

## City Council of Monday, September 10, 2012

# City and County of Denver

Robin Kniech..... At Large  
Deborah "Debbie" Ortega..... At Large  
Susan K. Shepherd..... District 1  
Jeanne Faatz..... District 2  
Paul D. López..... District 3  
Peggy Lehmann..... District 4  
Mary Beth Susman..... District 5  
Charlie Brown..... District 6



Chris Nevitt..... District 7  
Albus Brooks..... District 8  
Judy H. Montero..... District 9  
Jeanne Robb..... District 10  
Christopher Herndon..... District 11  
Janna M. Bergquist..... Director  
Kelly Velez..... Clerk

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accessed at

<http://www.denvergov.org/citycouncil>

### \*\*REMINDER\*\*

As a courtesy to those in attendance,  
please  
turn off your cell phones.

### MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

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### 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 720-337-2000.

### AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

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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, September 10, 2012 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

**A communication dated September 10, 2012, from Cary Kennedy, Chief Financial Officer, Manager of Finance, in keeping with the provisions of Section 20-93 of the Denver Revised Municipal Code, notifying Council of the Department of Finance's intent to issue Airport System Revenue Bonds, Series 2012A-C, for an on behalf of its Department of Aviation, in an amount not to exceed \$1.3 billion for the purpose of purpose of funding Airport capital improvements, refunding outstanding Airport Revenue bonds, and paying costs of issuance expenses.**

## **Proclamations**

**CP12-0606 A proclamation in recognition of Jonathan B. Jarvis, John Wessels and Roberto Lopez Moreno and the Camp Moreno Project. Sponsored by Councilmembers López, Lehmann, Herndon, and Ortega.**

**CP12-0668 A proclamation celebrating October 24 as the second annual Food Day in Denver as part of the nationwide Food Day to promote sustainably and humanely produced, healthy, and affordable food. Sponsored by Councilmembers Shepherd and Ortega.**

## **Resolutions**

### **Business, Workforce & Sustainability**

**CR12-0610 A resolution approving the Mayor's reappointment and appointments to the Denver Commission on Cultural Affairs.**

Approves the Mayoral reappointments of Gillian Silverman, Leslie Herod and

Stephanie Blake to the Denver Commission on Cultural Affairs for terms effective September 1, 2012 and expiring on August 31, 2015 and the mayoral appointments of John Thatcher Montgomery, Jr., Bobbi Walker, and James Wallace to the Denver Commission on Cultural Affairs for terms effective September 1, 2012 and expiring on August 31, 2013. This resolution was approved for filing on 8-23-12.

**CR12-0623 A resolution appointing Janann Eldredge and Rachel Cain to the Denver County Cultural Council.**

Approves the Council appointment of Janann Eldredge and Rachel Cain as at large members of the Denver County Cultural Council for three-year terms each. The Committee approved filing this resolution by consent on 8-23-12.

**Health, Safety, Education & Services**

**CR12-0608 A resolution approving the Mayor's reappointment and appointment to the Denver Commission on Aging.**

Approves the Mayoral reappointment of Amanda Gregg and the appointment of Paul Ramsey to the Denver Commission on Aging for terms effective September 1, 2012 and expiring August 31, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 8-23-12.

**CR12-0609 A resolution approving the Mayor's appointments to the Advisory Commission on Youth.**

Approves the Mayoral appointments of Francisco Garza-Ortiz, Adan Hawkins, Sydney Oswald, Jianah Sanchez, Angelita Moreno, and Maureen McNamara to the Advisory Commission on Youth for terms effective September 1, 2012 and expiring August 31, 2015 or until a successor is duly appointed. The Committee approved filing this bill by consent on 8-23-12.

**CR12-0670 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty-Two Thousand Five Hundred and 00/100 Dollars (\$42,500.00), payable to Lonn Heymann Law Firm, P.C., in full payment and satisfaction of all claims by the City and County of Denver in Civil Action No. 11-cv-03061-WJM-MJW, in the United States District Court for the District of Colorado.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor Council meeting on 8-21-12.

