

City Council of Monday, May 02, 2011

City and County of Denver

Carol Boigon..... At Large
Doug Linkhart..... At Large
Paula E. Sandoval..... District 1
Jeanne Faatz..... District 2
Paul López..... District 3
Peggy Lehmann..... District 4
Marcia Johnson..... District 5
Charlie Brown..... District 6



Chris Nevitt..... District 7
Vacant..... District 8
Judy H. Montero..... District 9
Jeanne Robb..... District 10
Michael B. Hancock..... District 11
Lauri Dannemiller..... Director
Kelly Velez..... Council Secretary

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****REMINDER****

As a courtesy to those in attendance,
please

**turn off your cell phones and
pagers.**

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

The Council Chambers has listening devices for the hearing impaired; request a device from the Council Secretary. The City can provide sign language interpretation for persons attending City Council meetings. If you need sign language interpretation, please contact Lorrie Kosinski at TTY 720-913-8484 at least 72 hours in advance.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at Denver City Council, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is also posted on the City Council website. Questions on agenda items may be directed to the Denver City Council at 720-865-9534.

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PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak during a public hearing, speaker cards are available during the recess of Council. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes. Public hearings allow citizens the opportunity to speak in favor or against specific items. The Council President will open the public hearing to receive public comment on that specific item. Upon hearing all public comments, the Council President will close or continue the public hearing. Council may then decide to engage in discussion and/or take action on the item.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, May 02, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, April 4, 2011

Council Announcements

Presentations

Communications

Proclamations

Resolutions

Health, Safety, Education & Services

CR11-0319 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Seven Hundred Ninety-Five Thousand Dollars (\$795,000.00) payable to John R. Holland P.C., Client Trust Fund for the benefit of Alexander Landau, in full payment and satisfaction of all claims in Case No. 11-cv-00080-PAB-MJW in the United States District Court for the District of Colorado. (HEALTH, SAFETY, EDUCATION & SERVICES)

Settles a claim involving the Police Department. This resolution was approved for filing at the Mayor-Council meeting on 4-26-11.

Land Use, Transportation & Infrastructure

CR11-0285 A resolution laying out, opening and establishing as part of the city street system, as part of the streets listed below, certain real property in Lowry Filing No. 9. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates 15 tracts in Lowry Filing No. 9 as public rights-of-way between Quebec and Uinta Way and between 8th and 6th avenues in Council District 5. The Committee approved filing this resolution by consent on 4-21-11.

Bills for Introduction

Business, Workforce & Sustainability

CB11-0273 A bill for an ordinance approving a proposed Fourth Amendment to Agreement between the City and County of Denver and Way Out West, Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a fourth amendment to the agreement with Way Out West, Inc. to extend the term through December 31, 2013; reduce the maximum annual guarantee; reduce the percent compensation to a sliding scale; begin paying 1% into the Joint Marketing Fund; and require renovations in the amount of \$28,000 (AC68001). The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

CB11-0274 A bill for an ordinance approving a proposed Third Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Frontier Airlines, Inc., related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a third amendment to the Frontier Airlines, Inc. contract to extend the term through December 31, 2011, and document changes in gates and operations space on Concourse A (AC0Y009-3).The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

CB11-0275 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and FCI Constructors, Inc., concerning an on-call construction services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves an amendment to the \$15 million on-call contract with FCI Constructors, Inc. to extend the term two years through July 31, 2013 for various construction projects at the airport, at no additional cost (CE03017). The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

CB11-0276 A bill for an ordinance approving a proposed Fifth Amendment to Agreement between the City and County of Denver and Yaz Jewelry & Gifts Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a fifth amendment to Concession Agreement with YAZ Jewelry and Gifts to add alternative surety language to the agreement that provides an alternative method to provide a performance bond to the City rather than through a bonding company (AC68002-05). The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

CB11-0277 A bill for an ordinance approving a proposed Sixth Amendment to Agreement between the City and County of Denver and First Class

Baggage Co., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a sixth amendment to Concession Agreement with First Class Baggage Company to add alternative surety language to the agreement that provides an alternative method to provide a performance bond to the City rather than through a bonding company (AC37001-06). The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

General Government & Finance

CB11-0271 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GENERAL GOVERNMENT & FINANCE)

Approves classification notice numbers 1338, 1339 & 1341 for title and pay grade changes to Personal Property Analyst, Closed Circuit Television Technician Class Series, and 311 Customer Service Class Series. The Committee approved filing this bill by consent on 4-21-11.

