

## City Council of Monday, July 30, 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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**\*\*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 720-337-2000.

### **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, July 30, 2012 5:30 PM

## Pledge of Allegiance

## Roll Call

## Approval of the Minutes

## Council Announcements

## Presentations

## Communications

## Proclamations

## Resolutions

### Health, Safety, Education & Services

#### **CR12-0524 A resolution approving the Mayor's appointment to the Denver African-American Commission.**

Approves the Mayoral appointment of Carrie Warren to the Denver African-American Commission for a term effective immediately and expiring on September 26, 2013 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 7-19-12.

#### **CR12-0525 A resolution approving the Mayor's appointment to the Board of Environmental Health.**

Approves the Mayoral appointment of Paula Sandoval to the Board of Environmental Health for a term effective immediately and expiring December 31, 2012 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 7-19-12.

#### **CR12-0526 A resolution approving the Mayor's reappointment and appointment to the Denver American Indian Commission.**

Approves the Mayoral reappointment of Jennifer Williams and the appointment of Elicia Goodsoldier to the Denver American Indian Commission for terms effective immediately and expiring on July 11, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 7-19-12.

**CR12-0527 A resolution approving the Mayor's appointment to the Denver Commission on Aging.**

Approves the Mayoral appointment of Mamay Worku to the Denver Commission on Aging for a term effective immediately and expiring on August 31, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 7-19-12.

**CR12-0543 A resolution appointing and re-appointing members of the Human Services Citizen Review Panel.**

Reappoints Ursula G. Null and appoints Jenn Hughes and Genevieve M. Kline to the Human Services Citizen Review Panel for terms ending August 6, 2014. The Committee approved filing this resolution by consent on 7-26-12.

**Land Use, Transportation & Infrastructure**

**CR12-0538 A resolution laying out, opening and establishing as part of the city street system parcels of land as Mississippi Avenue between S. Broadway and S. Sherman Street.**

Dedicates a parcel of land as part of the public right-of-way of Mississippi between Broadway and Sherman for redevelopment of Gates East in Council District 7. The Committee approved filing this resolution by consent on 7-19-12.

**CR12-0539 A resolution laying out, opening and establishing as part of the city street system a parcel of land as S. Broadway between Tennessee Avenue and Mississippi Avenue.**

Dedicates a parcel of land as part of the public right-of-way of Broadway between Tennessee and Mississippi for redevelopment of Gates East in Council District 7. The Committee approved filing this resolution by consent on 7-19-12.

**Bills for Introduction**

**Business, Workforce & Sustainability**

**CB12-0528 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and John Deere Company concerning the purchase of 6 tractors with mowers for Denver International Airport.**

Approves purchase orders totaling \$1,132,545.30 with John Deere Company for three model 7330 tractor packages and three model 6210 tractor packages, all replacement mowing equipment for the airport (Capital Equipment Purchase Request 00161284 and Purchase Order PLANE000001297). The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 7-19-12.

**CB12-0529 A bill for an ordinance approving a proposed Eighth Amendment to Agreement between the City and County of Denver and A &**

**A Restaurant of Republic Plaza Corp., concerning the operation of a concession at Denver International Airport.**

Allows A & A Restaurant of Republic Plaza Corp. doing business as Villa Pizza to operate month-to-month at current terms until a new agreement is finalized (AC-38012-08). The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 7-19-12.

**CB12-0530 A bill for an ordinance approving a proposed Eighth Amendment to Agreement between the City and County of Denver and Mission Yogurt, Inc., concerning the operation of a concession at Denver International Airport.**

Allows Mission Yogurt, Inc. doing business as Colombo Yogurt/Pizza Hut Express to operate month-to-month at current terms until a new agreement is finalized (AC-38001-08). The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 7-19-12.

**CB12-0531 A bill for an ordinance approving a proposed Sixth Amendment to Agreement between the City and County of Denver and Mission Yogurt, Inc., concerning the operation of a concession at Denver International Airport.**

Allows Mission Yogurt, Inc. doing business as Taco Bell to operate month-to-month at current terms until a new agreement is finalized (AC-6X011-06). The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 7-19-12.

**CB12-0534 A bill for an ordinance creating and establishing the Federal Boulevard Business Improvement District, appointing the initial members of the Board of Directors of the District, and approving the Initial Operating Plan and preliminary 2013 Budget therefore.**

Creates the Federal Boulevard Business Improvement District, appointing its Board of Directors, and approving the operating plan and 2013 budget. The Committee approved filing this bill at its meeting on 7-25-12.

**Government & Finance**

**CB12-0427 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Joshua Paul Seidler, to sell the City property located at 2785 S. Pierce Street.**

Approves a \$170,000 sale of residential property at 2785 S. Pierce Street obtained through default on a loan from the Office of Economic Development with proceeds returned to the agency to replenish the loan fund. The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill at its meeting on 6-13-12.