**Land Use, Transportation & Infrastructure**

**CR12-0607 A resolution approving the Mayor's reappointments to the Lowry Redevelopment Authority Board of Directors.**

Approves the Mayoral reappointments of Milroy Alexander and Ann Torgerson to the Lowry Redevelopment Authority Board of Directors for terms effective September 1, 2012, and expiring August 31, 2015, or until a successor is duly appointed. The

Committee approved filing this resolution by consent on 8-23-12.

**CR12-0617 A resolution granting a revocable permit to Block 54, LLC, to encroach into the right-of-way along 24th Street, Park Avenue West, Walnut Street and Larimer Street.**

Grants a revocable permit to Block 54, LLC to encroach into the public right-of-way with concrete landscape planters and stone benches along 24th Street, Park Avenue West, Walnut and Larimer in Council District 9. The Committee approved filing this resolution by consent on 8-23-12.

**CR12-0632 A resolution granting a revocable permit to The Nichols Partnership, Inc., to encroach into the right-of-way on 19th Street, Chestnut Place and 20th Street.**

Grants a revocable permit to The Nichols Partnership to encroach into the public right-of-way with metal canopies and sunshades and balconies in 19th Street, Chestnut Place, and 20th Street in Council District 9. The Committee approved filing this resolution by consent on 8-30-12.

**CR12-0633 A resolution laying out, opening and establishing as part of the city street a system parcel of land as S. Locust Street near its intersection with Hampden Avenue.**

Dedicates a parcel of land as part of the public right-of-way of S. Locust at its intersection with Hampden as part of the development project called Highpointe at Hampden in Council District 4. The Committee approved filing this resolution by consent on 8-30-12.

## **Bills for Introduction**

### **Business, Workforce & Sustainability**

**CB12-0611 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and DIA Juice, LLC concerning a concession at Denver International Airport.**

Approves a \$130, 900 annual revenue concession agreement with Denver International Airport Juice, LLC to be located in Concourse C West Subcore through 2019 for quick snack choices for passengers and employees of Southwest Airlines PLANE 201205410. The last regularly scheduled Council meeting within the 30-day review period is on 10-01-12. The Committee approved filing this bill at its meeting on 8-22-12.

**CB12-0612 A bill for an ordinance approving a proposed Contract between the City and County of Denver and ISS Facility Services, Inc. concerning janitorial and snow removal at Denver International Airport.**

Approves a five-year, \$96,003,655 contract with ISS Facility Services, Inc. for janitorial and snow removal services at Denver International Airport. The last regularly scheduled Council meeting within the 30 day review period is on 10-01-

12. The Committee approved filing this bill at its meeting on 8-22-12.

**CB12-0613 A bill for an ordinance approving a proposed Fourth Amendment to Agreement between the City and County of Denver and Standing Stone, LLC for consulting services related to development and financing of the South Terminal Hotel at Denver International Airport.**

Adds three years (through 2015) and \$1,700,000 to the professional services agreement with Standing Stone for consulting services associated with the development and financing of the South Terminal Hotel (CE72331). The last regularly scheduled Council meeting within the 30-day review period is on 10-01-12. The Committee approved filing this bill at its meeting on 8-22-12.

**CB12-0622 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and ISS Facility Services, Inc. concerning janitorial services at Denver International Airport.**

Approves a \$1.5 million purchase order for janitorial services at the airport for approximately 4 weeks while a long-term service provider is chosen. The last regularly scheduled Council meeting within the 30-day review period is on 10-01-12. The Committee approved filing this bill at its meeting on 8-22-12.

## **Government & Finance**

**CB12-0620 A bill for an Ordinance amending Section 18-436 and 18-437 of Article XIII of Chapter 18, Employees' Voluntary Deferred Compensation Plan.**

Revises the composition of the Deferred Compensation Committee adding retirees to the membership and giving appointment authority for two members to the City Council. The Committee approved filing this bill at its meeting on 8-22-12.

## **Health, Safety, Education & Services**

**CB12-0532 A bill for an ordinance approving a proposed Second Extension to Lease Agreement among the City and County of Denver, Recycled Materials Company, Inc., and Waste Management of Colorado, Inc., to extend the lease term and modify certain terms of the Lease Agreement.**

Extends the lease agreement between Recycled Materials Company, Inc (RMCI), Waste Management of Colorado, Inc. and the City and County of Denver for RMCI's use of acreage for recycling and processing of concrete and asphalt at the Denver Arapahoe Disposal Site for a revenue contract amount of \$2,012,625 and contract term through December 31, 2020. The last regularly scheduled Council meeting within the 30-day review period is on 10-01-12. The Committee approved filing this bill by consent on 7-19-12.