CB11-0279 A bill for an ordinance authorizing the City and County of Denver to convey to BRCM, LLC its interest in a parcel of real estate located at approximately vacated Sherman Street and 48th Avenue. (GENERAL GOVERNMENT & FINANCE)

Approves the sale of surplus land located at approximately 48th and Sherman St., to BRCM, LLC in the amount of \$1,000. The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

Health, Safety, Education & Services

CB11-0170 A bill for an ordinance approving a third amendatory agreement between ACS State & Local Solutions, Inc. and the City and County of Denver for funding of the Photo Traffic Management Program. (HEALTH, SAFETY, EDUCATION & SERVICES)

Adds \$1,340,700 to the contract with ACS State and Local Solutions, Inc. to extend the term one year for Photo Radar Services. The last regularly Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 3-10-11.

CB11-0253 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and VendOne, Inc., to provide token vending machines at the Denver County Jail and Downtown Detention Center. (HEALTH, SAFETY, EDUCATION & SERVICES)

Extends the contract with Vend One for one year to provide token vending machines at the Denver County Jail and the Downtown Detention Center with a revenue sharing agreement whereby a 20% commission is deposited into the

Inmate Welfare Fund. The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-14-11.

CB11-0267 A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States of America concerning the "Shelter Plus Care—Durkin Project FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Accepts \$341,520 in federal Shelter Plus Care-Durkin funds to provide 49 units of sponsor based rental assistance for chronically homeless individuals with mental illnesses. The Committee approved filing this bill by consent on 4-21-11.

Land Use, Transportation & Infrastructure

CB11-0261 A bill for an ordinance changing the zoning classification of 1545 Julian Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a map amendment to rezone 1545 Julian Street from PUD #79 to C-MX-8 in Council District 1. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 4-19-11.

CB11-0265 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Suncor Energy USA, Inc., for asphalt cement used at the Asphalt Plant and by Street Maintenance. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$4,000,000 purchase order with Suncor Energy for asphalt cement used at the asphalt plant and by Street Maintenance. The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

CB11-0268 A bill for an ordinance changing the zoning classification of 1042 S. Parker Road. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a map amendment to rezone 1042 S. Parker Road from S-MU-3 to S-CC-3x in Council District 5. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 4-19-11.

CB11-0280 A bill for an ordinance approving an Intergovernmental Agreement Regarding Design and Planning Work Relating to the South Broadway Montgomery Ward Urban Renewal Area between the City and County of Denver and the Denver Urban Renewal Authority. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an Intergovernmental Agreement with Denver Urban Renewal Authority obligating DURA to commit \$1 million of tax increment financing, creating a City fund and providing for expenditures for planning and design of storm sewer improvements benefiting the South Broadway Montgomery Ward Urban Renewal Area and its environs in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved

filing this bill at its meeting on 4-19-11.

CB11-0284 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation concerning the "Denver TSSIP-1" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Accepts an \$867,000 grant through the Colorado Department of Transportation, establishes a City fund and approves expenditures for the continued implementation of signal system improvements on Speer, Yale and Mississippi in Council Districts 1, 3, 4, 6, 7, 8, 9 & 10. The last regularly scheduled Council meeting within the 30-day review period is on 5-23-11. The Committee approved filing this bill by consent on 4-21-11.

CB11-0295 A bill for an Ordinance amending Ordinance Number 426, Series of 2007, as amended by Ordinance Number 335, Series of 2009, Ordinance Number 148, Series of 2010, and Ordinance Number 11, Series of 2011 designating the project to be undertaken and funded with the proceeds of the Better Denver bonds. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the Better Denver Bond companion ordinance to update and clarify projects and allocations and add five projects. The Committee approved filing this bill at its meeting on 4-26-11.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration - Public Hearings

REQUIRED	CB11-0153 A bill for an ordinance changing the zoning classification of 2090 S. Galapago Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Changes the zoning of the parcel at 2090 S. Galapago from E-TU-C to U-MX-3 in Council District 7. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 3-22-11.
YES	CB11-0154 A bill for an ordinance changing the zoning classification of the properties located at 14th Avenue and Pennsylvania Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

