

## City Council of Monday, August 15, 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  
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.

### **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, August 15, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, August 8, 2011**

## **Council Announcements**

## **Presentations**

**The Kaiser Permanente Colfax Marathon presents awards to Denver's Municipal Cup relay winners.**

## **Communications**

## **Proclamations**

## **Resolutions**

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

#### **CR11-0517 A resolution approving the Mayor's appointments to the 9th Avenue Business Improvement District Board of Directors. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves the Mayor's appointment of Marshall Burton, Lawrence Donovan, Marcus Pachner, Tom Ragonetti, and Phil Workman to the 9th Avenue Business Improvement District Board of Directors for terms effective immediately and continuing at the pleasure of the Mayor and City Council. The Committee approved filing this resolution at its meeting on 7-27-11.

### **Land Use, Transportation & Infrastructure**

#### **CR11-0554 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Ringsby Court located at the intersection of 31st Street and Ringsby Court. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates a parcel of land as public right-of-way of Ringsby Court at its intersection with 31st Street in Council District 9. The Committee approved filing this resolution by consent on 8-4-11.

**CR11-0555 A resolution granting a revocable permit to MMD of Colorado LLC, to encroach into the right-of-way with various items at 2601 Walnut Street including the alley area directly behind the building. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to encroach into the public right-of-way with new and existing doors, existing alley doors on a dock, stairway, rails, handicap ramp and the building's rear wall at 2601 Walnut in Council District 9. The Committee approved filing this resolution by consent on 8-4-11.

**CR11-0556 A resolution accepting and approving the plat of C.P. Bedrock Filing No. 3. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves the final plat for C.P. Bedrock Filing No. 3 at Walden Street and Green Valley Ranch Blvd. in Council District 11. The Committee approved filing this resolution by consent on 8-4-11.

**CR11-0571 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as 16th Street located at the intersection of 16th Street and Chestnut Place. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates a parcel of City-owned land as a portion of the 16th Street right-of-way to improve pedestrian connection between the new light rail station and 16th Street in Council District 9. The Committee approved filing this resolution by consent on 8-11-11.

## **Bills for Introduction**

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

**CB11-0561 A bill for an ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Lincoln Housing Partners, LLLP for the project at 501 Lincoln. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends the \$750,000 loan of HOME Funds for construction of 75 units of affordable housing at 5th Ave. and Lincoln, to convert the loan from an amortizing loan to HUD's required surplus cash note. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill at its meeting on 8-3-11.

**CB11-0562 A bill for an ordinance approving and providing for the execution of proposed grant agreements between the City and County of Denver and the United States of America concerning the "Community Development Block Grant FY11" program, the "HOME FY11" program and the "HOPWA FY11" program and the funding therefor. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a grant agreement with the US Department of Housing and Urban

Development FY-11 allocations for Community Development Block Grant (CDBG) of \$7,939,513; HOME Investment Partnerships (HOME) of \$3,845,109; and Housing Opportunities for People with AIDS (HOPWA) of \$1,585,263. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 8-4-11.

**CB11-0563 A bill for an ordinance approving a proposed Grant Agreement between the City and County of Denver and Urban Land Conservancy to administer HUD Community Challenge Planning Grant – Housing Development Assistance Funds. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a contract with Urban Land Conservancy to administer \$750,000 in HUD Community Challenge Planning Grant – Housing Development Assistance Funds. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill at its meeting on 8-3-11.

**CB11-0568 A bill for an ordinance approving a proposed Grant Agreement between the City and County of Denver and Denver Housing Authority to administer HUD Community Challenge Planning Grant – Housing Development Assistance Funds. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a contract with Denver Housing Authority to administer \$750,000 in HUD Community Challenge Planning Grant – Housing Development Assistance Funds. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill at its meeting on 8-3-11.

**Government & Finance**

**CB11-0505 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Ferkam, Inc., dba Extreme Towing and Recovery for citywide towing services. (GOVERNMENT & FINANCE)**

Approves a contract with Ferkam, Inc. doing business as Extreme Towing and Recovery in the amount of \$1.5 million per year with two one-year extensions to provide citywide towing services (201100630-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-14-11.

**Land Use, Transportation & Infrastructure**

**CB11-0310 A bill for an ordinance approving an Amendment to Cooperative Agreement with Tallbull Memorial Council. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the Tallbull Memorial Council Cooperative Agreement regarding the Council's use of certain land in Denver's Daniels Park in Douglas County for cultural events, ceremonies and activities to extend the term to March 1, 2022, and modify

insurance language. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 5-5-11.

**CB11-0526 A bill for an ordinance approving a proposed agreement between the City and County of Denver and Goodland Construction, Inc. for a new 10-foot wide concrete bike and pedestrian trail along Bear Creek, between Fenton and Wadsworth. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$1,286,319 contract with Goodland Construction for a new concrete bike and pedestrian trail along Bear Creek, including a bridge over the creek, between Fenton and Wadsworth in Council District 2. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-21-11.

**CB11-0557 A bill for an ordinance vacating the alley and lot bounded by Broadway, 20th Street and Welton Street with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Vacates a portion of the alley and a portion of one lot in the area bounded by Broadway, 20th Street, and Welton in Council District 8. The Committee approved filing this bill by consent on 8-4-11.

