.com	Shipping Contact Email:	tlittleford@cherryhillsvillage.com
Billing Phone:	303-761-8711	Shipping Phone:	303-761-8711

Payment Terms		Notes:
Payment Term:	Net 60	Policy 30-39 user tier
PO Number:		

Subscription Service

January 2026

Item	Type	Start Date	End Date	Qty.	License Type	Total (USD)
PowerPolicy Professional Subscription	Recurring	1/1/2026	12/31/2026	39	User Count Based	\$7,989.27
A policy and compliance management platform that lets you create, edit, organize, and distribute content from a secure, cloud-based site. Included are key features such as automatic workflows, signature capture and tracking, side-by-side comparison, Public-Facing Documents, PowerDMS University, and Analytics for advanced reporting.						
PowerTraining	Recurring	1/1/2026	12/31/2026	39	User Count Based	\$641.53
A training solution that lets you create, deliver, and track training content online, including videos and PowerPoint presentations. It integrates with PowerPolicy Select and Professional, giving you the ability to attach policies to training courses while ensuring version control.						
PowerReady (formerly PowerFTO) Subscription	Recurring	1/1/2026	12/31/2026	29	Employee Based	\$3,589.90
The PowerFTO Annual subscription provides an agency-wide license for unlimited number of programs and includes, Secure Storage on MS Azure Gov Servers, Mobile Accessibility, Email Notifications, Unlimited Late Form and Trainee Performance Alerts, Ongoing training resources, Ongoing software updates, Access to Industry Partnerships, Ongoing Support & Maintenance.						
PowerEngage LE Subscription	Recurring	1/1/2026	12/31/2026	29	Employee Based	\$2,991.59
Automated text message / text survey platform for law enforcement agencies sent based on interaction with a single department. Includes Rules Engine, Survey Builder - about the agency or officers, Measurement Dashboards, Task Creation and Positive Feedback. Includes connection to agency Computer Aided Dispatch (CAD) and Law Records Management System (RMS). Does not include fees, if any, charged by the CAD or RMS vendor.						
PowerTime Subscription	Recurring	1/1/2026	12/31/2026	29	Employee Based	\$2,991.59
Subscription for staff scheduling for a single agency. Includes public safety scheduling, rotations, time off, calendar editor, email notifications, payroll export and digital staffing board.						
January 2026 TOTAL:						\$18,203.88
Total: 						\$18,203.88

This price does NOT include any sales tax. Total in USD

Additional Terms and Conditions

License Terms: Enterprise license denotes that Customer has purchased an enterprise wide license up to the employee count specified above. User based license denotes that Customer has purchased the number of licenses set forth in the quantity column. Item count denotes the number of items that Customer has licensed as set forth in the quantity column.

Payment Terms: All invoices issued hereunder are due upon the invoice due date. If the Order is for a period longer than one year, the fees for the first period shown shall be invoiced immediately and the fees for future years/periods shall be invoiced annually in advance of each 12 month period shown on the Order, but regardless of the billing cycle, Customer is responsible for the fees for the entire Order. The fees set forth in this Service Order are exclusive of all applicable taxes, levies, or duties imposed by taxing authorities and Customer shall be responsible for payment of any such applicable taxes, levies, or duties. All payment obligations are non-cancellable, and all fees paid are non-refundable. Payment for services ordered hereunder shall be made to PowerDMS, Inc. a wholly owned subsidiary of GovernmentJobs.com, Inc. (D/B/A NEOGOV).

Terms & Conditions: This Order Form creates a legally binding contract on the parties. Unless otherwise agreed in a written agreement between GovernmentJobs.com, Inc. (D/B/A/ NEOGOV), parent company of PowerDMS, Inc., Cuehit, Inc., Ragnasoft LLC (D/B/A/ PlanIT Schedule), and Design PD, LLC (D/B/A Agency360) (collectively, "NEOGOV") and Customer, this Order Form and the services to be furnished pursuant to this Order Form are subject to the terms and conditions set forth here: <https://www.neogov.com/service-specifications>.

Special Condition:

Your signature below constitutes acceptance of terms herein and contractual commitment to purchase the items listed above.

Accepted and Agreed By Authorized Representative of:
Cherry Hills Village Police Department (CO)

Signature: _____

Printed Name: _____

Title: _____

Date: _____

THE INFORMATION AND PRICING CONTAINED IN THIS ORDER FORM IS STRICTLY CONFIDENTIAL.

PRESTIGE TOWING INCORPORATED

8156-E South Wadsworth

Blvd Suite 142

Littleton CO 80128

303-669-6870(24 Hour Phone)

PUC NOT-03267

303-948-9566 (Office)

USDOT0980866CO

303-799-8841 (Fax)

prestigetowinginc@gmail.com

City of Cherry Hills Village
Police Department
2450 East Quincy Avenue
Cherry Hills Village, CO 80113

Services

Every vehicle will be towed on a flatbed truck which allows the vehicle to be lifted completely off the road(*except when double hookup to stinger is necessary*). All tow trucks have the ability to tow full size pick-up trucks, passenger cars, and motorcycles. Prestige Towing Incorporated service response time for public/city service calls will be twenty-five (25) minutes from initial request and for heavy duty requests (*response time heavily depends on traffic congestion and road conditions*).

Prestige Towing Incorporated will provide a secure storage lot available, twenty-four (24) hours a day, seven (7) days a week, located at 8508 S. Valley Highway Road, Englewood, Colorado 80112.

Prestige Towing Incorporated will be responsible for the disposal for abandoned vehicles in accordance with all Colorado laws and regulations. A Department representative will perform the VIN verification and assure that the VIN has been checked on the Colorado Crime Information Computer (CCIC) prior to disposal.

Prestige towing Incorporated will be responsible for maintaining accurate and detailed records of all dates of towing, storage, and release, and for all fees and charges assessed and collected by Prestige Towing Incorporated, will send via facsimile or other City requested by means a summary of such records to the Police Department on a monthly basis or at such other time(s) requested by the Police Department.

Prestige will remain open Monday-Friday normal business hours and respond to requests by Cherry Hills

Cherry Hills Village Police Department after hours in emergencies.

Prestige Towing Incorporated

The City of Cherry Hills Village and its Police Department must call Prestige Towing Incorporated for any towing needs.

All future rate renewals shall be in accordance with PUC.

Public Service Charges

Towing/Mileage

\$80.00/\$4.00 per mile
(Plus fuel surcharge of 15% of tow bill)

PUC Regulations 6511C

City Service Charges

(following are charges only incurred by the City)

Passenger & Light Duty

No Charge

Heavy Duty Tows

(Handled through Prestige Towing
Incorporated sublet company)

PUC Guidelines

City Service Call/Stand By

\$50.00 per hour/per truck
(clean-up, storms and emergencies included)
(on site @ 8006 E Arapahoe Road. Starting
from initial request to cancellation. This is for
immediate response and removal of vehicles
blocking snow/storm debris removal and
special events)

Storage

\$30.00 per day. In accordance with PUC.

Impound

\$205.00 PAID IN CASH in accordance with PUC.

Accidents

\$205.00 per hour in accordance with
PUC.
Duties of accidents include: Cleaning and
clearing the scene. Duties are
to include cleaning and clearing all

debris from the roadway such as glass and all other damaged vehicles and parts. Cleaning and clearing the scene from any other debris or wreckage caused during the incident. Duties also include:
Cleaning any fluids that have leaked out the vehicles during incident and laying down oil dry/ floor dry
Prestige Towing will then take and dispose of all materials.

Evidence Tow-out

\$91.00 In accordance with PUC.

Prestige Towing Incorporated

Insurance Information

ACUIITY

2800 S. Taylor Drive

PO Box 718

Sheboygan, WI. 53081

Policy Type: ACUIITY **Package**

Cargo 12

Garaged Keepers 14

Single Limit Bodily Injury and Property Damage Liability-\$750.00 each/accident

UM/Underinsured MOT-\$25,000/pers. \$50,000/Acc.

Personal Injury Protection-PPO Option (Selective Health Care Providers)

Basic with \$0 Ded without Workers Comp

Pinnacle Assurance-Workman's Compensation Insurance

720 S. Colorado Blvd.

Suite 100, North Tower

Denver, CO 80246-1938

Prestige shall procure and maintain public liability insurance necessary and On-Hook Towing Liability-\$15,000 Deductible \$500.00

protect the City and Prestige during the term of the agreement.

Permits & Licenses

Prestige Towing Inc. will maintain all licenses and permits required under State, Local, and Federal law during the term of this agreement.

If there are any further questions or information needed, please feel free to call Paul at 303-669-6870. Again, thank you for your consideration in this matter. We look forward to working with the Cherry Hills Village Police Department.

Prestige Towing Incorporated

Termination

This agreement remains active for the calendar year of 2026. The City of Cherry Hills Village can terminate this agreement at any time, the agreement will be deemed terminated 30 days after written notice is sent to the other party.

Written Notice

Any written notices required herein shall be delivered in person, by facsimile, or by mailing by first class mail, postage fully prepaid; addressed as follows:

If to the City:

**If to the
Contractor:**

City of Cherry Hills Village Attn: Chief of Police 2460 E. Quincy Avenue Cherry Hills Village, Colorado 80113	Prestige Towing, Inc. Attn: Paul Budka 8006 East Arapahoe Rd. Suite 20 Centennial, CO 80112
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THIS AGREEMENT is executed and made effective as provided above.

**CITY OF CHERRY HILLS VILLAGE,
COLORADO:**

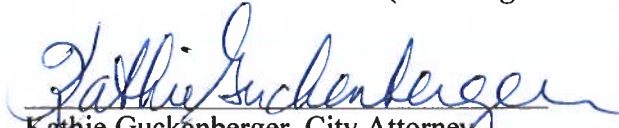

Jason Lyons, Chief of Police

Date of execution: 12/12/25

ATTEST:


Laura Gillespie, City Clerk

APPROVED AS TO FORM (excluding exhibits):


Kathie Guckenberger, City Attorney

**BUDKA ENTERPRISES, INC. D/B/A PRESTIGE
TOWING, INC.:**


Paul Budka, President

Date of execution: 12-22-25

ADDENDUM TO AGREEMENT BY AND BETWEEN BUDKA ENTERPRISES, INC. DOING BUSINESS AS PRESTIGE TOWING INC. ("CONTRACTOR") AND THE CITY OF CHERRY HILLS VILLAGE ("CITY") FOR TOWING SERVICES ("AGREEMENT")

The following provisions shall be incorporated into the Agreement and in the event of conflict between any provision in this Addendum and the Agreement, the Addendum shall control.

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

CONTRACTOR ACKNOWLEDGES THAT NEITHER IT NOR ITS AGENTS OR EMPLOYEES ARE ENTITLED TO UNEMPLOYMENT INSURANCE BENEFITS UNLESS CONTRACTOR OR SOME ENTITY OTHER THAN THE CITY PROVIDES SUCH BENEFITS. CONTRACTOR FURTHER ACKNOWLEDGES THAT NEITHER IT NOR ITS AGENTS OR EMPLOYEES ARE ENTITLED TO WORKERS' COMPENSATION BENEFITS. CONTRACTOR ALSO ACKNOWLEDGES THAT IT IS OBLIGATED TO PAY FEDERAL AND STATE INCOME TAX ON ANY MONEYS EARNED OR PAID PURSUANT TO THIS AGREEMENT.

2. TERM AND TERMINATION: The term of this Agreement is January 1, 2026 through December 31, 2026. The City may, by providing advance written notice, renew this Agreement for up to three (3) additional one-year terms upon the same terms and conditions of the Agreement and this Addendum. The City may terminate the Agreement at any time upon thirty (30) days' advance written notice to Contractor.

3. INDEMNIFICATION: The City cannot and by this Agreement does not agree to indemnify, hold harmless, exonerate or assume the defense of Contractor or any other person or entity whatsoever. Contractor shall defend, indemnify and hold harmless the City, its elected officials, officers, directors, agents, and employees from any and all claims, demands, suits, actions or proceedings of any kind or nature whatsoever, in any way resulting from or arising from this Agreement; provided, however, that Contractor need not indemnify or save harmless the City, its officers, agents and employees from damages resulting from the negligence of City's elected officials, officers, directors, agents, and employees. Contractor' defense, indemnification and insurance obligations shall be to the fullest extent permitted by law and nothing in this Agreement shall be construed as requiring Contractor to defend in litigation, indemnify or insure the City against liability arising out of the death or bodily injury to person or damage to property caused by the negligence or fault of the City or any third party under the control or supervision of the City.

4. INSURANCE: The Contractor shall obtain and maintain the types and minimum amounts of insurance as set forth in the Agreement. Contractor's insurance shall remain in full force and effect during the term of this Agreement and for a period of one (1) year after completion of the Services.

The Contractor's failure to obtain and continuously maintain policies of insurance in accordance with this Section shall not limit, prevent, preclude, excuse, or modify any liability, claims, demands, or other obligations of the Contractor arising from performance or non-performance of this Agreement.

5. NO WAIVER OF GOVERNMENTAL IMMUNITY: The Parties hereto understand and agree that the City, its elected officials, directors, agents and employees, are relying on, and do not waive or intend to waive by any provisions of this Agreement, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act, §§ 24-10-101 to 120, C.R.S., as the same may be amended from time to time, or otherwise available to the City.

6. NONDISCRIMINATION: In connection with the performance of work under this Agreement, Contractor agrees not to refuse to hire, discharge, promote or demote, or to discriminate in matters of compensation against any person otherwise qualified, solely because of race, color, religion, national origin, gender, age, military status, sexual orientation, marital status, or physical or mental disability.

7. GOVERNING LAW; VENUE: This Agreement shall be deemed to have been made in, and construed in accordance with the laws of the State of Colorado. Venue for any action hereunder shall be in the District Court, County of Arapahoe, State of Colorado. Contractor expressly waives the right to bring any action in or to remove any action to any other jurisdiction, whether state or federal.

8. COMPLIANCE WITH ALL LAWS AND REGULATIONS: All of the work performed under this Agreement by Contractor shall comply with all applicable laws, rules, regulations and codes of the United States and the State of Colorado. Contractor shall also comply with all applicable ordinances, regulations, and resolutions of the City and shall commit no trespass on any public or private property in the performance of any of the work embraced by this Agreement.

9. SEVERABILITY: In the event any of the provisions of this Agreement are held to be unenforceable or invalid by any court of competent jurisdiction, the validity of the remaining provisions shall not be affected, provided that the remaining provisions without the invalidated provisions are consistent with the Parties' intent. Should either party fail to enforce a specific term of this Agreement it shall not be a waiver of a subsequent right of enforcement, nor shall it be deemed a modification or alteration of the terms and conditions contained herein.

10. NO THIRD-PARTY BENEFICIARIES: The enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement, shall be strictly reserved to the City and Contractor, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other or third person under such Agreement.

