

## City Council of Monday, November 14, 2011

# 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  
Vacant..... Director  
Kelly Velez..... Council Secretary

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**\*\*WEB ACCESS\*\***

**Live video and archives may be  
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**

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.

### **AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS**

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived web cast at <http://www.denvergov.org/citycouncil>. DVD recordings of meetings are available at the Central Library or at the Clerk and Recorder's Office.

### **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, November 14, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, November 7, 2011**

## **Council Announcements**

## **Presentations**

## **Communications**

**A letter dated November 14, 2011, from Cary Kennedy, 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 refund three existing Certificates of Participation lease purchase transactions in a par amount not to exceed \$14.5 million to achieve the debt administration objectives of 1) providing interest cost savings and reducing on-going administrative expenses and 2) enabling the release of certain assets currently used as collateral under the existing transactions.**

## **Proclamations**

## **Mayor's Proposed 2012 Budget**

**Council will vote to either adopt or reject the Mayor's Proposed 2012 Budget.**

## **Resolutions**

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

#### **CR11-0802 A resolution approving the Mayoral appointments to the West Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves the Mayoral reappointment of David Goldblatt and the appointment of Dennis Gonzalez to the West Colfax Business Improvement District for terms effective immediately and expiring October 3, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-27-11.

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

### **CR11-0803 A resolution approving the Mayor's appointments to the Denver African-American Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the Mayoral reappointments of Erin Brown, Kenneth Grimes, Raymond Jones, Marjorie Lewis, Leslii Lewis, Sid Wilson, Sandra Mann and the appointment of Taryn Lewis to the Denver African-American Commission for a term effective immediately and expiring September 26, 2013 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 11-3-11.

### **CR11-0804 A resolution approving the Mayor's appointments to the Head Start Policy Council. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the Mayoral appointments of Michelle Adams and Shawn Young to the Head Start Policy Council effective immediately and expiring on July 20, 2013 and approves the Mayoral appointment of Brian Conly to the Head Start Policy Council effective immediately and expiring on July 20, 2014. The Committee approved filing this resolution by consent on 11-3-11.

### **CR11-0812 A resolution approving the Council appointment of Martha Urioste to the Head Start Policy Council. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the City Council appointment of Martha Urioste to the Head Start Policy Council effective immediately and for a term ending November 7, 2012, to be the non-profit community representative on the Council. The Committee approved filing this resolution by consent on 10-31-11.

## **Bills for Introduction**

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

#### **CB11-0851 A bill for an ordinance amending Sections 28-55, 28-135 and 28-205, D.R.M.C. to delete the provisions that disqualify the relatives of city officials, officers and employees from eligibility for certification in the MBE, WBE and SBE programs. (BUSINESS, WORKFORCE & SUSTAINABILITY COMMITTEE)**

Repeals provisions of the Denver Code that disqualify the relatives of city officers and employees and their families from eligibility for certification in the women, minority, and small business enterprise programs. The Committee approved filing this bill at its meeting on 11-9-11.

### **Government & Finance**

#### **CB11-0790 A bill for an Ordinance approving an on call technology services**

**agreement by and between the City and County of Denver and Zia Consulting for services in the area of enterprise document management and other related tasks (GOVERNMENT & FINANCE)**

Approves an on-call technology services agreement with ZIA Consulting for up to \$4,000,000 for services in the area of enterprise document management and other related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0792 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and Woolpert, Inc. (GOVERNMENT & FINANCE)**

Approves an on-call technology services agreement with Woolpert Inc., for up to \$4,000,000 to provide services in the area of service oriented architecture, enterprise integration, geographical information systems (GIS) and other related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0796 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and reVision, Inc. (GOVERNMENT & FINANCE)**

Approves an on-call technology services agreement with reVision, Inc, for up to \$4,000,000 to provide services in the areas of generalist, geographical information systems(GIS), identity management information security, custom web development and enterprise database administration and other related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**Health, Safety, Education & Services**

**CB11-0800 A bill for an ordinance accepting funding from the United States of America for the "State Criminal Alien Assistance Programs (SCAAP)" for Fiscal Year 2011 and authorizing expenditures therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Authorizes the acceptance of the State Criminal Alien Assistance Program award of \$893,032 from the US Department of Justice for the Sheriff's Department to fund correctional housing for foreign born inmates. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**Land Use, Transportation & Infrastructure**

**CB11-0727 A bill for an ordinance making a rescission from the Wastewater Management Storm Capital Improvements Fund and making a transfer to the Grants Projects Fund. (LAND USE, TRANSPORTATION &**

## **INFRASTRUCTURE)**

Approves transfer of \$2,135,105 from Wastewater Management's Storm Capital Improvement fund to General Fund CIP account, specifically the Justice Center Grant fund, following transfer of assets to Wastewater Management for storm drainage purposes, namely a constructed wetland pilot project to demonstrate the benefit of a regional approach to storm water quality requirements under the City's MS4 environmental permit. The Committee approved filing this bill by consent on 10-27-11.

### **CB11-0780 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the St. Luke's Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for St. Luke's local maintenance district in Council District 8. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

### **CB11-0781 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Delgany Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Delgany Street local maintenance district in Council District 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

### **CB11-0782 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Broadway A local maintenance district in Council Districts 7 and 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

### **CB11-0783 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Broadway B local maintenance district in Council District 7. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

### **CB11-0784 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the**

**Phase II Broadway Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Phase II Broadway local maintenance district in Council District 7. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0785 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Viaduct Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Broadway Viaduct local maintenance district in Council Districts 8 and 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0786 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 22nd Street and Park Avenue West Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for the 22nd St. and Park Ave. West local maintenance district in Council Districts 8 and 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill at its meeting on 11-1-11.