**CB12-0616 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 "FY2012 Byrne**

**Memorial Justice Assistance Grant (JAG) Program" and the funding therefor.**

Accepts the FY2012 Byrne Memorial/Justice Assistance Grant (JAG) in the amount of \$356,943 awarded to the Denver Police Department to fund victim services staffing and funding for the air support unit (2012-DJ-BX-0373). The Committee approved filing this bill by consent on 8-23-12.

**Land Use, Transportation & Infrastructure**

**CB12-0637 A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "Denver TSSIP 2013" project and the funding therefor.**

Allows the City to receive \$1,209,000 and expend the federal funds to upgrade traffic signals with Ethernet communications and UPS backup on the following corridors: 1) Colorado from Hampden to 1st Ave.; 2) Colfax from Sheridan to I-25; and 3) Colfax from Logan to Yosemite. The last regularly scheduled Council meeting within the 30-day review period is on 10-1-12. The Committee approved filing this bill by consent on 8-30-12.

**Recap of Bills to be Called Out**

**Pre-Recess Announcement**

**Tonight there will be a required public hearing on CB12-0551 approving the Welton Corridor Urban Redevelopment Plan and a required public hearing on CB12-0572 changing the zoning classification for property located at 8104 Martin Luther King Jr. Boulevard. Anyone wishing to speak on either matter must see the Council Secretary to sign up during the recess of Council. Council is not required to sit as the Board of Equalization tonight. Since no protests were filed, there will not be any hearings for the following maintenance districts: 15th Street Pedestrian Mall, 20th Street Pedestrian Mall, Consolidated Larimer Street Pedestrian Mall, Santa Fe Drive Pedestrian Mall A, Santa Fe Drive Pedestrian Mall B, Santa Fe Drive Pedestrian Mall C, East 13th Avenue Pedestrian Mall, West 44th Avenue and Eliot Street Pedestrian Mall, Expanded Greektown Pedestrian Mall, West 32nd Avenue Pedestrian Mall, and the 32nd and Lowell Pedestrian Mall. No hearings are required and the assessments are approved.**

**Recess**

**Council Reconvenes and Resumes its Regular Session**

## Public Hearings - Bills for Final Consideration

### Land Use, Transportation & Infrastructure

**CB12-0551 A bill for an ordinance approving the Welton Corridor Urban Redevelopment Plan.**

Approves the Urban Redevelopment Plan for the Welton Corridor, an area of approximately 85 acres generally bounded by California and Glenarm between Broadway and Downing in Council District 8. A PUBLIC HEARING WILL BE HELD ON SEPTEMBER 10, 2010. The Committee approved filing this bill at its meeting on 8-21-12.

**CB12-0572 A bill for an ordinance changing the zoning classification for property located at 8104 Martin Luther King Jr. Boulevard.**

Changes the zoning classification from C-MU-20 [Commercial Mixed Use, lower intensity; former code classification] to U-RX-5 [Urban context, Residential Mixed Use, max. 5 stories] for a residence for older adults at 8104 Martin Luther King Jr. Blvd. in Council District 11. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 7-31-12.

### Bills for Final Consideration

#### Business, Workforce & Sustainability

**CB12-0577 A bill for an ordinance approving a proposed Seventh Amendatory Agreement between the City and County of Denver and Sable Ridge Development, LLC, to modify the terms and conditions of the Loan Agreement.**

Modifies an existing loan used to acquire 12 acres of land located at 40th and Chambers to allow the loan repayment over the next four years through a proposed new affordable housing development. The last regularly scheduled Council meeting within the 30-day review period is on 9-17-12. The Committee approved filing this bill at its meeting on 8-8-12.

**CB12-0598 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Transportation Security Clearinghouse related to background services for Airport badge applicants at Denver International Airport.**

Amends the contract with Transportation Security Clearinghouse to extend the contract for six months and add \$380,000 for background services for Airport badge applicants (CE05039). The last regularly scheduled Council meeting within the 30-day review period is on 9-17-12. The Committee approved filing this bill by consent on 8-15-12.