11. SURVIVAL OF TERMS: The provisions of paragraphs 1 (Independent Contractor), 3 (Indemnification), 4 (Insurance), 5 (No Waiver of Governmental Immunity), and 7 (Governing Law and Venue) shall survive the expiration or termination of this Agreement.

12. MODIFICATION: This Agreement may only be modified upon written agreement signed by the Parties.

DATED THIS 12th DAY OF DECEMBER, 2025

CITY OF CHERRY HILLS VILLAGE:

By: Jason J. Lyons
Title: Jason Lyons, Chief of Police

ATTEST:

Kanua Gilpin
City Clerk

APPROVED AS TO FORM:

Kathie Guckenberger
Kathie Guckenberger, City Attorney

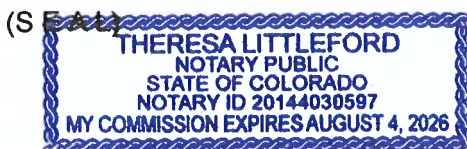
CONTRACTOR:
BUDKA ENTERPRISES, INC. D/B/A PRESTIGE
TOWING INC.

By: Paul Budka
Name: Paul Budka
Title: President

STATE OF COLORADO)
COUNTY OF Arapahoe) ss.

The foregoing instrument was subscribed, sworn to and acknowledged before me this 22 day of December, 2025, by Paul Budka as President of Budka Enterprises, Inc. d/b/a Prestige Towing, Inc., a Colorado Corporation.

My commission expires: 8/4/26



Theresa Littleford
Notary Public

CITY OF CHERRY HILLS VILLAGE
COLORADO

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

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

ITEM: 25c(iii)

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL

FROM: KELLY NEWMAN, DIRECTOR OF FINANCE AND ADMINISTRATION

SUBJECT: NOVEMBER 2025 FINANCIAL STATEMENTS

DATE: JANUARY 20, 2026

Overview:

Attached are the City's financial reports for November 2025 (Exhibit A). The Balance Sheets for each of the City's eleven funds show beginning Fund Balances along with "Revenue Over (Under) Expenditures – YTD" (net income) as of November 30, 2025. The "Revenues/Expenditures Compared to Budget" sections display details of the City's operations for each fund and department. The highlighted sections of the report note the following:

Current Cash balance: \$49.1M (decrease of \$0.3M from 10/31/2025 due to payments for capital projects made- specifically streets mill and overlay projects)

Current General Fund balance: \$38.9M (increase of \$0.3M from 10/31/2025, due to the increase in building permit and sales tax revenue coming in over budget)

Revenue over Expenditures YTD: \$4.1M (increase of \$0.1M from 10/31/2025)

The decrease in overall cash balance is primarily due to budgeted payments made for capital projects in November 2025. Capital fund cash balance has decreased by \$0.3M due to budgeted payments for capital projects including mill and overlay and other street projects. Revenue over expenditure increasing by \$0.1M is due to increase in revenue from building permits, sales tax payments and utility franchise fees coming in above budgeted for 2025.

All budgeted transfers between funds have been made for 2025.

Final 2025 COP debt payments were made in November 2025 and are reflected in the November 2025 YTD reports.

Revenues:

Overall revenues are trending above budget in most categories. Only motor vehicle sales tax is under budget (by 7% YTD) for 2025 (holding consistent from November 2025). Building permit

revenue is well above budget at \$400k above budgeted at the end of November 2025. This is due to continued increase in building permits issued and cost of the average building project increasing (increased cost of materials, labor, inflation, etc). Utility Franchise use payments have also increased in 2025, revenue collected is at \$584k or 114% of budget at the end of November 2025. This is due to increase in utility costs, fees and usage. Specific ownership tax is trending slightly under budget (-7%) as of November 30, 2025 – generally December is a higher new purchase month and revenues may catch up. Court fines are also trending below budget by roughly 25% and will likely not reach budgeted amounts for 2025 (\$64k shortfall currently). Total revenues collected for the General Fund are 106% of budget as of 11/30/2025.

General Fund:

Property tax collected: \$3.7M, 100% of budget

Utility Franchise Fees collected: \$584K, 114% of budget

Sales tax collected: \$4.1M, 107% of budget

Motor Vehicle sales/use tax collected: \$1.2M, 86% of budget

Building Permit fees collected: \$2M, 140% of budget

Interest Income collected: \$1.5M, 111% of budget

Parks Fund:

Property tax collected: \$3.8M, 100% of budget

Expenditures:

Overall expenditures are trending to budget through November 30, 2025.

Conservation Trust Fund expenditures are well under budget as the Quincy Farm Pond is the largest project and it will stretch into 2026 with the majority of the expenditures for the pond (\$400k) expected to occur in 2026. Work completed in 2025 was recently billed and will be reflected in the December 2025 financial statements.

City Financial Position at 11/30/2025:

Overall, the City of Cherry Hills Village is in an excellent financial position as of 11/30/2025. Revenues exceed expenditures and both revenues and expenditures are trending overall to budget with revenues slightly above budget.

ATTACHMENTS

Exhibit A: November 2025 Financial Statements

CITY OF CHERRY HILLS VILLAGE
COMBINED CASH INVESTMENT
NOVEMBER 30, 2025

EXHIBIT A

COMBINED CASH ACCOUNTS

99-1020	CSLIP	5,276,859.89
99-1021	WELLS FARGO CHECKING--XX3055	2,127,899.07
99-1022	BOK--CHARL PARK GID	40,048.13
99-1023	BOK--SOUTHMOOR HUDSON GID	9,495.11
99-1024	XPRESSBILLPAY	27,486.94
99-1025	COLOTRUST--GENERAL	22,016,213.47
99-1027	CSAFE--GENERAL	4,661,175.11
99-1028	CSAFE--CORE	2,105,976.48
99-1030	AR CASH CLEARING	430.00
99-1040	WELLS FARGO--MONEY MARKET	4,891,641.41
99-1041	WELLS FARGO INVESTMENT ACCT	8,000,000.00

	TOTAL COMBINED CASH	49,157,225.61
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99-1000	CASH ALLOCATED TO OTHER FUNDS	(49,157,225.61)
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	TOTAL UNALLOCATED CASH	.00
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CASH ALLOCATION RECONCILIATION

1	ALLOCATION TO GENERAL FUND	38,906,468.33
2	ALLOCATION TO CAPITAL FUND	1,950,953.15
7	ALLOCATION TO CONSERVATION TRUST FUND	643,516.00
8	ALLOCATION TO CH ANDERSON LAND DONATION FUND	149,117.98
14	ALLOCATION TO OPEN SPACE FUND	2,173,549.10
20	ALLOCATION TO WATER AND SEWER FUND	868,755.19
30	ALLOCATION TO PARKS AND RECREATION FUND	4,418,687.89
40	ALLOCATION TO CHV CHARLOU PARK 3RD FILING	38,595.15
50	ALLOCATION TO SOUTHMOOR CIR HUDSON PKWY GID	7,582.82

	TOTAL ALLOCATIONS TO OTHER FUNDS	49,157,225.61
	ALLOCATION FROM COMBINED CASH FUND - 99-1000	(49,157,225.61)

	ZERO PROOF IF ALLOCATIONS BALANCE	.00
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CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

GENERAL FUND

ASSETS

01-1000	CASH - COMBINED FUND	38,906,468.33	
01-1011	CASH ON HAND-GEN FUND	150.00	
01-1029	CASH ON DEPOSIT-PITNEY BOWES	2,500.00	
01-1031	CASH-COUNTY TREASURER GENERAL	44,498.11	
01-1051	PROPERTY TAXES RECEIVABLE	3,770,911.92	
01-1151	A/R--BILLED ACCTS--AR & DEV	69,851.86	
01-1152	SALES TAX RECEIVABLE	617,834.02	
01-1154	OTHER ACCOUNTS RECEIVABLE	209,667.02	
01-1156	INVESTMENT INT RECEIVABLE	129,831.09	
01-1551	HEALTH/DENTAL INS. PAYABLES	(66,793.87)	
01-1552	PREPAID EXPENSES	22,860.88	
01-1701	COMPUTER LOAN PROGRAM	3,019.09	
TOTAL ASSETS			43,710,798.45

LIABILITIES AND EQUITY

LIABILITIES

01-2011	ACCOUNTS PAYABLE	2,652.47	
01-2012	ACCRUED EXPENDITURES	34,932.25	
01-2013	ACCRUED PAYROLL	133,173.20	
01-2015	FICA/FWH PAYABLES	1,342.94	
01-2020	HEALTH SAVINGS PAYABLES	(3,322.41)	
01-2023	RETIREMENT PAYABLES	(44.86)	
01-2025	LIFE, DEP, STD & LTD INS	9,072.59	
01-2026	CO STATE TAX WITHHOLDING	(97.00)	
01-2030	SHORT TERM DISABILITY PAYABLES	(270.00)	
01-2031	GARNISHMENTS	(156.92)	
01-2201	RECOGNIZANCE BONDS	445.00	
01-2221	DEFERRED PROPERTY TAXES	3,770,911.92	
01-2231	PERFORMANCE BONDS PAYABLE	28,113.25	
01-2251	CHERRY HILLS GIFT FUND ESCROW	17,328.56	
01-2360	BUILDING ESCROW	15,939.50	
01-2370	BUILDING ESCROW	(10,674.28)	
01-2380	ROW-DRIVEWAYS	5,000.00	
01-2401	DUE TO STATE OF COLO--ESCHEATS	52.84	
TOTAL LIABILITIES			4,004,399.05

FUND EQUITY

01-2901	RESTRICTED FUND BALANCE--ART	11,020.17	
UNAPPROPRIATED FUND BALANCE:			
01-2900	FUND BALANCE	35,576,385.11	
	REVENUE OVER EXPENDITURES - YTD	4,118,994.12	
BALANCE - CURRENT DATE		39,695,379.23	
TOTAL FUND EQUITY			39,706,399.40

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

GENERAL FUND

TOTAL LIABILITIES AND EQUITY

43,710,798.45

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

GENERAL FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
<u>TAX REVENUES</u>						
01-310-3111 PROPERTY TAXES--CURRENT	2,767,912	3,650,032	3,710,390.75	3,710,390.75	3,700,000	100.3
01-310-3121 SPECIFIC OWNERSHIP TAXES	345,481	390,401	70,027.14	70,027.14	0	.0
01-310-3161 UTILITY FRANCHISE FEE	583,345	443,373	584,309.96	584,309.96	510,000	114.6
01-310-3162 CABLE TELEVISION FRANCHISE FEE	156,481	152,944	35,556.48	35,556.48	154,000	23.1
01-310-3191 CURRENT TAX INTEREST	9,287		5,449.99	5,449.99	1,000	545.0
01-310-3192 PROPERTY TAXES--DELINQUENT		31,618	.00	.00	0	.0
01-310-3193 DELINQUENT INT		1,598	.00	.00	0	.0
01-310-3311 SALES TAX	2,506,214	3,401,469	4,118,982.67	4,118,982.67	3,843,750	107.2
01-310-3312 MOTOR VEHICLE SALES TAX	1,612,186	1,330,500	1,239,799.47	1,239,799.47	1,445,000	85.8
01-310-3314 DELINQUENT ST PEN AND INT		9,714	.00	.00	0	.0
TOTAL TAX REVENUES	7,980,906	9,411,650	9,764,516.46	9,764,516.46	9,653,750	
<u>LICENSE AND PERMIT REVENUES</u>						
01-320-3211 LIQUOR LICENSES	7,903	8,241	7,507.75	7,507.75	6,000	125.1
01-320-3213 SECURITY ALARM PERMITS	31,720		.00	.00	0	.0
01-320-3220 LAND USE FEES	11,137	1,600	2,858.33	2,858.33	5,000	57.2
01-320-3221 BUILDING PERMITS	1,319,674	1,584,598	1,997,070.29	1,997,070.29	1,450,000	137.7
01-320-3222 SERVICE EXPANSION FEES	178,373	121,458	168,814.30	168,814.30	120,000	140.7
01-320-3223 ZONING & SUBDIVISION FEES			.00	.00	1,000	.0
01-320-3224 ELEVATOR INSPECTION FEE	1,540		11,370.00	11,370.00	2,500	454.8
01-320-3225 PLAN REVIEW FEE	145,590	136,998	184,490.00	184,490.00	135,000	136.7
01-320-3227 DOG LICENSES	1,680	1,260	1,430.00	1,430.00	2,000	71.5
01-320-3228 STREET CUT PERMITS	75,625	78,600	85,025.00	85,025.00	80,000	106.3
01-320-3229 STORMWATER CONSTRUCTION PERMIT	5,213	1,951	7,894.00	7,894.00	3,000	263.1
01-320-3230 ENGINEERING PLAN REVIEW	29,793	12,383	35,080.50	35,080.50	22,500	155.9
TOTAL LICENSE AND PERMIT REVENUES	1,808,248	1,947,088	2,501,540.17	2,501,540.17	1,827,000	
<u>INTERGOVERNMENTAL REVENUES</u>						
01-330-3321 MOTOR VEH.REGISTRATION	20,251	19,299	.00	.00	0	.0
01-330-3342 CIGARETTE TAX	6,946	7,752	6,543.44	6,543.44	9,000	72.7
01-330-3352 HIGHWAY USERS TAX	208,153	237,435	.00	.00	0	.0
01-330-3353 CDOT II-CHILL SB			3,217.10	3,217.10	0	.0
01-330-3355 STATE GRANTS			2,700.04	2,700.04	0	.0
01-330-3371 COUNTY ROAD & BRIDGE	81,459	93,024	.00	.00	0	.0
01-330-3375 SENATE BILL BACKFILL		110,274	.00	.00	0	.0
TOTAL INTERGOVERNMENTAL REVENUES	316,807	467,785	12,460.58	12,460.58	9,000	