	Changes the zoning of the properties at Pennsylvania and E. 14th Ave. from G-MU-5 to G-RO-5 in Council District 10. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 3-22-11.
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REQUIRED	CB11-0197 A bill for an ordinance approving the Globeville Commercial Urban Redevelopment Plan for the former ASARCO site. (BUSINESS, WORKFORCE & SUSTAINABILITY) Approves the Globeville Commercial Urban Redevelopment Plan authorizing the creation of an urban redevelopment area in Adams County and Denver; and authorizes property and sales tax increment financing. The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. PUBLIC HEARING AT LEAST ONE WEEK FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 3-23-11.
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Bills for Final Consideration

Business, Workforce & Sustainability

CB11-0198 A bill for an ordinance approving a Cooperation Agreement between the City and County of Denver, Adams County and the Denver Urban Renewal Authority for the Globeville Commercial Urban Redevelopment Area for the former ASARCO site. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Cooperation Agreement among the City and County of Denver, Adams County, and the Denver Urban Renewal Authority for the Globeville Commercial Urban Redevelopment Area to establish parameters for tax increment financing for Denver and Adams County incremental property and sales taxes; and repayment obligations related to the initial project (XC1A013). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill at its meeting on 3-23-11.

CB11-0254 A bill for an ordinance approving a proposed Twelfth Amendment to Agreement between General Services Administration and the City and County of Denver/Denver International Airport for leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves an amendment to the contract between U.S. Government General Services Administration and the City to extend the term through July 31, 2011 and to add \$303,147 in additional revenue for space changes at the airport (AC35001-12). The last regularly scheduled Council meeting within the 30-day review period

is on 5-16-11. The Committee approved filing this bill by consent on 4-14-11.

CB11-0255 A bill for an ordinance approving a proposed First Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Lufthansa German Airlines, related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract amendment between Lufthansa German Airlines and the City to extend the term through December 31, 2011 and to document space changes at the airport (AR 65004-1). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 4-14-11.

CB11-0256 A bill for an ordinance approving a proposed First Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Mesaba Aviation, Inc., related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves an amendment to the airport use and facilities lease agreement between Mesaba Aviation, Inc. and the City to extend the term through December 31, 2011 (AR 83007-1). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 4-14-11.

CB11-0257 A bill for an ordinance approving a proposed Support Facilities Lease Agreement between the City and County of Denver and Swissport Cargo Services, LP concerning cargo facilities at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a support facilities lease agreement between Swissport Cargo Services, LP and the City for space in the Joint Used Cargo Building and ground space at the airport for \$101,600 in annual revenue (AR15004). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 4-14-11.

General Government & Finance

CB11-0156 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Accuracy, Inc. dba Ultramax Ammunition to provide ammunition to the Denver Police Firing Range. (GENERAL GOVERNMENT & FINANCE)

Approves a two-year Master Purchase Order with Accuracy Inc., doing business as Ultramax Ammunition to provide ammunition to the Denver Police Firing Range (MPO# AMMUNITION_0716A0110) in the amount of \$1 million. The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 3-10-11.

CB11-0217 A bill for an ordinance approving a proposed Master Purchase

Order between the City and County of Denver and Pearson & Pearson dba Front Range Wholesale Restaurant Supply to purchase grocery items for the Denver Sheriff's Department and Denver Human Services. (GENERAL GOVERNMENT & FINANCE)

Approves a two-year Master Purchase Order with Pearson & Pearson doing business as Front Range Wholesale Restaurant Supply to purchase grocery items for the Denver Sheriff Department and Denver Human Services in the amount of \$3 million (0181A0211). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 3-3-11.

CB11-0232 A bill for an Ordinance approving a proposed Fifth Amendment to Sublease between the City and County of Denver and Norac, Inc., for a lease renewal for Channel 8 at its Stapleton location. (GENERAL GOVERNMENT & FINANCE)

Approves a lease renewal for Channel 8 at its Stapleton location for monthly rent in the amount of \$17,362.67 (CE73018-5). The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 4-14-11.

CB11-0251 A bill for an ordinance authorizing the transfer of funds from the Council District 6 Special Revenue Fund to the Parks and Recreation Private Donation Fund. (GENERAL GOVERNMENT & FINANCE)

Approves a transfer of \$1,000 from the City Council District 6 Special Revenue Fund to the Parks and Recreation Private Donations Special Revenue Fund to provide additional funding to an existing project at Observatory Park. The Committee approved filing this bill by consent on 4-14-11.