**CB12-0599 A bill for an ordinance approving a proposed Office and Storage Space Lease Agreement between the City and County of Denver and Luggage Services and Logistics, LLC related to leased space at Denver International Airport.**

Executes an office and storage space Lease Agreement with Luggage Services and Logistics, LLC, for \$24,444 annually to provide airlines contracted service and assistance with lost luggage and bags (201206903). The last regularly scheduled Council meeting within the 30-day review period is on 9-17-12. The Committee approved filing this bill by consent on 8-16-12.

**CB12-0600 A bill for an ordinance approving a proposed Non Signatory Airport Use and Facilities Lease Agreement between the City and County of Denver and Spirit Airlines, Inc. related to operations and leased space at Denver International Airport.**

Executes a lease with Spirit Airlines, Inc. for space in the terminal and Concourse A (201205698-00). The last regularly scheduled Council meeting within the 30-day review period is 9-17-12. The Committee approved filing this bill by consent on 8-16-12.

**CB12-0601 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Denver Urban Renewal Authority to revise the time for performance.**

Extends the current contract with Denver Urban Renewal Authority for the Single Family Rehabilitation program from August 31, 2012 to June 30, 2013 (GE201102631). The last regularly scheduled Council meeting within the 30-day review period is on 9-17-12. The Committee approved filing this bill by consent on 8-16-12.

## **Government & Finance**

**CB12-0517 A bill for an ordinance establishing a "City Council Special Programs" fund in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund.**

Approves the creation of a City Council Donations special revenue fund to accept revenue generated from donations, contributions or partnerships with City Council. The Committee approved filing this bill at its meeting on 7-15-12.

**CB12-0571 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.**

Creates a new Career Service classification for Manager of Air Service Development for Denver International Airport. The Committee approved filing this bill at its meeting on 8-15-12.

## **Health, Safety, Education & Services**



**CB12-0573 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Compass Group USA, Inc., to extend the contract for vending machine service at the Denver County Jail and the Downtown Detention Center.**

Approves a revenue contract with Compass Group USA, Inc. in the amount of \$56,000 and to extend the contract through March 31, 2013 to provide token vending machines, a bill changer machine, a cash pop vending machine, and two (2) snack vending machines to the Denver County Jail and the Downtown Detention Center (Contract # RC01013-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-17-12. The Committee approved filing this bill by consent on 8-2-12.

**Land Use, Transportation & Infrastructure**

**CB12-0447 A bill for an ordinance amending Article I (In General) of Chapter 39 (Parks and Recreation), Denver Revised Municipal Code, with respect to enforcement of rules and regulations and implementation of administrative citations and recovery of enforcement costs and damage restitution.**

Amends Denver Revised Municipal Code Chapter 39 (Parks and Recreation) with respect to enforcement of rules and regulations and implementation of administrative citations. The Committee approved filing this bill at its meeting on 8-7-12.

**CB12-0594 A bill for an ordinance approving an agreement between Edward Kraemer and Sons, Inc. and the City & County of Denver for the structural rehabilitation of the Evans Avenue Bridge.**

Executes a \$4,207,749.28 contract with Edward Kraemer and Sons for structural rehabilitation of the Evans viaduct over Santa Fe, including sidewalk and multimodal improvements, traffic signals, and undergrounding power lines, in Council District 7 (20125230). The last regularly scheduled Council meeting within the 30-day review period is on 9-17-12. The Committee approved filing this bill by consent on 8-9-12.

**CB12-0602 A bill for an ordinance relinquishing the entire easement reserved in Ordinance No. 575, Series of 2011.**

Relinquishes easements established in 2011 at 2300 Walnut Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 9-17-12. The Committee approved filing this bill by consent on 8-16-12.

**Adjourn**

**Pending**

**For 9-17-12**

**CB12-0462 A bill for an ordinance changing the zoning classification for property located at approximately 4800 Verbena Street and 4801 Willow Street.**

**Required Public Hearing  
Final Consideration**

**For 9-17-12**

**CB12-0463 A bill for an ordinance changing the zoning classification for property located at approximately 5001 Willow Street.**

**Required Public Hearing  
Final Consideration**