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

GENERAL FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
CHARGES FOR SERVICES REVENUES						
01-350-3420 EXTRA DUTY SERVICE CHARGES	68,019	94,825	64,931.75	64,931.75	65,000	99.9
01-350-3421 FALSE ALARM FEES	4,357		.00	.00	0	.0
01-350-3422 POLICE CONTRACT REVS	233,123	219,917	210,704.92	210,704.92	319,680	65.9
01-350-3511 MUNICIPAL COURT FINES	128,779	154,923	116,956.25	116,956.25	180,000	65.0
01-350-3512 DUI FINES			4,145.67	4,145.67	0	.0
01-350-3513 FUEL SURCHARGE	5,710	6,700	4,840.00	4,840.00	8,000	60.5
01-350-3515 E.V. CHARGING FEES			314.94	314.94	0	.0
TOTAL CHARGES FOR SERVICES REVENUE	439,987	476,365	401,893.53	401,893.53	572,680	
MISCELLANEOUS REVENUES						
01-360-3611 INTEREST INCOME	622,888	1,269,137	1,554,001.15	1,554,001.15	1,400,000	111.0
01-360-3650 CRIER CONTRIBUTIONS	6,084	6,766	5,810.00	5,810.00	6,000	96.8
01-360-3660 CRIER ADVERTISEMENT	5,308	5,570	7,680.00	7,680.00	8,000	96.0
01-360-3680 OTHER REVENUES	62,906	17,874	50,269.64	50,269.64	15,000	335.1
01-360-3681 DONATION TO THE ART COMMISSION	9,025	1,160	1,287.00	1,287.00	8,000	16.1
01-360-3683 POLICE DONATIONS	35,500	50,000	50,000.00	50,000.00	50,000	100.0
01-360-3690 RENTAL FEES RECEIVED	7,621	9,085	9,455.74	9,455.74	8,800	107.5
01-360-3695 SALE OF ASSETS			11,150.00	11,150.00	0	.0
01-360-3699 SALE OF REAL PROPERTY	4,025,000		.00	.00	0	.0
01-360-3710 TRANSFERS IN		998,037	.00	.00	0	.0
TOTAL MISCELLANEOUS REVENUES	4,774,331	2,357,629	1,689,653.53	1,689,653.53	1,495,800	
TOTAL FUND REVENUE	15,320,279	14,660,516	14,370,064.2	14,370,064.27	13,558,230	106.0

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

GENERAL FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>ADMINISTRATION DEPARTMENT</u>						
01-411-1011 PERSONNEL SERVICES	424,280	483,543	482,761.66	482,761.66	541,170	89.2
01-411-1012 FEE PERSONNEL	15,750	2,400	1,252.24	1,252.24	0	.0
01-411-1013 SOCIAL SECURITY TAXES	31,536	35,305	30,665.35	30,665.35	41,400	74.1
01-411-1014 RETIREMENT 401-NONSWORN	17,257	18,121	15,500.61	15,500.61	21,000	73.8
01-411-1015 RETIREMENT	3,570	5,008	5,280.00	5,280.00	5,500	96.0
01-411-1016 HEALTH-LIFE-DENTAL INSURANCE	45,691	44,654	62,471.78	62,471.78	83,250	75.0
01-411-1017 UNEMPLOY-WORKMENS COMP INS	59,840	79,084	97,971.50	97,971.50	107,250	91.4
01-411-2021 OFC-SUPPLIES-POSTAGE	11,802	6,127	7,193.19	7,193.19	10,000	71.9
01-411-2022 PRINTING-REPRODUCTION	964	32	325.86	325.86	1,500	21.7
01-411-2028 SPECIAL MATERIALS	2,182	3,505	4,022.97	4,022.97	3,000	134.1
01-411-3031 GAS-HEAT-LIGHT	13,630	15,809	20,427.64	20,427.64	19,400	105.3
01-411-3033 COMMUNICATIONS	14,566	8,247	10,353.66	10,353.66	8,500	121.8
01-411-3035 SEWER	1,960	1,940	2,045.22	2,045.22	2,000	102.3
01-411-4040 COUNTY TREASURER FEES	18,793	37,668	37,159.88	37,159.88	37,100	100.2
01-411-4041 COUNTY USE TAX FEES	79,646	66,525	.00	.00	72,300	.0
01-411-4042 AUDIT	7,625	7,600	30,292.50	30,292.50	36,350	83.3
01-411-4043 LEGAL	159,127	211,301	240,320.44	240,320.44	300,000	80.1
01-411-4044 FINANCIAL CONSULTING	0	0	38,441.25	38,441.25	0	.0
01-411-4049 OTHER CONTRACTUAL SERVICES	58,951	35,630	34,530.98	34,530.98	51,750	66.7
01-411-5051 BUILDING MAINTENANCE	7,582	5,454	6,454.28	6,454.28	9,500	67.9
01-411-6061 INSURANCE-BONDS	124,891	165,385	169,979.31	169,979.31	185,600	91.6
01-411-6062 ELECTION EXPENSE	0	596	.00	.00	10,000	.0
01-411-6063 TRAIN.-DUES-TRAVEL-SUBSC	28,455	30,561	24,515.40	24,515.40	58,070	42.2
01-411-6064 TESTING-PHYSICALS	169	0	86.00	86.00	1,000	8.6
01-411-6066 LEGAL PUBLICATIONS	2,888	384	833.51	833.51	3,000	27.8
01-411-6067 SPECIAL EVENTS	2,472	1,279	1,641.78	1,641.78	5,000	32.8
01-411-6068 MISCELLANEOUS EXPENSES	53,244	47,444	57,745.20	57,745.20	54,150	106.6
01-411-7071 EQUIPMENT	3,127	19,231	20,000.00	20,000.00	20,000	100.0
TOTAL ADMINISTRATION DEPARTMENT	1,189,999	1,332,834	1,402,272.21	1,402,272.21	1,687,790	83.1
<u>JUDICIAL DEPARTMENT</u>						
01-412-1011 PERSONNEL SERVICES	66,320	62,968	69,026.02	69,026.02	75,250	91.7
01-412-1012 FEE PERSONNEL	12,750	27,150	21,450.00	21,450.00	37,500	57.2
01-412-1013 SOCIAL SECURITY TAXES	4,935	4,646	5,050.82	5,050.82	5,760	87.7
01-412-1016 HEALTH-LIFE-DENTAL INSURANCE	14,669	16,204	17,901.62	17,901.62	19,980	89.6
01-412-1019 OVERTIME	0	0	105.77	105.77	0	.0
01-412-2021 OFC SUPPLIES-POSTAGE	98	1,954	141.58	141.58	300	47.2
01-412-2022 PRINTING-REPRODUCTION	234	361	140.00	140.00	300	46.7
01-412-4050 JURY-WITNESS FEES	0	65	.00	.00	300	.0
01-412-6063 TRAIN.-DUES-TRAVEL-SUBSC	1,585	1,513	416.07	416.07	1,850	22.5
01-412-6067 INTERPRETERS	2,024	2,418	3,805.00	3,805.00	3,200	118.9
01-412-6068 MISCELLANEOUS EXPENSES	37	240	132.89	132.89	500	26.6
TOTAL JUDICIAL DEPARTMENT	102,652	117,519	118,169.77	118,169.77	144,940	81.5

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

GENERAL FUND

		YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>DATA PROCESSING DEPARTMENT</u>							
01-414-2021	OFC-SUPPLIES-POSTAGE	0	84	.00	.00	0	.0
01-414-2028	SOFTWARE	29,688	19,315	35,663.78	35,663.78	35,950	99.2
01-414-4049	OTHER CONTRACTUAL SERVICES	109,943	104,482	107,379.74	107,379.74	108,100	99.3
01-414-5052	EQUIPMENT MAINTENANCE	0	46	.00	.00	0	.0
01-414-6068	MISCELLANEOUS EXPENSES	41,550	70,056	87,669.17	87,669.17	114,450	76.6
01-414-7071	EQUIPMENT	17,450	27,090	9,937.42	9,937.42	20,250	49.1
	TOTAL DATA PROCESSING DEPARTMENT	198,630	221,072	240,650.11	240,650.11	278,750	86.3
<u>COMMUNITY DEVELOPMENT DEPARTME</u>							
01-418-1011	PERSONNEL SERVICES	166,841	187,874	199,315.20	199,315.20	215,930	92.3
01-418-1013	SOCIAL SECURITY TAXES	12,946	14,691	15,581.03	15,581.03	16,520	94.3
01-418-1014	RETIREMENT 401-NONSWORN	5,404	6,280	6,662.16	6,662.16	11,000	60.6
01-418-1015	RETIREMENT	1,346	3,114	3,303.60	3,303.60	0	.0
01-418-1016	HEALTH-LIFE-DENTAL INSURANCE	22,728	24,819	27,208.94	27,208.94	32,190	84.5
01-418-2021	OFCE SUPPLIES-POSTAGE	110	272	1,966.31	1,966.31	1,500	131.1
01-418-2022	PRINTING-REPRODUCTION	806	921	1,083.24	1,083.24	750	144.4
01-418-2028	SPECIAL MATERIALS	0	141	42.08	42.08	500	8.4
01-418-4042	CONTRACTED PLAN REVIEW	111,200	128,320	108,560.00	108,560.00	140,000	77.5
01-418-4045	ENGINEERING SERVICES	37,063	36,177	62,815.86	62,815.86	50,000	125.6
01-418-4046	TRAFFIC ENGINEERING	3,956	3,918	20,732.75	20,732.75	30,000	69.1
01-418-4047	BUILDING INSPECTION	85,012	104,779	87,763.00	87,763.00	100,000	87.8
01-418-4049	OTHER CONTRACTUAL SERVICES	0	5,959	.00	.00	2,950	.0
01-418-6063	TRAIN.-DUES-TRAVEL-SUBSC	2,812	1,769	97.20	97.20	4,500	2.2
01-418-6068	MISCELLANEOUS EXPENSE	2,871	2,839	3,950.00	3,950.00	3,500	112.9
	TOTAL COMMUNITY DEVELOPMENT DEPAR	453,094	521,872	539,081.37	539,081.37	609,340	88.5
<u>VILLAGE CRIER DEPARTMENT</u>							
01-419-1012	FEE PERSONNEL	4,147	4,193	4,270.20	4,270.20	5,760	74.1
01-419-2021	OFFICE SUPPLIES, POSTAGE	7,497	8,991	9,566.05	9,566.05	12,180	78.5
01-419-2022	PRINTING	18,348	17,040	15,946.20	15,946.20	24,940	63.9
	TOTAL VILLAGE CRIER DEPARTMENT	29,992	30,223	29,782.45	29,782.45	42,880	69.5

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

GENERAL FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>PUBLIC SAFETY DEPARTMENT</u>						
01-421-1011 PERSONNEL SERVICES	2,445,510	2,833,042	3,140,349.96	3,140,349.96	3,378,660	93.0
01-421-1013 SOCIAL SECURITY TAXES	55,385	62,788	69,477.01	69,477.01	68,000	102.2
01-421-1014 POLICE PENSION CONTRIBUTIONS	181,016	125,855	52,829.85	52,829.85	370,000	14.3
01-421-1015 RETIREMENT	55,117	58,795	62,137.31	62,137.31	65,000	95.6
01-421-1016 HEALTH-LIFE-DENTAL INSURANCE	420,520	502,730	578,341.35	578,341.35	627,320	92.2
01-421-1017 FPPA CONTRIBUTIONS	0	126,863	283,092.39	283,092.39	0	.0
01-421-1018 UNIFORM EXPENSE	33,964	24,989	49,512.32	49,512.32	43,600	113.6
01-421-1019 OVERTIME	56,328	52,449	85,670.44	85,670.44	65,000	131.8
01-421-1020 EXTRA DUTY	80,463	70,648	43,840.00	43,840.00	60,000	73.1
01-421-2021 OFC SUPPLIES-POSTAGE	13,522	12,080	9,693.04	9,693.04	9,000	107.7
01-421-2022 PRINTING-REPRODUCTION	0	0	580.18	580.18	5,000	11.6
01-421-2023 CRIME PREVENTION	3,275	7,301	8,553.11	8,553.11	6,000	142.6
01-421-2024 DARE	69	0	72.00	72.00	3,000	2.4
01-421-2028 SPECIAL MATERIALS	12,322	15,100	13,622.63	13,622.63	23,000	59.2
01-421-2029 ANIMAL CONTROL	110	201	300.48	300.48	500	60.1
01-421-3031 ELECTRIC/GAS	15,893	16,118	19,184.67	19,184.67	29,000	66.2
01-421-3032 WATER	1,738	2,577	5,442.38	5,442.38	3,000	181.4
01-421-3033 TELEPHONE	25,338	25,027	27,867.20	27,867.20	30,000	92.9
01-421-3035 SEWER	2,236	458	4,963.43	4,963.43	2,620	189.4
01-421-4048 VEHICLE MAINTENANCE CONTRACT	23,954	43,923	70,438.59	70,438.59	50,000	140.9
01-421-4049 OTHER CONTRACTUAL SERVICES	151,252	223,462	217,545.96	217,545.96	254,250	85.6
01-421-4051 POLICE DONATIONS	34,906	49,536	47,640.00	47,640.00	50,000	95.3
01-421-5051 BUILDING MAINTENANCE	9,057	23,344	14,461.77	14,461.77	23,860	60.6
01-421-5052 EQUIPMENT MAINTENANCE	27,736	30,064	29,956.49	29,956.49	40,000	74.9
01-421-5053 VEHICLE MAINTENANCE	13,691	6,473	10,219.65	10,219.65	7,500	136.3
01-421-5054 GASOLINE-OIL	27,339	47,551	52,414.46	52,414.46	44,000	119.1
01-421-6062 WELLNESS PROGRAM	8,658	7,639	14,426.77	14,426.77	20,000	72.1
01-421-6063 TRNG-DUES-TRAVEL-SUBSC	30,381	56,219	50,557.11	50,557.11	50,000	101.1
01-421-6064 TESTING AND PHYSICAL EXAMS	5,280	6,709	5,451.50	5,451.50	9,000	60.6
01-421-6065 PRISONER EXPENSES	401	660	315.70	315.70	7,500	4.2
01-421-6066 SPECIAL INVESTIGATIONS	1,625	3,599	27,532.28	27,532.28	19,000	144.9
01-421-6067 CANINE EXPENSES	0	4,846	7,127.02	7,127.02	10,000	71.3
01-421-6068 MISCELLANEOUS EXPENSES	21,333	8,451	24,591.73	24,591.73	35,000	70.3
01-421-7071 EQUIPMENT	10,607	21,538	20,183.26	20,183.26	33,000	61.2
TOTAL PUBLIC SAFETY DEPARTMENT	3,769,023	4,471,031	5,048,392.04	5,048,392.04	5,441,810	92.8