**CB12-0476 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and C & M Air Cooled Engine, Inc., for parks, recreation and golf related equipment to be financed through a separate lease-purchase agreement with All American Investment Group, LLC.**

Approves the purchase portion of a lease/purchase agreement among the City, C & M Golf Equipment, and All American Investment Group under which All American Investment Group purchases turf-related equipment from C & M Equipment. City costs to lease the equipment are outlined in companion bill, CB12-0477. The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 6-21-12.

**CB12-0477 A bill for an ordinance approving a proposed Equipment Lease Purchase Agreement between the City and County of Denver and All American Investment Group, LLC, to approve a five year turf equipment capital lease.**

Approves a 5-year turf equipment capital lease (through 2016) not to exceed \$2,260,000 with All American Investment Group for equipment for Parks and Recreation and the Golf Division with principal of \$2,151,525 and an interest rate of 1.80%. Companion bill to CB12-0476. The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 6-21-12.

**CB12-0501 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Senter Goldfarb & Rice, LLC, to provide professional legal services in matters assigned by the City Attorney. (CE13018).**

Adds \$350,000 to the contract with Senter Goldfarb & Rice for a total of \$800,000 for legal services when the City Attorney's Office is precluded from representing the City (CE13018). The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 7-12-12.

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

**CB12-0510 A bill for an for an ordinance approving the second amendatory agreement between CH2M Hill, Inc. and the City & County of Denver for the Peoria Grade Separation Project, Phase III.**

Amends the contract with CH2M Hill to add \$3,713,516, for a new total of \$6,201,186, and extend the term by 4 years, through 2016, for Phase III of the Peoria Grade Separation project, including advanced engineering, procurement and support services during design and construction (201102842). The last regularly scheduled Council meeting within the 30-day review period is on 8-20-12. The Committee approved filing this bill by consent on 7-5-12.

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

## Recess

## Council Reconvenes and Resumes its Regular Session

### Bills for Final Consideration

#### Business, Workforce & Sustainability

**CB12-0516 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and U.S. Government General Services Administration for office space for the Transportation Securities Administration at Denver International Airport.**

Extends the lease agreement with the US government for 17,887 sq. ft. of office space on Concourse A for the Transportation Security Administration for another 5 years with two optional 5-year extensions providing \$1,617,108 annually in rental revenue (201102621). The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

#### Government & Finance

**CB12-0469 A bill for an Ordinance amending Section 20-76(b) of Division 3 of Article IV of Chapter 20, Treatment of Employees Associated with City Contracts.**

Amends Section 20-76(b) of the Denver Revised Municipal Code to enable the City to agree to pay future increases in prevailing wages in service agreements. The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

**CB12-0470 A bill for an Ordinance amending Section 20-84(b) of Division 3.5 of Article IV of Chapter 20, Treatment of Employees Associated with City Contracts.**

Amends Section 20-84(b) of the Denver Revised Municipal Code to enable the City to assume responsibility for future increases in living wage rates in certain circumstances. The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill at its meeting on 7-11-12.

**CB12-0520 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Insight Public Sector, Inc., as Oracle's reseller for database software maintenance.**

Authorizes a payment of \$537,558.14 to Insight as Oracle's reseller for database software maintenance, data collection and management, and extends the contract through August 29, 2013 (EAPPS 0000002462). The last regularly scheduled

Council meeting within the 30-day period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

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

**CB12-0519 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and Clayton Early Learning, Trustee, George W. Clayton Trust f/k/a Clayton Family Futures, dba Clayton Educare to acknowledge the transfer of operations from Clayton Family Futures to Clayton Early Learning, Trustee, George W. Clayton Trust, and to assign the Agreement to George W. Clayton Trust.**

Changes the name of the Head Start delegate agency from Clayton Educare to Clayton Early Learning, Trustee, George W. Clayton Trust and transfers all assets, grants, and contracts to same trust (MOEAI-201205670-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

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

**CB12-0512 A bill for an ordinance approving an agreement between ASH and WHITE CONSTRUCTION CO. and the City & County of Denver for the West Denver New Branch Library.**

Approves a \$5,656,000 contract with Ash and White Construction Co. to construct the new, 27,000 square foot, LEED silver certified West Denver Library, a Better Denver Bond project at Colfax and Irving in Council District 1 (201204517). The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-5-12.

## **Adjourn**

## **Pending**

**For 8-6-12**

**CR12-0533 A resolution to set a public hearing relating to the creation of the Federal Boulevard Business Improvement District and approval of the District's 2013 Operating Plan and 2013 Budget.**

**Required Public Hearing  
Final Consideration**

**For 8-13-12**

**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 8-13-12**

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

**Required Public Hearing  
Final Consideration**

**For 8-13-12**

**CR12-0471 A resolution to set a public hearing relating to the approval of the Ironworks Foundry Urban Redevelopment Plan for August 13, 2012.**

**Required Public Hearing  
Final Consideration**

**For 8-20-12**

**CB12-0365 A bill for an ordinance prohibiting the advertising of medical marijuana in proximity to schools, child care centers, and parks.**

**No Required Public Hearing  
Final Consideration**