## **Late Filings**

### **Land Use, Transportation & Infrastructure**

**CB11-0558 A bill for an ordinance amending Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Corrects the height waiver language in the ordinance adopting the zoning for property at Federal and W. 52nd Ave., the former Marycrest School, in Council District 1. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill by consent on 8-4-11.

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

### **Recess**

## **Council Reconvenes and Resumes its Regular Session**

### **Bills for Final Consideration - Public Hearings**

	<b>CB11-0548 A bill for an ordinance renaming Northeast Denver Community Park at E. Martin Luther King Blvd</b>
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	<p><b>and N. Colorado Boulevard as "J. Langston Boyd Park". (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE) Approves renaming Northeast Denver Community Park to J. Langston Boyd Park at Colorado and MLK Blvd. in Council District 8 as requested by petition. The Committee approved filing this bill at its meeting on 7-26-11.</b></p>
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**Bills for Final Consideration**

**Business, Workforce & Sustainability**

**CB11-0442 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Milender White Construction Co. concerning on-call construction services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends the on-call contract with Milender White Construction Company to extend the term from August 1, 2011 through August 1, 2013 for various construction projects at Denver International Airport. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 6-16-11.

**CB11-0485 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Urban Renewal Authority to enable certain improvements in the St. Luke's Redevelopment Area. (BUSINESS WORKFORCE AND SUSTAINABILITY)**

Amends a contract with the Denver Urban Renewal Authority (DURA) to enable funding for improvements adjacent to and within the St. Luke's Redevelopment Area, including improvements to Benedict Fountain Park. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 6-30-11.

**CB11-0510 A bill for an Ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the contract with Aramark Sports and Entertainment Services, Inc., to change the end date to October 31, 2012, and to add a grant consideration of \$25,000 to the contract for food and beverage services at the Denver Coliseum (RC55005). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-14-11.

**CB11-0511 A bill for an Ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC. (BUSINESS,**

## **WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the contract with Aramark Sports and Entertainment Services, Inc., for Red Rocks food and beverage services to change the contract end date to October 31, 2012, and to add a grant consideration of \$425,000 (RC31020). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-14-11.

### **CB11-0512 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the contract with Aramark Sports and Entertainment Services, Inc., to change the contract end date to October 31, 2012, and to add \$300,000 for housekeeping services at Red Rocks Amphitheatre, the Denver Coliseum, and Boettcher Concert Hall (CE73024). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-14-11.

### **CB11-0545 A bill for an ordinance to amend Division 3.5 of Article VIII of Chapter 2 of the Revised Municipal Code regarding the Denver Cultural Council powers. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends Section 2-210 of the RMC pertaining to the Denver County Cultural Council (DCCC) to codify established policies of the DCCC concerning eligibility of organizations for SCFD funding from the City and County of Denver. The Committee approved filing this bill by consent on 7-28-11.

## **Government & Finance**

### **CB11-0531 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Mile High Montessori Early Learning Centers, formerly known as Mile High Child Care Association, for the lease of a building on the property formerly known as Lowry Air Force Base for Head Start and child care services. (GOVERNMENT & FINANCE)**

Approves a lease agreement with Mile High Montessori Early Learning Centers to provide Head Start and child care services for the site located at Lowry Air Force Base in the amount of \$1 through June 30, 2012 (RC05008). The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-21-11.

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

### **CB11-0537 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 "Denver Approach to Recovery Through Treatment (DARTT)" Program and the funding**

**therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts a 3-year SAMHSA grant of \$854,799 (\$284,933 annually) for treatment services to people with co-occurring mental health and substance abuse issues enrolled in Denver Drug Court. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-21-11.

**CB11-0544 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 Department of Health and Human Services concerning the "Head Start FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts \$8,158,717 from Department of Health and Human Services for Head Start program year 15 beginning July 1, 2011 and ending June 30, 2012. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-28-11.

**Land Use, Transportation & Infrastructure**

**CB11-0550 A bill for an ordinance approving an amendatory agreement between J.F. Sato and Associates, Inc. and the City and County of Denver. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the contract with J.F. Sato and Associates to add \$198,283.81 for additional project management services for the completion of Better Denver Bond Projects at Ruby Hill Park in Council District 7 and Sloan's Lake Park in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 8-29-11. The Committee approved filing this bill by consent on 7-28-11.

**Announcement**

**There will be a public hearing on CB11-0558, which amends Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue on Monday, September 12, 2011. Any protests against CB11-0558 must be filed with the Council Office no later than Tuesday, September 6, 2011.**

**Adjourn**

**Pending**

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

**CB11-0504 A bill for an ordinance changing the zoning classification of 3011 West 49th Avenue.**

**CB11-0565 A bill for an ordinance relating to the Denver Zoning Code correcting an error in the plant husbandry use in the I-MX and I-A zone districts.**

Bills Pending 8/22/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0504	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 3011 West 49th Avenue.	7/12/2011 7/19/2011 7/25/2011 8/1/2011 8/8/2011 8/15/2011 8/12/2011	YES

Bills Pending 8/29/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0565	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance relating to the Denver Zoning Code correcting an error in the plant husbandry use in the I-MX and I-A zone districts.	7/28/2011 8/1/2011	YES

Bills Pending 10/3/2011					
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	YES