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

GENERAL FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>PUBLIC WORKS DEPARTMENT</u>						
01-431-1011 PERSONNEL SERVICES	565,946	605,653	623,256.92	623,256.92	749,880	83.1
01-431-1013 SOCIAL SECURITY TAXES	42,773	46,409	46,512.97	46,512.97	57,370	81.1
01-431-1014 RETIREMENT 401-NONSWORN	9,135	9,724	12,781.00	12,781.00	13,000	98.3
01-431-1015 RETIREMENT	7,167	10,626	8,552.61	8,552.61	12,000	71.3
01-431-1016 HEALTH-LIFE-DENTAL INSURANCE	120,074	134,588	127,058.96	127,058.96	178,610	71.1
01-431-1018 UNIFORM EXPENSE	3,869	4,445	4,810.00	4,810.00	5,600	85.9
01-431-1019 OVERTIME	2,952	11,613	2,585.08	2,585.08	12,000	21.5
01-431-2021 OFC SUPPLIES-POSTAGE	615	259	374.40	374.40	1,000	37.4
01-431-2024 SNOW-ICE MATERIALS	64,449	75,963	35,337.61	35,337.61	80,000	44.2
01-431-2025 ROAD MAINT. MATERIALS	17,916	24,173	53,361.70	53,361.70	49,500	107.8
01-431-2026 CURB-GUTTER-SIDEWALKS	0	0	1,513.75	1,513.75	3,000	50.5
01-431-2027 TRAFFIC CONTROL DEVICES	17,168	16,019	8,215.55	8,215.55	20,500	40.1
01-431-2028 SPECIAL MATERIALS	2,360	7,897	4,017.19	4,017.19	15,000	26.8
01-431-3031 GAS-HEAT-LIGHT	2,337	1,489	1,608.10	1,608.10	3,500	46.0
01-431-3032 WATER	1,712	1,991	2,024.95	2,024.95	3,000	67.5
01-431-3033 COMMUNICATIONS	3,528	16,335	17,475.32	17,475.32	21,000	83.2
01-431-3034 STREET LIGHTING	3,852	2,934	2,134.95	2,134.95	8,300	25.7
01-431-4045 ENGINEERING SERVICES	7,621	6,290	.00	.00	15,000	.0
01-431-4047 R-O-W MAINTENANCE/FORESTRY	0	0	765.50	765.50	0	.0
01-431-4048 VEHICLE MAINTENANCE CONTRACT	20,358	25,269	53,132.70	53,132.70	50,000	106.3
01-431-4049 OTHER CONTRACTUAL SERVICES	28,544	78,368	35,054.00	35,054.00	65,000	53.9
01-431-5051 BUILDING MAINTENANCE	9,529	13,633	7,441.45	7,441.45	18,900	39.4
01-431-5052 EQUIPMENT MAINTENANCE	11,351	13,911	12,335.75	12,335.75	20,000	61.7
01-431-5053 VEHICLE MAINTENANCE	8,576	8,405	1,884.02	1,884.02	11,000	17.1
01-431-5054 GASOLINE-OIL	21,670	19,324	21,336.62	21,336.62	30,400	70.2
01-431-6063 TRNG-DUES-TRAVEL-SUBSC	19,858	16,183	23,485.31	23,485.31	22,600	103.9
01-431-6064 TESTING PHYSICALS	559	771	2,055.50	2,055.50	4,500	45.7
01-431-6068 MISCELLANEOUS EXPENSES	3,785	4,647	3,152.41	3,152.41	6,000	52.5
01-431-7071 EQUIPMENT	4,298	20,820	8,579.73	8,579.73	20,000	42.9
TOTAL PUBLIC WORKS DEPARTMENT	1,002,004	1,177,739	1,120,844.05	1,120,844.05	1,496,660	74.9
<u>OTHER FINANCING USES</u>						
01-450-7070 COP INTEREST EXPENSE	100,502	0	.00	.00	0	.0
01-450-7074 COP PRINCIPAL PAYMENT	0	0	151,878.15	151,878.15	152,165	99.8
01-450-7079 CLOSING COSTS REAL PROPERTY	241,699	0	.00	.00	0	.0
01-450-7080 GF INTERFUND TRANSFER OUT	0	0	1,600,000.00	1,600,000.00	1,600,000	100.0
TOTAL OTHER FINANCING USES	342,201	0	1,751,878.15	1,751,878.15	1,752,165	100.0
TOTAL FUND EXPENDITURES	7,087,595	7,872,290	10,251,070.15	10,251,070.15	11,454,335	89.5
NET REVENUE OVER EXPENDITURES	8,232,684	6,788,227	4,118,994.12	4,118,994.12	2,103,895	195.8

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

CAPITAL FUND

ASSETS

02-1000	CASH - COMBINED FUND	1,950,953.15	
	TOTAL ASSETS		1,950,953.15

LIABILITIES AND EQUITY

LIABILITIES

02-2012	ACCRUED EXPENDITURES	2,570.68	
02-2015	RETAINAGE PAYABLE	7,373.09	
	TOTAL LIABILITIES		9,943.77

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
02-2900	FUND BALANCE	909,601.57	
	REVENUE OVER EXPENDITURES - YTD	1,031,407.81	
	BALANCE - CURRENT DATE	1,941,009.38	
	TOTAL FUND EQUITY		1,941,009.38
	TOTAL LIABILITIES AND EQUITY		1,950,953.15

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

		CAPITAL FUND					
		YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
<u>TAX REVENUES</u>							
02-310-3121	SPECIFIC OWNERSHIP TAX			316,202.17	316,202.17	400,000	79.1
TOTAL TAX REVENUES				316,202.17	316,202.17	400,000	
<u>SOURCE 330</u>							
02-330-3321	MV REGISTRATION FEES			19,947.23	19,947.23	22,000	90.7
02-330-3352	HIGHWAY USERS TAX FUND			241,074.60	241,074.60	214,000	112.7
02-330-3371	COUNTY ROAD/BRIDGE SHAREBACK			100,245.00	100,245.00	86,000	116.6
TOTAL SOURCE 330				361,266.83	361,266.83	322,000	
<u>MISCELLANEOUS REVENUES</u>							
02-360-3611	INTEREST INCOME	174,251	19,986	58,794.89	58,794.89	10,000	588.0
02-360-3670	INSURANCE PROCEEDS		80,826	.00	.00	0	.0
02-360-3680	OTHER REVENUE	134,878	159,943	20,525.00	20,525.00	0	.0
02-360-3695	SALE OF ASSETS			18,676.00	18,676.00	0	.0
02-360-3710	TRANSFERS IN			2,422,500.00	2,422,500.00	2,422,500	100.0
TOTAL MISCELLANEOUS REVENUES		309,129	260,755	2,520,495.89	2,520,495.89	2,432,500	
TOTAL FUND REVENUE		309,129	260,755	3,197,964.89	3,197,964.89	3,154,500	101.4

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

CAPITAL FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>CAPITAL FUND EXPENDITURES</u>						
02-441-1000 TRAIL IMPROVEMENTS	25,000	32,000	.00	.00	0	.0
02-441-1102 COMPUTER EQUIPMENT	8,933	15,137	10,369.17	10,369.17	20,380	50.9
02-441-2103 POLICE EQUIPMENT	8,996	139,330	.00	.00	0	.0
02-441-2104 POLICE VEHICLES	171,723	243,677	97,862.34	97,862.34	141,000	69.4
02-441-2107 POLICE MOTORCYCLE PROGRAM	0	165	.00	.00	0	.0
02-441-3101 STREET IMPROVEMENT PROGRAM	527,645	544,470	1,211,695.08	1,211,695.08	1,500,000	80.8
02-441-3102 PUBLIC WORKS EQUIPMENT	43,997	102,140	.00	.00	0	.0
02-441-3103 PARKS EQUIPMENT	20,064	239,704	66,847.51	66,847.51	90,000	74.3
02-441-3104 PUBLIC WORKS VEHICLES	0	385,144	54,165.97	54,165.97	75,000	72.2
02-441-3105 PARKS VEHICLES	92,978	0	.00	.00	0	.0
02-441-3106 STORM SEWERS	8,654	5,073	35,448.64	35,448.64	60,000	59.1
02-441-3108 BUILDINGS	5,689	312,857	75,695.38	75,695.38	70,000	108.1
02-441-3109 TRAFFIC CALMING	311	0	.00	.00	10,000	.0
02-441-3111 CURB AND GUTTER	14,400	83,435	50,000.00	50,000.00	50,000	100.0
02-441-3112 RIGHTS-OF-WAY IMPROVEMENTS	0	5,881	.00	.00	45,000	.0
02-441-3114 PARKS PROJECTS	0	230,790	553,222.99	553,222.99	670,000	82.6
02-441-3115 PUBLIC WORKS PROJECTS	0	54,347	11,250.00	11,250.00	150,000	7.5
TOTAL CAPITAL FUND EXPENDITURES	928,389	2,394,149	2,166,557.08	2,166,557.08	2,881,380	75.2
TOTAL FUND EXPENDITURES	928,389	2,394,149	2,166,557.08	2,166,557.08	2,881,380	75.2
NET REVENUE OVER EXPENDITURES	619,260-	2,133,394-	1,031,407.81	1,031,407.81	273,120	377.6

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

COP PROJECT FUND

LIABILITIES AND EQUITY

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
03-2900	FUND BALANCE	184,003.35	
	REVENUE OVER EXPENDITURES - YTD	(184,003.35)	
	BALANCE - CURRENT DATE		.00
	TOTAL FUND EQUITY		.00
	TOTAL LIABILITIES AND EQUITY		.00

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

COP PROJECT FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>EXPENDITURES</u>						
03-450-7070 COP INTEREST EXPENSE	0	178,645	192,868.75	192,868.75	170,882	112.9
03-450-7074 COP PRINCIPAL EXPENSE	0	155,250	8,865.40-	8,865.40-	9,835	(90.1)
TOTAL EXPENDITURES	0	333,895	184,003.35	184,003.35	180,717	101.8
TOTAL FUND EXPENDITURES	0	333,895	184,003.35	184,003.35	180,717	101.8
NET REVENUE OVER EXPENDITURES	0	333,895-	184,003.35-	184,003.35-	180,717-	(101.8)

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

CONSERVATION TRUST FUND

ASSETS

07-1000	CASH - COMBINED FUND	643,516.00	
	TOTAL ASSETS		643,516.00

LIABILITIES AND EQUITY

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
07-2900	FUND BALANCE	645,706.53	
	REVENUE OVER EXPENDITURES - YTD	(2,190.53)	
	BALANCE - CURRENT DATE	643,516.00	
	TOTAL FUND EQUITY		643,516.00
	TOTAL LIABILITIES AND EQUITY		643,516.00

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

CONSERVATION TRUST FUND

		YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
	<u>INTERGOVERNMENTAL REVENUES</u>						
07-330-3358	LOTTERY REVENUES--STATE SHARED	63,498	58,202	53,491.69	53,491.69	75,600	70.8
	TOTAL INTERGOVERNMENTAL REVENUES	63,498	58,202	53,491.69	53,491.69	75,600	
	<u>MISCELLANEOUS REVENUES</u>						
07-360-3611	INTEREST ON INVESTMENTS	16,634	17,830	22,185.82	22,185.82	24,000	92.4
	TOTAL MISCELLANEOUS REVENUES	16,634	17,830	22,185.82	22,185.82	24,000	
	TOTAL FUND REVENUE	80,132	76,032	75,677.51	75,677.51	99,600	76.0

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

CONSERVATION TRUST FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
CONSERVATION TRUST EXPENDITURE						
07-450-4521 TRAIL IMPROVEMENTS	57,236	53,114	77,868.04	77,868.04	639,500	12.2
TOTAL CONSERVATION TRUST EXPENDITU	57,236	53,114	77,868.04	77,868.04	639,500	12.2
TOTAL FUND EXPENDITURES	57,236	53,114	77,868.04	77,868.04	639,500	12.2
NET REVENUE OVER EXPENDITURES	22,895	22,919	2,190.53-	2,190.53-	539,900-	(.4)

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

CH ANDERSON LAND DONATION FUND

ASSETS

08-1000	CASH - COMBINED FUND	149,117.98	
	TOTAL ASSETS		149,117.98

LIABILITIES AND EQUITY

LIABILITIES

08-2011	ACCOUNTS PAYABLE	(500.00)	
08-2012	ACCRUED EXPENDITURES	931.67	
	TOTAL LIABILITIES		431.67

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
08-2900	FUND BALANCE	140,865.30	
	REVENUE OVER EXPENDITURES - YTD	7,821.01	
	BALANCE - CURRENT DATE	148,686.31	
	TOTAL FUND EQUITY		148,686.31
	TOTAL LIABILITIES AND EQUITY		149,117.98

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

CH ANDERSON LAND DONATION FUND

		YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
	<u>LICENSE AND PERMIT REVENUES</u>						
08-320-3221	RECREATION REIMBURSEMENT DONAT	550	1,350	665.00	665.00	1,000	66.5
	TOTAL LICENSE AND PERMIT REVENUES	550	1,350	665.00	665.00	1,000	
	<u>MISCELLANEOUS REVENUES</u>						
08-360-3611	INTEREST-INVESTMENTS	15,017	12,132	11,729.81	11,729.81	1,200	977.5
08-360-3680	MISCELLANEOUS REVENUES	8,500	7,311	5,426.20	5,426.20	7,500	72.4
	TOTAL MISCELLANEOUS REVENUES	23,517	19,443	17,156.01	17,156.01	8,700	
	TOTAL FUND REVENUE	24,067	20,793	17,821.01	17,821.01	9,700	183.7

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

CH ANDERSON LAND DONATION FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
LAND DONATION FUND EXPENDITURE						
08-450-3031 QUINCY FARM UTILITIES	13,556	15,303	.00	.00	0	.0
08-450-6066 R&M--QUINCY FARM	48,778	64,319	.00	.00	0	.0
08-450-6068 MISCELLANEOUS	10,245	25,742	10,000.00	10,000.00	11,000	90.9
08-450-9093 THREE POND PARK WATER RIGHTS	0	621	.00	.00	621	.0
08-450-9095 PARK & TRAIL IMPROVEMENTS	1,917	375	.00	.00	5,000	.0
TOTAL LAND DONATION FUND EXPENDITUR	74,495	106,360	10,000.00	10,000.00	16,621	60.2
TOTAL FUND EXPENDITURES	74,495	106,360	10,000.00	10,000.00	16,621	60.2
NET REVENUE OVER EXPENDITURES	50,428-	85,568-	7,821.01	7,821.01	6,921-	113.0

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

OPEN SPACE FUND

ASSETS

14-1000	CASH - COMBINED FUND		2,173,549.10	
	TOTAL ASSETS			2,173,549.10

LIABILITIES AND EQUITY

LIABILITIES

14-2071	ARAP CO SALES TAX COLLECTED		57,556.72	
	TOTAL LIABILITIES			57,556.72

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:			
14-2900	FUND BALANCE	1,832,331.03		
	REVENUE OVER EXPENDITURES - YTD	283,661.35		
	BALANCE - CURRENT DATE		2,115,992.38	
	TOTAL FUND EQUITY			2,115,992.38
	TOTAL LIABILITIES AND EQUITY			2,173,549.10

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

OPEN SPACE FUND

		YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
	<u>LICENSE AND PERMIT REVENUES</u>						
14-320-3200	OPEN SPACE SHAREBACK	237,978	243,824	243,881.37	243,881.37	219,440	111.1
14-320-3220	SALES TAX COLLECTION FEE	5,491	4,753	8,771.94	8,771.94	7,000	125.3
	TOTAL LICENSE AND PERMIT REVENUES	243,470	248,576	252,653.31	252,653.31	226,440	
	<u>MISCELLANEOUS REVENUES</u>						
14-360-3611	INTEREST INCOME	66,635	79,638	64,831.16	64,831.16	72,000	90.0
	TOTAL MISCELLANEOUS REVENUES	66,635	79,638	64,831.16	64,831.16	72,000	
	<u>TOTAL FUND REVENUE</u>	310,104	328,214	317,484.47	317,484.47	298,440	106.4