CB11-0252 A bill for an ordinance establishing a "Safety Private Donations Fund" program in the Safety Special Revenue Fund and the means for authorizing expenditures from such fund. (GENERAL GOVERNMENT & FINANCE)

Approves the creation of a Safety Private Donations Special Revenue Fund to accept private donations or contributions to the Department of Safety. The Committee approved filing this bill by consent on 4-14-11.

Health, Safety, Education & Services

CB11-0070 A bill for an ordinance approving a proposed Sixth Amendatory Agreement between the City and County of Denver and Arapahoe House, Inc., to approve a no-cost extension for one year for substance abuse treatment and evaluation services. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a no-cost extension for one year for the contract with Arapahoe House for substance abuse treatment and evaluation services. The last regularly scheduled Council meeting within the 30-day period is on 5-16-11. The Committee approved filing this bill by consent on 2-10-11.

Land Use, Transportation & Infrastructure

CB11-0208 A bill for an Ordinance approving a proposed Purchase Order for Waste Management to dispose of construction related debris and materials at the Denver Arapahoe Disposal Facility (DADS) generated on the South Platte River Zuni/Lakewood Gulch Decatur Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Adds \$250,000 for Waste Management tipping fees at the Denver and Arapahoe Disposal Site for the disposal of construction related debris and materials generated on the South Platte River Zuni/Lakewood Gulch Decatur Project. The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 3-24-11.

CB11-0238 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Lafarge North America, Inc., for aggregate of varying sizes for the Asphalt Plant and Street Maintenance. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$1.5 million purchase order with LaFarge North America for aggregate of varying sizes for the asphalt plant and Street Maintenance. The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 4-7-11.

CB11-0246 A bill for an ordinance approving an Intergovernmental Agreement to make funds available for transit and other improvements to the Union Avenue Bridge over I-25. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an agreement among five entities regarding the widening of the Union Avenue Bridge over I-25 and other transit related improvements, a \$7.6 million project to which the City's contribution is \$700,000. The last regularly scheduled Council meeting within the 30-day review period is on 5-16-11. The Committee approved filing this bill by consent on 4-14-11.

CB11-0247 A bill for an ordinance creating the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Maintenance District for the continuing care, operation, repair, maintenance and replacement of local public improvements, with the costs to be assessed upon the real property benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves creation of the S. Broadway Streetscape, Iowa to Wesley, Local Maintenance District (LMD) in Council District 7. The Committee approved filing this bill by consent on 4-14-11.

CB11-0248 A bill for an ordinance creating and establishing the South Broadway Streetscape (Iowa Avenue to Wesley Avenue) Local Improvement District, authorizing the construction and installation therein of the streetscape improvements, including but not limited to sidewalks, brick pavers, trees, tree grates, irrigation, benches, trash receptacles and

pedestrian lights, providing for the assessment of real estate included in the district, the payment of costs, and other matters incidental to the making of said improvements. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves creation of the S. Broadway Streetscape Local Improvement District between Iowa and Wesley in Council District 7. The Committee approved filing this bill by consent on 4-14-11.

CB11-0263 A bill for an ordinance amending Chapter 48 of the Revised Municipal Code of the City and County of Denver regarding solid waste and the collection of compost material. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Removes the sunset on curbside composting program and allows charging for the service, providing a discount for full payment, and expanding to include DPS and municipal facilities as operational resources allow. The Committee approved filing this bill at its meeting on 4-12-11.

CB11-0282 A bill for an ordinance vacating a portion of an alley bounded by N. Saint Paul St., N. Steele St., E. 2nd Ave., and E. 1st St., with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Vacates a portion of the 'L' shaped alley between 1st and 2nd avenues and Saint Paul and Steele streets, with reservations, in Council District 10. The Committee approved filing this bill by consent on 4-21-11.

Announcement

Dependent upon publication there will be public hearings on CB11-0261, changing the zoning classification of 1545 Julian Street, and on CB11-0268, changing the zoning classification of 1042 S. Parker Road, on Monday, June 6, 2011. Any protests against CB11-0261 or CB11-0268, must be filed in the Council Office no later than Tuesday, May 31, 2011.

Adjourn

Bills Pending 5/16/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0151	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance relating to the Chapters 8 (Animals) and 36 (Noise Control) of the Denver Revised	3/22/2011 4/5/2011 4/12/2011 4/18/2011	NO

			Municipal Code and the Denver Zoning Code authorizing the keeping of certain food producing animals.		
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