**CB11-0787 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Morrison Road Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Consolidated Morrison Road local maintenance district in Council District 3. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0788 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for S. Broadway (Wesley to Yale) local maintenance district in Council District 7. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0789 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Tennyson Streetscape (W. 38th to W. 44th) local maintenance district in Council District 1. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0791 A bill for an ordinance approving the fourth amendatory agreement between Wenk Associates and the City & County of Denver to increase compensation for additional design services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the contract with Wenk Associates for Parkfield Lake Park to increase the amount by \$7,250, for a new contract total of \$715,502, for additional design services. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0793 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 2012" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Executes an Intergovernmental Agreement with the Colorado Department of Transportation to receive and expend \$1.2 million federal funds to continue update of the traffic control system. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0794 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 Traffic Improvement Program (TIP) 2012" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Executes an Intergovernmental Agreement with the Colorado Department of Transportation to receive and expend \$1.09 million federal funds to design signal system infrastructures and furnish and install system software and equipment. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0799 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Fasick Concrete, Inc for citywide curb, gutter and crossspan work, and pedestrian ramp installations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$1,282,332 contract with Fasick Concrete for 2011 Citywide curb, gutter, crossspan, concrete repairs and pedestrian ramps. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

## **Recap of Bills to be Called Out**

## Pre-Recess Announcement

Tonight there will be public hearings on Council Bill 705, changing the zoning classification of 4455 E. 12th Ave., and on Council Bill 724, changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard. Anyone wishing to speak on either of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

## Recess

## Council Reconvenes and Resumes its Regular Session

### Bills for Final Consideration - Public Hearings

YES	<b>CB11-0705 A bill for an ordinance changing the zoning classification of 4455 E. 12th Ave. (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE) Changes the zoning classification of property at 4455 East 12th Ave. from E-SU-Dx to CMP-EI2 in Council District 10.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 10-4-11.</b>
YES	<b>CB11-0724 A bill for an ordinance changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard. (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE) Changes the zoning classification of property at 4050 E. 14th Ave. and at 1325 Colorado Blvd. from U-SU-C, G-MU-5/UO-3, and H-2 with conditions to CMP-H2 and CMP-H in Council District 10.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 10-4-11.</b>

### Bills for Final Consideration

#### Business, Workforce & Sustainability

**CB11-0645 A bill for an ordinance amending city laws related to the licensing of medical marijuana businesses. (BUSINESS, WORKFORCE & SUSTAINABILITY)**



Allows certain existing medical marijuana businesses to qualify for local licensing under the Colorado Medical Marijuana Code in certain cases where the business has changed ownership or location within Denver between July 1, 2010 and July 1, 2012. The Committee approved filing this bill at its meeting on 10-26-11.

**CB11-0777 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and PB AMERICAS, INC. concerning consulting and financial advisory services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Adds \$250,000 to and extends by one year the contract with Parsons Brinckerhoff (for a total of \$650,000) to assist DIA in capital project planning. The last regularly scheduled Council meeting within the 30-day review period is on 11-28-11. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0833 A bill for an ordinance repealing the provisions of Sections 28-135 and 28-205, D.R.M.C. that disqualify city officers and employees and their families from eligibility for certification in the MBE, WBE and SBE programs. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Repeals provisions of Sections 28-135 and 28-205, D.R.M.C. that disqualify city officers and employees and their families from eligibility for certification in the women, minority, and small business enterprise programs. This bill was approved for filing by Council President Nevitt.

## **Government & Finance**

**CB11-0775 A bill for an ordinance creating a Fund Number in the Grant Projects Fund and making an appropriation for the "47th/York Street Pedestrian Crossing Improvements" project. (GOVERNMENT & FINANCE)**

Establishes a capital grant fund and appropriate budget to accompany the intergovernmental agreement between the City and the State of Colorado for the construction of a bicycle and pedestrian crossing at the Union Pacific Railroad Tracks at 47th Avenue and York Street. The Committee approved filing this bill by consent on 10-27-11.

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

**CB11-0639 A bill for an ordinance approving a proposed Revival and Seventh Amendatory Agreement between the City and County of Denver and School District No. 1 to provide Denver Police School Resource Officers in Denver Public Schools. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves an amendment to the contract between the City and County of Denver and School District No. 1 (Denver Public Schools) to provide School Resource Officers from the Police Department for FY2012; for revenue in the amount of \$600,000 for School Resource Officer services. The last regularly scheduled Council meeting within the 30-day review period is on 11-28-11. The Committee approved filing this bill at its meeting on 10-4-11.

**Land Use, Transportation & Infrastructure**

**CB11-0773 A bill for an ordinance to vacate the entire alley bounded by Walnut Street, Larimer Street, 24th Street and Park Avenue West, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Vacates the alley bounded by Walnut, Larimer and 24th streets and Park Avenue West for the Arapahoe Square development project in Council District 9. The Committee approved filing this bill by consent on 10-27-11.

**Adjourn**

**Pending**

**CB11-0283 A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations.**

**CB11-0748 A bill for an ordinance changing the zoning classification of 2555 31st Street.**

Bills Pending 11/21/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0283	LAND USE, TRANSPORTATION & INFRASTRUCTURE	1st Reading - Held in Committee	A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations.	6/16/2011 6/21/2011 6/27/2011 8/1/2011 10/3/2011 11/7/2011	YES
BR11-0818			Establishes the 2012 Annual Appropriation to implement the City and County of Denver annual budget adopted by City Council.		NO

Bills Pending 12CB #/5/2011

Committee	Status	Description	Continued From	Hearing	
CB11-0748	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 2555 31st Street.	10/25/2011 11/1/2011 11/7/2011	YES