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

OPEN SPACE FUND

		YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
OPEN SPACE FUND EXPENDITURES							
14-450-9091	TRAIL IMPROVEMENTS	4,643	13,312	29,513.05	29,513.05	100,000	29.5
14-450-9092	PARK IMPROVEMENTS	855	0	4,310.07	4,310.07	17,500	24.6
TOTAL OPEN SPACE FUND EXPENDITURES		5,498	13,312	33,823.12	33,823.12	117,500	28.8
TOTAL FUND EXPENDITURES		5,498	13,312	33,823.12	33,823.12	117,500	28.8
NET REVENUE OVER EXPENDITURES		304,607	314,902	283,661.35	283,661.35	180,940	156.8

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

AMERICAN RESCUE PLAN ACT FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>ARPA FUND EXPENDITURES</u>						
15-441-1101 ARPA EXPENDITURES	121,116	0	.00	.00	0	.0
TOTAL ARPA FUND EXPENDITURES	121,116	0	.00	.00	0	.0
<u>DEPARTMENT 450</u>						
15-450-7080 INTERFUND TRANSFER OUT	0	998,037	.00	.00	0	.0
TOTAL DEPARTMENT 450	0	998,037	.00	.00	0	.0
TOTAL FUND EXPENDITURES	121,116	998,037	.00	.00	0	.0
NET REVENUE OVER EXPENDITURES	121,116-	998,037-	.00	.00	0	.0

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

WATER AND SEWER FUND

ASSETS

20-1000	CASH - COMBINED FUND	868,755.19	
20-1151	ACCOUNTS RECEIVABLE	2,165.00	
20-1551	SEWER LINES	708,364.00	
20-1601	ACCUMULATED DEPRECIATION	(708,364.00)	
TOTAL ASSETS			870,920.19

LIABILITIES AND EQUITY

FUND EQUITY

20-2901	RETAINED EARNINGS	345,894.62	
20-2951	CONTRIBUTED CAPITAL-TAPS	438,450.00	
20-2961	CONTRIBUTED CAPITAL-SEWER	571,808.00	
UNAPPROPRIATED FUND BALANCE:			
20-2900	FUND BALANCE	(242,809.80)	
	REVENUE OVER EXPENDITURES - YTD	(242,422.63)	
BALANCE - CURRENT DATE		(485,232.43)	
TOTAL FUND EQUITY			870,920.19
TOTAL LIABILITIES AND EQUITY			870,920.19

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

WATER AND SEWER FUND

		YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
<u>LICENSE AND PERMIT REVENUES</u>							
20-320-3220	SEWER TAP FEES	48-		6,700.00	6,700.00	5,000	134.0
20-320-3221	WATER TAP FEES	12,000	53,050	22,000.00	22,000.00	0	.0
20-320-3226	SEWER ADMINISTRATION FEES		430-	430.00-	430.00-	0	.0
20-320-3228	W/S REPAIR & REPLACEMENT FEES	68,330	82,560	83,312.50	83,312.50	83,420	99.9
	TOTAL LICENSE AND PERMIT REVENUES	80,282	135,180	111,582.50	111,582.50	88,420	
<u>MISCELLANEOUS REVENUES</u>							
20-360-3611	INTEREST INCOME	40,860	47,608	33,951.12	33,951.12	36,000	94.3
20-360-3680	MISCELLANEOUS INCOME	40,000		40,000.00	40,000.00	0	.0
	TOTAL MISCELLANEOUS REVENUES	80,860	47,608	73,951.12	73,951.12	36,000	
	TOTAL FUND REVENUE	161,142	182,788	185,533.62	185,533.62	124,420	149.1

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

WATER AND SEWER FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>WATER & SEWER EXPENDITURES</u>						
20-461-4042 LEGAL COUNSEL	0	0	513.00	513.00	2,000	25.7
20-461-4049 OTHER CONTRACTUAL	22,232	12,076	11,017.00	11,017.00	100,000	11.0
20-461-5052 SEWER REPAIRS & MAINTENANCE	20,265	202	416,089.65	416,089.65	500,000	83.2
20-461-6063 TRAINING, DUES & SUB	0	214	.00	.00	500	.0
20-461-6068 MISCELLANEOUS	14	249	336.60	336.60	0	.0
20-461-7050 DEPRECIATION	0	0	.00	.00	24,000	.0
TOTAL WATER & SEWER EXPENDITURES	42,510	12,740	427,956.25	427,956.25	626,500	68.3
TOTAL FUND EXPENDITURES	42,510	12,740	427,956.25	427,956.25	626,500	68.3
NET REVENUE OVER EXPENDITURES	118,631	170,048	242,422.63-	242,422.63-	502,080-	(48.3)

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

PARKS AND RECREATION FUND

ASSETS

30-1000	CASH - COMBINED FUND	4,418,687.89	
30-1031	CASH-COUNTY TREASURER GENERAL	(790.12)	
30-1051	PROPERTY TAXES RECEIVABLE	3,831,733.08	
30-1151	ACCOUNTS RECEIVABLE	95.16	
30-1551	HEALTH & DENTAL INS. PAYABLES	(18,404.89)	
30-1552	PREPAID EXPENSES	5,229.03	
	TOTAL ASSETS		8,236,550.15

LIABILITIES AND EQUITY

LIABILITIES

30-2011	ACCOUNTS PAYABLE	500.00	
30-2012	ACCRUED EXPENDITURES	26,699.23	
30-2013	ACCRUED PAYROLL	13,339.03	
30-2015	FICA/FWH PAYABLES	105.74	
30-2019	HEALTH & DENTAL INS. PAYABLE	1,064.52	
30-2025	LIFE, DEP, STD, LTD INS.	3,872.98	
30-2221	DEFERRED PROPERTY TAXES	3,831,733.08	
	TOTAL LIABILITIES		3,877,314.58

FUND EQUITY

30-2901	RESTRICTED FUND BALANCE--ART	1,100.00	
	UNAPPROPRIATED FUND BALANCE:		
30-2900	FUND BALANCE	3,634,241.12	
	REVENUE OVER EXPENDITURES - YTD	723,894.45	
	BALANCE - CURRENT DATE	4,358,135.57	
	TOTAL FUND EQUITY		4,359,235.57
	TOTAL LIABILITIES AND EQUITY		8,236,550.15

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

PARKS AND RECREATION FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
<u>TAX REVENUES</u>						
30-310-3111 CURRENT PROPERTY TAXES	2,880,430	3,799,013	3,861,833.38	3,861,833.38	3,750,000	103.0
30-310-3191 CURRENT TAX INTEREST		11,652	5,672.43	5,672.43	0	.0
TOTAL TAX REVENUES	2,880,430	3,810,666	3,867,505.81	3,867,505.81	3,750,000	
<u>SOURCE 320</u>						
30-320-3222 PARKS DONATION			7,000.00	7,000.00	0	.0
TOTAL SOURCE 320			7,000.00	7,000.00	0	
<u>INTERGOVERNMENTAL REVENUES</u>						
30-330-3375 SENATE BILL BACKFILL		114,775	.00	.00	0	.0
TOTAL INTERGOVERNMENTAL REVENUES		114,775	.00	.00	0	
<u>MISCELLANEOUS REVENUES</u>						
30-360-3222 ART DONATIONS	40,000	100	.00	.00	0	.0
30-360-3611 INTEREST INCOME	176,163	281,453	159,536.11	159,536.11	148,750	107.3
30-360-3680 OTHER REVENUES			14,987.39	14,987.39	1,000	1498.7
TOTAL MISCELLANEOUS REVENUES	216,163	281,553	174,523.50	174,523.50	149,750	
TOTAL FUND REVENUE	3,096,593	4,206,994	4,049,029.31	4,049,029.31	3,899,750	103.8

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

PARKS AND RECREATION FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>PARKS & RECREATION EXPENDITURE</u>						
30-432-1011 PERSONAL SERVICES	856,291	949,623	1,068,579.03	1,068,579.03	1,362,960	78.4
30-432-1013 SOCIAL SECURITY TAXES	60,350	67,823	74,983.21	74,983.21	104,270	71.9
30-432-1014 RETIREMENT 401-MGMT	21,308	18,822	17,327.09	17,327.09	27,000	64.2
30-432-1015 RETIREMENT 457 DEF COMP	12,033	14,432	15,883.21	15,883.21	20,000	79.4
30-432-1016 HEALTH-LIFE-DENTAL INSURANCE	134,314	161,185	193,407.98	193,407.98	198,000	97.7
30-432-1018 UNIFORM EXPENSE	4,154	3,264	6,019.90	6,019.90	6,200	97.1
30-432-1019 OVERTIME	3,679	10,738	3,391.13	3,391.13	12,000	28.3
30-432-2021 OFC-SUPPLIES-POSTAGE	1,854	419	362.77	362.77	2,660	13.6
30-432-2023 PLANT SUPPLIES	3,179	4,785	6,270.01	6,270.01	8,000	78.4
30-432-2025 R&M--PARKS	25,422	24,964	30,935.63	30,935.63	31,500	98.2
30-432-2026 SNOW AND ICE MELT	650	0	.00	.00	2,000	.0
30-432-2027 PARK SIGNAGE	1,454	0	169.50	169.50	12,000	1.4
30-432-2028 SPECIAL MATERIALS	4,132	5,577	4,908.72	4,908.72	8,000	61.4
30-432-3031 GAS-HEAT-LIGHT	5,864	5,539	5,059.41	5,059.41	12,000	42.2
30-432-3032 WATER	21,991	28,112	23,565.09	23,565.09	20,000	117.8
30-432-3033 COMMUNICATIONS	10,809	8,310	7,504.13	7,504.13	15,100	49.7
30-432-3035 SEWER	3,429	2,929	3,008.22	3,008.22	2,800	107.4
30-432-4040 COUNTY TREASURER FEES	0	0	38,676.59	38,676.59	0	.0
30-432-4041 COUNTY TREASURER FEES	19,560	39,205	.00	.00	37,740	.0
30-432-4043 LEGAL/SURVEYING	37,286	49,705	595.14	595.14	85,300	.7
30-432-4046 ENGINEERING	11,479	8,272	4,706.40	4,706.40	30,000	15.7
30-432-4047 FORESTRY/ROW TREE MAINT.	31,718	60,989	36,538.50	36,538.50	122,500	29.8
30-432-4048 VEHICLE MAINTENANCE CONTRACT	6,175	9,049	14,762.72	14,762.72	25,000	59.1
30-432-4049 OTHER CONTRACTUAL SERVICES	73,642	114,605	101,511.78	101,511.78	142,450	71.3
30-432-5051 BUILDING MAINTENANCE	9,517	9,421	10,818.03	10,818.03	24,400	44.3
30-432-5052 EQUIPMENT MAINTENANCE	6,600	7,987	9,053.56	9,053.56	10,000	90.5
30-432-5053 VEHICLE MAINTENANCE	5,786	2,948	5,391.47	5,391.47	11,000	49.0
30-432-5054 GASOLINE-OIL	18,363	17,520	12,576.24	12,576.24	19,000	66.2
30-432-5055 GROUNDS MAINTENANCE	3,910	8,230	19,176.98	19,176.98	20,000	95.9
30-432-5057 QUINCY FARM OPERATIONS	0	0	148,999.76	148,999.76	210,000	71.0
30-432-5058 QUINCY FARM UTILITIES	0	0	8,061.49	8,061.49	20,000	40.3
30-432-5059 HIGH LINE CANAL OPERATIONS	0	0	.00	.00	50,000	.0
30-432-6063 TRAIN-DUES-TRAVEL-SUBSC	8,223	12,846	10,899.30	10,899.30	39,070	27.9
30-432-6064 TESTING-PHYSICALS	1,771	1,867	2,055.50	2,055.50	2,500	82.2
30-432-6067 SPECIAL EVENTS	15,627	13,100	22,636.33	22,636.33	21,500	105.3
30-432-6068 MISCELLANEOUS EXPENSES	4,503	4,838	3,199.27	3,199.27	6,500	49.2
30-432-6069 RECREATION REIMBURSEMENT PROGR	53,823	46,281	38,572.34	38,572.34	200,000	19.3
30-432-7000 PUBLIC ART	94,171	15,905	20,140.12	20,140.12	25,000	80.6
30-432-7070 COP INTEREST EXPENSE	102,182	218,343	208,856.00	208,856.00	208,856	100.0
30-432-7071 EQUIPMENT	3,690	16,124	12,233.80	12,233.80	20,000	61.2
30-432-7074 COP PRINCIPAL EXPENSE	0	189,937	198,000.00	198,000.00	198,000	100.0
30-432-7075 ADMINISTRATIVE SERVICES	85,416	110,035	113,798.51	113,798.51	139,690	81.5
TOTAL PARKS & RECREATION EXPENDITUR	1,764,353	2,263,727	2,502,634.86	2,502,634.86	3,512,996	71.2

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

PARKS AND RECREATION FUND

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
DEPARTMENT 470						
30-470-7080 TRANSFERS OUT	0	0	822,500.00	822,500.00	822,500	100.0
TOTAL DEPARTMENT 470	0	0	822,500.00	822,500.00	822,500	100.0
TOTAL FUND EXPENDITURES	1,764,353	2,263,727	3,325,134.86	3,325,134.86	4,335,496	76.7
NET REVENUE OVER EXPENDITURES	1,332,239	1,943,266	723,894.45	723,894.45	435,746-	166.1

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

CHV CHARLOU PARK 3RD FILING

ASSETS

40-1000	CASH - COMBINED FUND	38,595.15	
40-1151	ASSESSMENTS RECEIVABLE	33,001.39	
40-1154	OTHER RECEIVABLES	141.91	
	TOTAL ASSETS		71,738.45

LIABILITIES AND EQUITY

LIABILITIES

40-2221	DEFERRED REVENUES	33,001.39	
	TOTAL LIABILITIES		33,001.39

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
40-2900	FUND BALANCE	32,340.85	
	REVENUE OVER EXPENDITURES - YTD	6,396.21	
	BALANCE - CURRENT DATE	38,737.06	
	TOTAL FUND EQUITY		38,737.06
	TOTAL LIABILITIES AND EQUITY		71,738.45

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

CHV CHARLOU PARK 3RD FILING

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
MISCELLANEOUS REVENUES						
40-360-3611 INTEREST INCOME			1,731.22	1,731.22	0	.0
40-360-3613 INTEREST ON ASSESSMENT-GID	59	49	.00	.00	100	.0
40-360-3621 GID SPECIFIC OWNERSHIP TAX	1,315	1,296	1,558.59	1,558.59	1,400	111.3
40-360-3630 GID PROPERTY TAX REVENUE	25,488	22,272	33,147.33	33,147.33	33,001	100.4
TOTAL MISCELLANEOUS REVENUES	26,862	23,617	36,437.14	36,437.14	34,501	
TOTAL FUND REVENUE	26,862	23,617	36,437.14	36,437.14	34,501	105.6

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

CHV CHARLOU PARK 3RD FILING

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>CHARLOU PARK GID EXPENDITURES</u>						
40-470-4041 COUNTY TREASURER FEES	194	335	496.18	496.18	430	115.4
40-470-7072 INTEREST EXPENSE	15,290	14,167	13,617.08	13,617.08	14,190	96.0
40-470-7073 BOND PRINCIPAL PAYMENT	10,000	10,573	15,572.92	15,572.92	15,000	103.8
40-470-7074 ADMINISTRATIVE EXPENSE	0	0	354.75	354.75	1,000	35.5
TOTAL CHARLOU PARK GID EXPENDITURES	25,484	25,075	30,040.93	30,040.93	30,620	98.1
TOTAL FUND EXPENDITURES	25,484	25,075	30,040.93	30,040.93	30,620	98.1
NET REVENUE OVER EXPENDITURES	1,379	1,458-	6,396.21	6,396.21	3,881	164.8

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
NOVEMBER 30, 2025

SOUTHMOOR CIR HUDSON PKWY GID

ASSETS

50-1000	CASH - COMBINED FUND	7,582.82	
50-1010	BOND RESERVE COMM BANKS	10,085.22	
50-1151	ASSESSMENTS RECEIVABLE	15,283.49	
50-1154	OTHER RECEIVABLES	107.94	
	TOTAL ASSETS		33,059.47

LIABILITIES AND EQUITY

LIABILITIES

50-2011	ACCOUNTS PAYABLE	3,000.00	
50-2221	DEFERRED REVENUES	15,283.49	
	TOTAL LIABILITIES		18,283.49

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
50-2900	FUND BALANCE	16,210.13	
	REVENUE OVER EXPENDITURES - YTD	(1,434.15)	
	BALANCE - CURRENT DATE	14,775.98	
	TOTAL FUND EQUITY		14,775.98
	TOTAL LIABILITIES AND EQUITY		33,059.47

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

SOUTHMOOR CIR HUDSON PKWY GID

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD AC	YTD ACTUAL	BUDGET	PCNT
MISCELLANEOUS REVENUES						
50-360-3611 INTEREST INCOME			517.22	517.22	0	.0
50-360-3613 INTEREST ON ASSESSMENT-GID	19	17	6.20-	6.20-	20	(31.0)
50-360-3621 GID SPECIFIC OWNERSHIP TAX	902	988	795.85	795.85	1,100	72.4
50-360-3630 GID PROPERTY TAX REVENUE	20,030	18,422	15,283.50	15,283.50	15,283	100.0
TOTAL MISCELLANEOUS REVENUES	20,951	19,427	16,590.37	16,590.37	16,403	
TOTAL FUND REVENUE	20,951	19,427	16,590.37	16,590.37	16,403	101.1

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 11 MONTHS ENDING NOVEMBER 30, 2025

SOUTHMOOR CIR HUDSON PKWY GID

	YTD ACTUAL2023-	YTD ACTUAL2024-	PERIOD ACT	YTD ACTUAL	BUDGET	PCNT
<u>SOUTHMOOR HUDSON EXPENDITURE</u>						
50-470-4041 COUNTY TREASURER FEES	299	276	229.26	229.26	230	99.7
50-470-7071 IMPROVEMENT EXPENSE	127,282	0	.00	.00	0	.0
50-470-7072 INTEREST EXPENSE	14,080	4,093	7,466.56	7,466.56	7,470	100.0
50-470-7073 BOND PRINCIPAL PAYMENT	3,000	10,678	10,303.70	10,303.70	10,310	99.9
50-470-7074 ADMINISTRATIVE EXPENSE	0	0	25.00	25.00	1,000	2.5
TOTAL SOUTHMOOR HUDSON EXPENDITUR	144,660	15,046	18,024.52	18,024.52	19,010	94.8
TOTAL FUND EXPENDITURES	144,660	15,046	18,024.52	18,024.52	19,010	94.8
NET REVENUE OVER EXPENDITURES	123,709-	4,381	1,434.15-	1,434.15-	2,607-	(55.0)

CHERRY HILLS VILLAGE
COLORADO

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FAX 303-761-9386

ITEM: 25c(iv)

MEMORANDUM

TO: HONORABLE MAYOR BROWN AND MEMBERS OF CITY COUNCIL

FROM: CHRIS CRAMER, CITY MANAGER

SUBJECT: 2026 WORK PLAN DISCUSSION

DATE: JANUARY 20, 2026

DISCUSSION

Historically, the City Manager has used a work plan on and off over the years, and this work plan has had a wide range of formats and levels of sophistication. Starting in 2023, the work plan format:

- Includes projects that are large in scale and might have a duration that covers multiple years, while also including smaller projects that cover some operational elements of staff time.
- Is organized by department.
- Is annual, starts at the beginning of each year, is sent to City Council at the end of the year as a part of the City Manager's performance review.
- Includes a review of the performance of the prior year's work plan for each item.

Further, in 2023, the following timeline was established to allow City Council to provide input early in the work plan creation process and create more vertical alignment between City Council and staff:

1. *February/March Retreat:* City Council discusses potential projects for the following year using the Implementation chapter of the Master Plan as a guide (see Chapter 9, available on the City website at www.cherryhillsvillage.com/MasterPlan)
2. *Spring/Summer:* City Manager and Department Directors use direction from Council Retreat to translate Council priorities into a draft budget and draft work plan
3. *October:* The following year's draft budget and draft work plan are presented to City Council at the budget study session
4. *December:* City Manager sends final work plan for following year and review of performance for current year's work plan to City Council as part of evaluation process

In late 2025, after receiving feedback from City Council regarding the status of various projects, staff made several changes to the work plan (Exhibit A):

- **Changed the organization format of the work plan:** Staff created two categories of tasks and projects, “Strategic” and “Operational”. Splitting the municipal work plan into two distinct parts creates greater clarity and focus for both City Council and staff. The Operational Plan captures the essential projects and recurring tasks led by staff that keep the city running efficiently. In contrast, a separate Strategic Plan allows staff and City Council to collaboratively focus on longer-term initiatives that often span multiple years, require deliberate policy direction, and carry significant budget implications. This distinction helps ensure routine operations are not overshadowed by major initiatives, supports more effective prioritization and resource allocation, and strengthens alignment between Council goals, staff capacity, and long-term financial planning.
- **Updated the list of tasks and projects:** Since the last version of the work plan that was provided to City Council, a number of projects have emerged that need to be added to the work plan. For example, the Nexus Study for Impact Fees was not on the previous version of the 2026 work plan but now needs to be reflected. A separate list that shows all the added and deleted projects and tasks is included in the packet (Exhibits B and C).

The purpose of tonight’s discussion is to cover two topics:

1. Review the updated format and answer any questions from Council
2. Discuss the high volume of projects that are scheduled for the 1st quarter of 2026 and get input from Council about priorities so that workloads can be more effectively managed. A separate list of 1st quarter projects is also included in the packet (Exhibit D).

ATTACHMENTS

- Exhibit A: 2026 City Work Plan
Exhibit B: Changes since 2025 – Strategic Plan
Exhibit C: Changes since 2025 – Operational Plan
Exhibit D: Q1 2026 Projects

Police								
Strategic Plan								
Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	Increase Code Enforcement efforts: 5a. Enhanced Data Tracking & Transparency: Develop and publish periodic performance metrics (e.g., number of complaints received, average response time, percentage resolved within a given timeframe, repeat-offender rates). This builds public trust and allows for better resource allocation. The COMCATE Software system will be live at first of year 2026. 5b. Stronger Community Engagement & Education: Increase outreach regarding what constitutes a violation (especially lesser-known ones such as construction hours, site maintenance, and stormwater/street tracking issues). For example, regular newsletters, social media posts, neighborhood meetings. (CHVPD already does some reminders; see weeds/dead trees notices). 5c. Streamline Reporting & Response Process: Ensure that the hotline (303-783-2752) and other communication methods have clear workflows: auto-confirmations, estimated response time, status updates to the complainant. Finalize the public facing dashboard or web form with photo upload capability (so residents can document issues, e.g., noise, hours violations, dumping, weeds) and allow residents to track status. Define clear escalation steps: e.g., warning → notice of violation → fine/hearing. Clarify these publicly, so residents/property owners understand consequences.	Code Enforcement	Jason	Q1	Q1	In progress	N/A	
2	Through a pilot program, study the feasibility and efficacy of expanding the PD’s use of strategically located, fixed motion detected camera systems along CHV trail system.		Jason	Q1	Q3	Started	N/A	

Operational Plan								
Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	Evaluate and increase the Court Security function, evaluation in 2025, implementation in 2026.		Jason	12/1/2025	1/7/2026	Completed	N/A	First Court Date with new security = Jan 7th 2026
2	Increase investigative capability by adding one FTE (Investigations Sergeant) to both supervise and enhance the investigative function through assuming additional workload. CHVPD’s property crime clearance rate is currently below benchmark and does not meet the established measurement in our 5-Year Strategic Plan. Criminal investigations have become more complex and require more investigative effort. This position will allow that investigative work to be balanced amongst three investigators.		Jason	Q1	Q1	Yet to be started	N/A	

2026 City Work Plan

3	Strengthen community engagement programs/partnerships with the Community Partnership Officer position. This will include enhancing the Citizens Police Academy, working directly with HOAs and advancing our Crime Prevention Through Environmental Design (CPTED) efforts.		Jason	Q1	Q1	Started	N/A	
4	Certify entire staff on improving interactions with people with Intellectual/Developmental Disabilities.		Jason	Q1	Q1	Started	N/A	
5	Implement a new ticket writing program (hardware and software) to allow seamless translation to the existing Caselle network for court processing of citations, fines, and appearances.		Jason	Q1	Q1	In progress	N/A	
6	Progress through the national accreditation process (CALEA), (3rd year of a 3 year process). This accreditation places CHVPD in the top 5% of agencies who adhere to the industry's best practices.		Jason	Q1	Q4	In progress	N/A	
7	Increase our Officer Wellness programming to include mental, physical, and financial wellness initiatives.		Jason	Q1	Q4	Started	N/A	

2026 City Work Plan

Finance and Administration

Strategic Plan

Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	Payroll cycle adjustment: Update payroll schedule and move to best practices for payroll processing.	Admin	Kelly & Kathryn	January	January	Completed	N/A	
2	Long-Range Financial Forecast: Prepare updates to the long-range financial forecast to assist the City Council with short- and long-term planning. The forecast includes discussion of the Capital Fund and ten-year capital improvement program.	Finance	Kelly	February	March	Started	March 3rd Retreat	*Include additional updates and review durning 2027 budget cycle
3	Potential Charter amendment(s): discuss possible amendments, public education, ordinances in August	Admin	Laura	Q1	Q3	In progress	March 3rd Retreat	Need Council direction
4	IT Contract RFP: The current IT Services contract ends 12/31/2026, Staff will review and issue an RFP for IT services to maintain public procurement best practices and reduce vendor complacency and over-reliance on a single provider.	Admin	Kelly	April	June	Yet to be started	Q3 or Q4	
5	Fee Schedule: Evaluate actual staff costs for a subset of fees to confirm accuracy.	Admin	Laura	Q2	Q2	Yet to be started	Q2	
6	Council Legacy Plaque	Admin	Laura	Q2	Q2	In progress	TBD	
7	Employee Handbook: Finalize updated Handbook, seek City Council approval, and implement policy and procedure changes.	HR	Kathryn	2019	2026	On hold	Q3 or Q4	Waiting for City Attorney review
8	Facilitate City Employee Values Committee: Assist City wide initiative to adopt City Values to incorporate in the Employee Handbook & Performance Evaluations	Admin	Kathryn	Q3	Q4	Yet to be started	N/A	

Operational Plan

Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	GFOA Budget Award: Apply for the GFOA budget award for the 2026 budget.	Finance	Kelly	January	January	Started	N/A	Due 1/31/2026
2	SECURE Act 2.0 Implementation: Coordinate with MissionSquare Retirement to implement SECURE 2.0 Provisions to City-wide retirement plans.	HR	Kathryn	January	February	In progress	N/A	
3	Municipal Court modernization: security, software, procedures, reporting	Admin	Kelly & Ariana	January	May	In progress	TBD	

2026 City Work Plan

4	Review Municipal Court fees for possible update: The Judge and Municipal Court Clerk are working with the City Attorney's office on recommended changes.	Admin	Kelly & Ariana	January	Q3	In progress	TBD	May depend on State Legislature
5	Municipal Court Sentencing: Potential state legislation mandating sentencing for local municipal courts.	Admin	Kelly & Ariana	January	Q3	Started	TBD	May depend on State Legislature
6	Web Accessibility: Continue to ensure City website complies with accessibility standards.	Admin	Kathryn & Laura	January	December	In progress	N/A	Quarterly meetings & reports
7	Audit: Obtain a clean City audit report.	Finance	Kelly	February	May	Started	May 19th or June 2nd	Auditors scheduled for in-person visit in February
8	Recruitment Processes: new background services/credit check vendor, hire new Communications FTE, fill staff vacancies as they arise	Admin	Kathryn	Q1	Q1	In progress	N/A	
9	Federal and State Reporting: W2s, 941, State Quarterly Report, 1099s, 1095s, Census report, Conservation Trust Fund Report, DOLA reporting, GID census report, ad hoc as needed.	Admin	Kathryn & Kelly	Q1	Q1	In progress	N/A	Started W2s
10	Audits: payroll, FPPA, benefits compliance, workers comp, CIRSA risk control	HR	Kathryn	Q1	Q1	In progress	N/A	Request for Recertification goes before the State board on February 4th.
11	Federal/State policy compliance: admin, CALEA, FMCSA/CDL, OBBA tax changes	HR	Kathryn	Q1	Q3	In progress	N/A	Required by state law
12	ACH Payments to Vendors: Implement ACH payments for CHV vendors to increase speed of payments and reduce staff workload, printing and mailing costs and risks associated with paper checks	Admin	Kelly	Q2	Q2	Yet to be started	N/A	
13	Pay Equity Analysis: To mitigate risk with State Equal Pay for Equal Work law.	HR	Kathryn	Q2	Q2	Yet to be started	N/A	
14	Insurance renewals: property/casualty, health, workers comp/cybersecurity	HR	Kathryn	Q2	Q4	Yet to be started	N/A	
15	Investment Policy: Update the City's Investment Policy.	Finance	Kelly	June	September	Yet to be started	Q3 or Q4	
16	Budgets for 2027: 2027 CHV and GID budgets	Finance	Kelly	July	December	Yet to be started	Sept, Oct, Nov, Dec	
17	2026 Regular Municipal Election: Coordinate with Arapahoe County and ensure the City's municipal election process meets all local and state requirements.	Admin	Laura	August	November	Yet to be started	Aug 4th, Aug 18th, and Sep 1st	Aug 4th = Candidate Information Session
18	Harassment & Anti-Violence Training	HR	Kathryn	Q3	Q3	Yet to be started	N/A	
19	Performance Evaluations: Improve the City performance evaluation form and process. Review opportunities with technology programs already available to the City. Connect the performance evaluation to City Workplans, and Departmental Strategic plans.	HR	Kathryn	Create 2026-Q4	Implement 2027	Yet to be started	N/A	

2026 City Work Plan

Community Development

Strategic Plan								
Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	Fences on state highways Code amendments	Zoning	Paul	January	TBD	Started	1/20/2026	Need Council direction
2	Nexus Study: RFP, consultant selection, drafting, adoption	Zoning	Paul	January	June	Yet to be started	June	
3	RFP for zoning plan review services	Zoning	Paul and Jan	January	January	Started	TBD	
4	RFP for a building consultant	Building	Paul & Jan	July	December	Yet to be started	November	
5	City GIS public facing map with user-friendly layers	Zoning	Jan	January	August	In progress	NA	
6	Community Rating System 5 year full audit by FEMA	Engineering	Paul	April	May	Yet to be started	NA	
7	Planning and Zoning Commission 2027 Annual Work Plan	Zoning	Paul	Q3	Q4	Yet to be started	TBD	Per Council Policy

Operational Plan								
Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	Process Land Use Applications	Zoning	Paul	January	December	In progress	Various	
2	Council Bill: add greywater regulations to City Code per state mandate	Building	Paul	February	February	Started	Feb 3rd & 17th	
3	Staff will continue to track and manage how state legislation changes affect the City.	Zoning	Paul	January	May	Started	TBD	
4	Staff will coordinate with Arapahoe County to update the Arapahoe County Hazard Mitigation Plan.	Zoning	Paul	2025	March	Nearly complete	March	Have to have it approved in Q1 2026
5	Master Plan Scorecard update	Zoning	Paul	January	April	Started	TBD	
6	Work with South Metro Fire Rescue to address new state regulations regarding urban wildfire interface	Building	Paul	February	Unknown	Started	Unknown	
7	Staff will evaluate the current online permit and land use application portal and explore other systems that may further enhance the user experience for residents.	Building	Jan	April	December	Yet to be started	Unknown	
8	Annual Stakeholder Meeting: staff presents updated regulations to builders and developers who work in the City	Zoning	Jan	April	April	Yet to be started	NA	

2026 City Work Plan

9	Ordinance to limit subdivision in the floodplain (Master Plan action item)	Zoning	Paul	June	September	Yet to be started	September	
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2026 City Work Plan

Public Works

Strategic Plan

Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	Traffic Study: Complete a citywide traffic study (last one completed in 2016).	Streets	Jay	January	Q4	Started	TBD	Do we need a City Council member on the selection committee?
2	Cell Service Follow Up	Streets	Jay	January	TBD	In progress	March 3rd Retreat	
3	Cherryridge sanitary sewer: work with Cherry Hills Village Sanitation District on possible transfer of Cherryridge sewer system from the City to the District	Streets	Jay	January	Q2	Started	TBD	
4	E-bikes: PTRC will receive education from staff on classifications, regulations, and current enforcement. The Commission will consider whether or not to revisit the current rules in the Municipal Code and bring any proposed changes to Council.	Parks	Emily	January	March or May	Started	TBD	PTRC - end date depends whether they decide to recommend a change
5	Quincy Farm visioning	Parks	Emily	January	TBD	In progress	TBD	
6	Quincy Farm Annual Plan for 2027	Parks	Emily	March	August	Yet to be started	TBD	
7	Franklin/Bellevue intersection traffic signal discussion	Streets	Jay	March	TBD	Yet to be started	March 17th	Need Council direction
8	Quincy Farm Eastside Farmhouse Construction: Based on the 2025 feasibility study, reconstruction of house to be used for bathrooms, kitchen, etc. to compliment and support programming of the Barn space.	Parks	Emily	January	December	Started	TBD	Plan for first quarter is design; construction contract will go to Council for approval
9	Quincy Farm grass area for program parking: designation of a grass parking area within the East Side pasture to provide access to programming via permeable grid system	Parks	Emily	January	September	Yet to be started	N/A	Begin design with Icon in January
10	Parks, Trails and Recreation Commission 2027 Annual Work Plan	Parks	Emily	May	August	Yet to be started	TBD	Per Council Policy
11	Art Commission 2027 Annual Work Plan	Parks	Emily	May	August	Yet to be started	TBD	Per Council Policy
12	Quincy Farm MOU evaluation	Parks	Emily	TBD	TBD	Yet to be started	TBD	Dependent on Quincy Farm visioning
13	High Line Canal: stormwater criteria	Parks	Jay	January	TBD	In progress	TBD	Dependent on Arapahoe County
14	High Line Canal stormwater & recreation & maintenance processes & agreements	Parks	Jay & Emily	TBD	TBD	In progress	TBD	Dependent on stormwater criteria/Arapahoe County

2026 City Work Plan

Operational Plan								
Project #	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
1	Trail Maps: final approval and printing; associated new signage	Parks	Emily	cont from 2025	February	Nearly complete	Jan. 6; Feb 3	Under Council consideration
2	APWA Re-Accreditation: The City’s Public Works Department has been accredited since 2014. Re-accreditation occurs every 4 years.	All	Emily	January	September	In progress	N/A	
3	Council Bill: Englewood sewer: add Industrial Pretreatment Program to City Code	Streets	Jay	January	February	In progress	Jan 20th & Feb 3rd	Under Council consideration
4	Quincy Farm Landscaping: planting trees, shrubs, and garden beds on the East Side and reseeding the pasture areas	Parks	Emily	January	August	Started	N/A	Planning in process; implementing in the spring
5	Quincy Farm Water Rights Negotiations with Denver Water	Parks	Jay & Emily	cont from 2025		Started	N/A	Waiting on irrigation design to be complete for next step
6	Quincy Farm Pond: continue project to provide improved habitat for wildlife	Parks	Ryan	cont from 2025	May	In progress	N/A	
7	Quincy Farm security cameras	Parks	Jay	Cont from 2025	March or April	In progress	N/A	Install East Side first, evaluate West Side
8	High Line Canal Irrigation: The City continues to add irrigation infrastructure to the High Line corridor in an effort to establish new trees to ensure the future health of the historic tree canopy	Parks	Jay/Jeff/Emily	January	Q3	In progress	N/A	In design
9	Sanitary Sewer CIP Project: Yearly maintenance and repair of the system continues with the ultimate goal of being able to get the City out of the Sanitary Sewer business.	Streets	Ryan	Q1	Q3	Yet to be started	Spring	
10	Mill and Overlay CIP: Starting in 2025 the City has begun to switch the CIP program from a “chip seal” maintenance program to a “mill and overlay” program. Because the mill and overlay program is a 15-to 20-year cycle just as the chip seal program has been both programs will be run simultaneously. The forecast budget for the 2026 projects is \$1,287,000.00.	Streets	Ryan	Q1	Q3	In progress	Spring	

2026 City Work Plan

11	Chipseal CIP: The chip seal program will continue although on a smaller scale as the City needs to continue to maintain all streets until such time that it becomes necessary to mill and overlay. The forecast budget for the 2026 projects is \$257,500.00.	Streets	Ryan	Q1	Q3	Yet to be started	Spring	
12	Concrete CIP: The forecast budget for the 2026 concrete program is \$61,800.00. The City is currently replacing small sections of failing concrete around the City. Because of past projects replacing entire subdivisions curb and gutters the City is not performing any large-scale concrete projects in the foreseeable future.	Streets	Ryan	Q1	Q3	Yet to be started	Spring	
13	Quincy Farm Interpretive Signage: history of Quincy Farm, pond sign	Parks	Emily	Q2	Q3	Yet to be started	N/A	
14	Closeout for John Meade Park 404 Permit (final monitoring and report to Army Corps)	Parks	Emily	Q2	Q4	Yet to be started	N/A	Monitoring needs to occur in spring

Changes to the 2026 City Work Plan since 2025		
Strategic Plan		
Department	Project	Change
Police	Reserve Police Officer Program	Removed
Public Works	Conceptual Design of Hopkins House	Removed
Police	Pilot program: cameras on trails	Added
Finance & Admin	Potential Charter amendments	Carryover
Finance & Admin	Council legacy plaque	Carryover
Finance & Admin	RFP for IT services	Carryover
Finance & Admin	Employee Handbook and employee values committee	Carryover
Finance & Admin	Payroll cycle adjustment	Added
Finance & Admin	Fee Schedule: Evaluate actual staff costs for a subset of fees to confirm accuracy.	Added
Comm Dev	Fences on state highways Code amendments	Carryover
Comm Dev	City GIS public facing map with user-friendly layers	Carryover
Comm Dev	Nexus Study: RFP, consultant selection, drafting, adoption	Added
Comm Dev	Community Rating System 5 year full audit by FEMA	Added
Comm Dev	Planning and Zoning Commission 2027 Annual Work Plan (per Council policy)	Added
Public Works	Cell Service follow up	Carryover
Public Works	Cherryridge sanitary sewer: work with Cherry Hills Village Sanitation District on possible transfer of Cherryridge sewer system from the City to the District	Carryover
Public Works	Quincy Farm visioning	Carryover
Public Works	E-bikes: PTRC will receive education from staff on classifications, regulations, and current enforcement. The Commission will consider whether or not to revisit the current rules in the Municipal Code and bring any proposed changes to Council.	Added
Public Works	Quincy Farm Annual Plan for 2027	Added
Public Works	Franklin/Belleview intersection traffic signal discussion	Added
Public Works	Quincy Farm grass area for program parking: designation of a grass parking area within the East Side pasture to provide access to programming via permeable grid system	Added
Public Works	Parks, Trails and Recreation Commission 2027 Annual Work Plan (per Council policy)	Added
Public Works	Art Commission 2027 Annual Work Plan (per Council policy)	Added
Public Works	Quincy Farm MOU evaluation	Added
Public Works	High Line Canal: stormwater criteria	Added
Public Works	High Line Canal stormwater & recreation & maintenance processes & agreements	Added

Changes to the 2026 City Work Plan since 2025		
Operational Plan		
Department	Project	Change
Comm Dev	Phase 2 city-wide stormwater management evaluation	Removed
Public Works	Parks trail sweeper replacement	Removed
Police	Certify staff on improving interactions with people with disabilities.	Added
Police	Implement a new ticket writing program (hardware and software) to allow seamless translation to the existing Caselle network for court processing of citations, fines, and appearances.	Added
Finance & Admin	Budgets: City and GIDs	Added
Finance & Admin	Municipal Court modernization: security, software, procedures, reporting	Added
Finance & Admin	ACH Payments to Vendors: Implement ACH payments for CHV vendors to increase speed of payments and reduce staff workload, printing and mailing costs and risks associated with paper checks	Added
Finance & Admin	Recruitment Processes (new background services/credit check vendor, hire new Communications FTE, fill staff vacancies as they arise)	Added
Finance & Admin	Federal/State reporting (W2s, 941, State Quarterly Report, 1099s, 1095s, Census report, Conservation Trust Fund Report, DOLA reporting, GID census report, ad hoc as needed)	Added
Finance & Admin	Pay Equity Analysis: To mitigate risk with State Equal Pay for Equal Work law.	Added
Finance & Admin	Audits (payroll, FPPA, benefit compliance, workers comp, CIRSA risk control)	Added
Finance & Admin	Insurance renewals (property/casualty, health, workers comp/cybersecurity)	Added
Finance & Admin	Federal/State policy compliance (admin, CALEA, FMCSA/CDL, OBBA tax changes)	Added
Finance & Admin	Harassment/anti-violence training	Added
Comm Dev	Process Land Use Applications	Added
Comm Dev	Council Bill: add greywater regulations to City Code per state mandate	Added
Comm Dev	Master Plan Scorecard update	Added
Comm Dev	Work with South Metro Fire Rescue to address new state regulations regarding urban wildfire interface	Added
Comm Dev	Annual Stakeholder Meeting: staff presents updated regulations to builders and developers who work in the City	Added
Comm Dev	Ordinance to limit subdivision in the floodplain (Master Plan action item)	Added
Public Works	Trail Maps & associated new signage	Added
Public Works	Council Bill: Englewood sewer: add Industrial Pretreatment Program to City Code	Added
Public Works	Quincy Farm landscaping: planting trees, shrubs, and garden beds on the East Side of Quincy Farm and reseeding the pasture areas.	Added

Public Works	Quincy Farm water rights negotiations with Denver Water	Added
Public Works	Quincy Farm pond: continue project to provide improved habitat for wildlife	Added
Public Works	Quincy Farm security cameras	Added
Public Works	Quincy Farm interpretive signage: history of Quincy Farm, pond sign	Added
Public Works	John Meade Park closeout 404 Permit	Added

Q1 2026 Projects								
Strategic Plan: Police Department								
Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Date(s)	Notes
Police	Increase Code Enforcement efforts: 5a. Enhanced Data Tracking & Transparency: Develop and publish periodic performance metrics (e.g., number of complaints received, average response time, percentage resolved within a given timeframe, repeat-offender rates). This builds public trust and allows for better resource allocation. The COMCATE Software system will be live at first of year 2026. 5b. Stronger Community Engagement & Education: Increase outreach regarding what constitutes a violation (especially lesser-known ones such as construction hours, site maintenance, and stormwater/street tracking issues). For example, regular newsletters, social media posts, neighborhood meetings. (CHVPD already does some reminders; see weeds/dead trees notices). 5c. Streamline Reporting & Response Process: Ensure that the hotline (303-783-2752) and other communication methods have clear workflows: auto-confirmations, estimated response time, status updates to the complainant. Finalize the public facing dashboard or web form with photo upload capability (so residents can document issues, e.g., noise, hours violations, dumping, weeds) and allow residents to track status. Define clear escalation steps: e.g., warning → notice of violation → fine/hearing. Clarify these publicly, so residents/property owners understand consequences.	Code Enforcement	Jason	Q1	Q1	In progress	N/A	
Police	Through a pilot program, study the feasibility and efficacy of expanding the PD’s use of strategically located, fixed motion detected camera systems along CHV trail system.		Jason	Q1	Q3	Started	N/A	
Operational Plan: Police Department								
Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
Police	Evaluate and increase the Court Security function, evaluation in 2025, implementation in 2026.		Jason	12/1/2025	1/7/2026	Completed	N/A	First Court Date with new security = Jan 7th 2026
Police	Increase investigative capability by adding one FTE (Investigations Sergeant) to both supervise and enhance the investigative function through assuming additional workload. CHVPD’s property crime clearance rate is currently below benchmark and does not meet the established measurement in our 5-Year Strategic Plan. Criminal investigations have become more complex and require more investigative effort. This position will allow that investigative work to be balanced amongst three investigators.		Jason	Q1	Q1	Yet to be started	N/A	
Police	Strengthen community engagement programs/partnerships with the Community Partnership Officer position. This will include enhancing the Citizens Police Academy, working directly with HOAs and advancing our Crime Prevention Through Environmental Design (CPTED) efforts.		Jason	Q1	Q1	Started	N/A	
Police	Certify entire staff on improving interactions with people with Intellectual/Developmental Disabilities.		Jason	Q1	Q1	Started	N/A	
Police	Implement a new ticket writing program (hardware and software) to allow seamless translation to the existing Caselle network for court processing of citations, fines, and appearances.		Jason	Q1	Q1	In progress	N/A	
Police	Progress through the national accreditation process (CALEA), (3rd year of a 3 year process). This accreditation places CHVPD in the top 5% of agencies who adhere to the industry’s best practices.		Jason	Q1	Q4	In progress	N/A	

Police	Increase our Officer Wellness programming to include mental, physical, and financial wellness initiatives.		Jason	Q1	Q4	Started	N/A	
Strategic Plan: Finance & Admin Department								
Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
Finance & Admin	Payroll cycle adjustment: Update payroll schedule and move to best practices for payroll processing.	Admin	Kelly & Kathryn	January	January	Completed	N/A	
Finance & Admin	Long-Range Financial Forecast: Prepare updates to the long-range financial forecast to assist the City Council with short- and long-term planning. The forecast includes discussion of the Capital Fund and ten-year capital improvement program.	Finance	Kelly	February	March	Started	March 3rd Retreat	*Include additional updates and review during 2027 budget cycle
Finance & Admin	Potential Charter amendment(s): discuss possible amendments, public education, ordinances in August	Admin	Laura	Q1	Q3	In progress	March 3rd Retreat	Need Council direction
Operational Plan: Finance & Admin Department								
Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
Finance & Admin	GFOA Budget Award: Apply for the GFOA budget award for the 2026 budget.	Finance	Kelly	January	January	Started	N/A	Due 1/31/2026
Finance & Admin	SECURE Act 2.0 Implementation: Coordinate with MissionSquare Retirement to implement SECURE 2.0 Provisions to City-wide retirement plans.	HR	Kathryn	January	February	In progress	N/A	
Finance & Admin	Municipal Court modernization: security, software, procedures, reporting	Admin	Kelly & Ariana	January	May	In progress	TBD	
Finance & Admin	Review Municipal Court fees for possible update: The Judge and Municipal Court Clerk are working with the City Attorney's office on recommended changes.	Admin	Kelly & Ariana	January	Q3	In progress	TBD	May depend on State Legislature
Finance & Admin	Municipal Court Sentencing: Potential state legislation mandating sentencing for local municipal courts.	Admin	Kelly & Ariana	January	Q3	Started	TBD	May depend on State Legislature
Finance & Admin	Web Accessibility: Continue to ensure City website complies with accessibility standards.	Admin	Kathryn & Laura	January	December	In progress	N/A	Quarterly meetings & reports
Finance & Admin	Audit: Obtain a clean City audit report.	Finance	Kelly	February	May	Started	May 19th or June 2nd	Auditors scheduled for in-person visit in February
Finance & Admin	Background services/credit check: Explore options and secure new vendor if needed.	Admin	Kathryn	Q1	Q1	In progress	N/A	
Finance & Admin	Federal and State Reporting: W2s, 941, State Quarterly Report, 1099s, 1095s, Census report, Conservation Trust Fund Report, DOLA reporting, ad hoc as needed.	Admin	Kathryn & Kelly	Q1	Q1	In progress	N/A	Started W2s
Finance & Admin	Worker's Compensation Cost Containment Certification: The City receives 5% discount on Work Comp premiums by renewing it's Cost Containment Certification every four years. This is done through a review of previous claims and policy review.	HR	Kathryn	Q1	Q1	In progress	N/A	Request for Recertification goes before the State board on February 4th.
Finance & Admin	Hire new Communications FTE: Post job opening, interview and onboard new Communications FTE.	HR	Kathryn	Q1	Q1	In progress	N/A	Job description finalized, job posted, first review 2/6
Finance & Admin	Fill staff vacancies as they arise: Post job openings, interviews, and onboard new employees.	HR	Kathryn	Q1	Q1	In progress	N/A	Job posted

Finance & Admin	Pinnacol Assurance Payroll Audit for 2025 Premiums: Review payroll files, 1099s, and independent contractors for compliance with Worker's Compensation plan.	HR	Kathryn	Q1	Q1	In progress	N/A	
Finance & Admin	Complete FPPA Audit: City has to complete several review steps to assist FPPA in completing their Financial Audit and retirement reporting through GASB regulations.	Admin	Kelly & Kathryn	Q1	Q2	Yet to be started	N/A	Audit firm sends document request in February.
Finance & Admin	Administrative Policies/Procedures Manual: Internal policies, CALEA, etc	HR	Kathryn	Q1	Q3	In progress	N/A	Required by state law
Finance & Admin	CIRSA Risk Control Assessment: Onsite review with CIRSA rep for policies, training, physical property tour.	HR/Police/Public Works	Kathryn/Ryan	Q1		In progress	N/A	Audit, survey 3/9

Strategic Plan: Community Development Department

Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
Comm Dev	Fences on state highways Code amendments	Zoning	Paul	January	TBD	Started	1/20/2026	Need Council direction
Comm Dev	Nexus Study: RFP, consultant selection, drafting, adoption	Zoning	Paul	January	June	Yet to be started	June	
Comm Dev	RFP for zoning plan review services	Zoning	Paul and Jan	January	January	Started	TBD	
Comm Dev	City GIS public facing map with user-friendly layers	Zoning	Jan	January	August	In progress	NA	

Operational Plan: Community Development Department

Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
Comm Dev	Staff will continue to track and manage how state legislation changes affect the City.	Zoning	Paul	January	May	Started	TBD	
Comm Dev	1 Cherry Hills Park Dr minor subdivision	Zoning	Paul	2025	February	In progress	February	
Comm Dev	1516 E. Oxford Ave bulk plane modification	Zoning	Paul	2025	Unknown	In progress	February	
Comm Dev	4650 S University Blvd: variance	Zoning	Paul	February	February	In progress	Feb 17th	
Comm Dev	4650 S University Blvd: subdivision	Zoning	Paul	February	February	In progress	Feb 17th	
Comm Dev	Council Bill: add greywater regulations to City Code per state mandate	Building	Paul	February	February	Started	Feb 3rd & 17th	
Comm Dev	Staff will coordinate with Arapahoe County to update the Arapahoe County Hazard Mitigation Plan.	Zoning	Paul	2025	March	Nearly complete	March	Have to have it approved in Q1 2026
Comm Dev	Glenmoor Country Club: site plan amendment	Zoning	Paul	2025	April to June	In progress	TBD	
Comm Dev	Glenmoor Country Club: variance	Zoning	Paul	2025	April to June	In progress	NA	BOAA approval, not City Council
Comm Dev	Kent Denver: site plan amendment	Zoning	Paul	2025	April to June	In progress	TBD	
Comm Dev	3699 S. Albion St variance	Zoning	Paul	2025	Unknown	In progress	NA	BOAA approval, not City Council
Comm Dev	4500 E. Hampden Ave site plan amendment	Zoning	Paul	2025	Unknown	In progress	TBD	
Comm Dev	1776 E. Tufts Ave floodplain development permit	Zoning	Paul	2025	Unknown	In progress	NA	
Comm Dev	4350 S. Franklin St floodplain variance	Zoning	Paul	2024	Unknown	In progress	TBD	

Comm Dev	NWC floodplain variance	Zoning and Engineering	Paul and Troy	2025	Unknown	Started	TBD	
Comm Dev	Arapahoe Tennis Club: site plan amendment	Zoning	Paul	January	May to July	In progress	TBD	
Comm Dev	St. Mary's: site plan amendment	Zoning	Paul	January	Unknown	In progress	TBD	
Comm Dev	Master Plan Scorecard update	Zoning	Paul	January	April	Started	TBD	
Comm Dev	Work with South Metro Fire Rescue to address new state regulations regarding urban wildfire interface	Building	Paul	February	Unknown	Started	Unknown	

Strategic Plan: Public Works Department

Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
Public Works	Traffic Study: Complete a citywide traffic study (last one completed in 2016).	Streets	Jay	January	Q4	Started	TBD	Do we need a City Council member on the selection committee?
Public Works	Cell Service Follow Up	Streets	Jay	January	TBD	In progress	March 3rd Retreat	
Public Works	Cherryridge sanitary sewer: work with Cherry Hills Village Sanitation District on possible transfer of Cherryridge sewer system from the City to the District	Streets	Jay	January	Q2	Started	TBD	
Public Works	E-bikes: PTRC will receive education from staff on classifications, regulations, and current enforcement. The Commission will consider whether or not to revisit the current rules in the Municipal Code and bring any proposed changes to Council.	Parks	Emily	January	March or May	Started	TBD	PTRC - end date depends whether they decide to recommend a change
Public Works	Quincy Farm visioning	Parks	Emily	January	TBD	In progress	TBD	
Public Works	Quincy Farm Annual Plan for 2027	Parks	Emily	March	August	Yet to be started	TBD	
Public Works	Franklin/Belleview intersection traffic signal discussion	Streets	Jay	March	TBD	Yet to be started	March 17th	Need Council direction
Public Works	Quincy Farm Eastside Farmhouse Construction: Based on the 2025 feasibility study, reconstruction of house to be used for bathrooms, kitchen, etc. to compliment and support programming of the Barn space.	Parks	Emily	January	December	Started	TBD	Plan for first quarter is design; construction contract will go to Council for approval
Public Works	Quincy Farm grass area for program parking: designation of a grass parking area within the East Side pasture to provide access to programming via permeable grid system	Parks	Emily	January	Sept	Started	N/A	Begin design with Icon in January
Public Works	High Line Canal: stormwater criteria	Parks	Jay	January	TBD	In progress	TBD	Dependent on Arapahoe County

Operational Plan: Public Works Department

Department	Project Name	Division	Point Person	Start Date	Projected End Date	Status (drop down menu)	Council Meeting Dates	Notes
Public Works	Trail Maps - final approval and printing	Parks	Emily	cont from 2025	February	Nearly complete	Jan. 6; Feb 3	Under Council consideration
Public Works	APWA Re-Accreditation: The City’s Public Works Department has been accredited since 2014. Re-accreditation occurs every 4 years.	All	Emily	January	September	In progress	N/A	

Public Works	Council Bill: Englewood sewer: add Industrial Pretreatment Program to City Code	Streets	Jay	January	February	In progress	Jan 20th & Feb 3rd	Under Council consideration
Public Works	Quincy Farm Landscaping: planting trees, shrubs, and garden beds on the East Side and reseeding the pasture areas	Parks	Emily	January	August	Started	N/A	Planning in process; implementing in the spring
Public Works	Quincy Farm Water Rights Negotiations with Denver Water	Parks	Jay & Emily	cont from 2025		Started	N/A	Waiting on irrigation design to be complete for next step
Public Works	Quincy Farm Pond: continue project to provide improved habitat for wildlife	Parks	Ryan	cont from 2025	May	In progress	N/A	
Public Works	Quincy Farm East Side: install security cameras	Parks	Jay	Cont from 2025	March or April	In progress	N/A	
Public Works	High Line Canal Irrigation: The City continues to add irrigation infrastructure to the High Line corridor in an effort to establish new trees to ensure the future health of the historic tree canopy	Parks	Jay/Jeff/Emily	January	Q3	In progress	N/A	In design
Public Works	Sanitary Sewer CIP Project: Yearly maintenance and repair of the system continues with the ultimate goal of being able to get the City out of the Sanitary Sewer business.	Streets	Ryan	Q1	Q3	Yet to be started	Spring	
Public Works	Mill and Overlay CIP: Starting in 2025 the City has begun to switch the CIP program from a “chip seal” maintenance program to a “mill and overlay” program. Because the mill and overlay program is a 15-to 20-year cycle just as the chip seal program has been both programs will be run simultaneously. The forecast budget for the 2026 projects is \$1,287,000.00.	Streets	Ryan	Q1	Q3	In progress	Spring	
Public Works	Chipseal CIP: The chip seal program will continue although on a smaller scale as the City needs to continue to maintain all streets until such time that it becomes necessary to mill and overlay. The forecast budget for the 2026 projects is \$257,500.00.	Streets	Ryan	Q1	Q3	Yet to be started	Spring	
Public Works	Concrete CIP: The forecast budget for the 2026 concrete program is \$61,800.00. The City is currently replacing small sections of failing concrete around the City. Because of past projects replacing entire subdivisions curb and gutters the City is not performing any large-scale concrete projects in the foreseeable future.	Streets	Ryan	Q1	Q3	Yet to be started	Spring	

Q1 2026 Strategic Plan

Department	Project	Status
Police	Increase Code Enforcement Efforts: enhanced data tracking & transparency; stronger community engagement & education; streamline reporting & response process	In progress
Police	Pilot program: cameras on trails	Started
Finance & Admin	Payroll cycle adjustment	Completed
Finance & Admin	Long-Range Financial Forecast: prepare updates to assist Council with short- and long-term planning	Started
Finance & Admin	Potential Charter amendments	In progress
Comm Dev	Fences on state highways Code amendments	Started
Comm Dev	Nexus Study: RFP, consultant selection, drafting, adoption	Yet to be started
Comm Dev	RFP for zoning plan review services	Started
Comm Dev	City GIS public facing map with user-friendly layers	In progress
Public Works	Traffic Study: complete a citywide traffic study	Started
Public Works	Cell Service follow up	In progress
Public Works	Cherryridge sanitary sewer: work with Cherry Hills Village Sanitation District on possible transfer of Cherryridge sewer system from the City to the District	Started
Public Works	E-bikes: PTRC will receive education from staff on classifications, regulations, and current enforcement. The Commission will consider whether or not to revisit the current rules in the Municipal Code and bring any proposed changes to Council.	Started
Public Works	Quincy Farm visioning	In progress
Public Works	Quincy Farm Annual Plan for 2027	Yet to be started
Public Works	Franklin/Belleview intersection traffic signal discussion	Yet to be started
Public Works	Quincy Farm Eastside Farmhouse Construction: Based on the 2025 feasibility study, reconstruction of house to be used for bathrooms, kitchen, etc. to compliment and support programming of the Barn space.	Started
Public Works	Quincy Farm grass area for program parking: designation of a grass parking area within the East Side pasture to provide access to programming via permeable grid system	Started
Public Works	High Line Canal: stormwater criteria	In progress