

City Council of Monday, August 22, 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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archives can be accessed at**

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

****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, August 22, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, August 15, 2011

Council Announcements

Presentations

Communications

Proclamations

CP11-0617 A proclamation in celebration of the Denver's inaugural ciclovia, Viva Streets, held on August 14 in Park Hill. Sponsored by Councilmembers Herndon, Lehmann, Susman, Brooks, Brown, Shepherd, Ortega, and Montero.

CP11-0618 A proclamation welcoming the first USA Pro Cycling Challenge Denver On August 28, 2011. Shepherd, Susman, Ortega, Lehmann, López, Brown, Brooks, Montero, Faatz, Herndon, and Robb.

Resolutions

Land Use, Transportation & Infrastructure

CR11-0570 A resolution granting a revocable permit to U.S. General Services Administration to encroach into the right-of-way with various items at 1244 Speer Boulevard, 1300 Fox Street and 13th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Grants a revocable permit to the US General Services Administration to encroach into the public right-of-way with a retaining wall and building elements at 1244 Speer; solar sculpture canopy, garage entry canopy and screen, and foundation shoring at 1300 Fox; and 6 electric conduits below grade crossing 13th Ave. to connect the two buildings in Council District 10. The Committee approved filing this resolution by consent on 8-11-11.

CR11-0601 A resolution appointing Councilmember Mary Beth Susman to the Board of Directors of the Urban Drainage and Flood Control District for a term effective immediately through Jan. 31, 2014. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the appointment of Councilmember Mary Beth Susman to the Urban Drainage and Flood Control District Board of Directors for a term ending January 31, 2014. The Committee approved filing this resolution by consent on 8-25-11.

Bills for Introduction

Business, Workforce & Sustainability

CB11-0456 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Sotheby's, Inc., for sale of four Clyfford Still works and authorizing officials of the City and County of Denver to take all action necessary to carry out the transactions contemplated hereby. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes the sale of four Clyfford Still paintings by Sotheby's Auction House with proceeds benefitting an endowment for the Clyfford Still Museum in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. This bill was approved for filing by Councilwoman Robb.

Government & Finance

CB11-0566 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. (GOVERNMENT & FINANCE)

Amends the Classification and Pay Plan by 1) adding Forensic Laboratory Technician, Special Education Teaching Assistant and Special Education Teaching Assistant Supervisor; 2) changing pay grades of Deputy City Attorney and Deputy Manager of Parks & Recreation; and 3) changing title and pay grade of Director of the Mayor's Office of Economic Development to Director of the Denver Office of Economic Development. The Committee approved filing this bill by consent on 8-11-11.

CB11-0576 A bill for an ordinance approving a proposed purchase by the City & County of Denver for insurance renewals through Marsh USA, Inc. (GOVERNMENT & FINANCE)

Approves annual Insurance Policy Renewals for the City and DIA in an amount not to exceed \$4,354,438, the amount anticipated for 2011. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 8-11-11.

CB11-0579 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Kone, Inc., related to City-owned elevator preventative maintenance and emergency services.

(GOVERNMENT & FINANCE)

Amends the contract with Kone Inc. for City-owned elevator preventative maintenance and emergency services to extend for 2 years and add \$316,635 for a new total of \$752,000 over 5 years, define emergency and clarify travel time to and from job sites. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 8-11-11.

CB11-0600 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the regular biennial school board election of November 1, 2011, a proposed amendment to the Charter of the City and County of Denver. (GOVERNMENT & FINANCE)

Submits a proposed Charter amendment to the voters at the November 1, 2011 special municipal election to allow the Auditor to designate duties to a deputy. The bill must pass no later than August 29, 2011 in order to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 8-17-11.

Health, Safety, Education & Services

CB11-0487 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Community Education Centers for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a \$400,000 supplemental contract with Community Education Centers for residential and non-residential community corrections services. The last regularly scheduled Council meeting within the 30-day period is on 9-12-11. The Committee approved filing this bill by consent on 6-30-11.

BR11-0534 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Community Education Centers for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves an agreement with Community Education Centers for residential and non-residential community corrections services. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 7-21-11.

CB11-0578 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 State of Colorado concerning the "Community Services Block Grant (CSBG) FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Accepts \$1,040,491.22 awarded to Denver Human Services under the FY 2011-2012 Community Service Block Grant program. The last regularly scheduled Council meeting within the 30-day period is on 9-12-11. The Committee approved

filing this bill by consent on 8-11-11.

Land Use, Transportation & Infrastructure

CB11-0527 A bill for an ordinance approving an amendatory agreement between Brodart Co. and the City & County of Denver to provide cost effective and timely provisions of library collections and vendor services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the contract with Brodart to provide books to Denver Public Library by adding \$1,415,000 for a new total of \$2.2 million (\$1.1 million per branch) as part of the Better Denver Bond Projects funding construction of the Stapleton and West Denver branches in Council District 11 and 1. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 7-21-11.

CB11-0528 A bill for an ordinance approving an amendatory agreement between Midwest Tape, LLC and the City & County of Denver to provide cost effective and timely provisions of library collections and vendor services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the contract with Midwest Tape to provide audio visual materials to Denver Public Library by adding \$1,015,000 for a new total of \$1,800,000 (\$900,000 per branch) as part of the Better Denver Bond Project funding the new West Denver and Stapleton branch libraries in Council Districts 1 and 11. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 7-21-11.

CB11-0574 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 "Colorado Center Bike/Pedestrian Bridge" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an Intergovernmental Agreement with the Colorado Department of Transportation allowing the City to receive and expend \$1,510,000 in first-phase funding for construction of the pedestrian bridge over I-25 near the Colorado Center transit station in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 8-11-11.

CB11-0575 A bill for an ordinance creating a Fund Number in the Grant/Other Capital Projects Fund for the "Broadway, Asbury to Iowa" project, and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Establishes a capital grant fund and appropriates budget of \$3,532,000 for the Broadway reconstruction project from Iowa to Asbury in Council District 7. The Committee approved filing this bill by consent on 8-11-11.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration - Public Hearings

YES	CB11-0504 A bill for an ordinance changing the zoning classification of 3011 West 49th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Changes the zoning classification of property located at 3011 West 49th Avenue from E-MX-2x to E-MX-2 in Council District 1.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 7-12-11.
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Bills for Final Consideration

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.

Adjourn

Pending

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

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.

CB11-0558 A bill for an ordinance amending Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue.

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 9/12/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0558	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance amending Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue.	8/4/2011 8/9/2011 8/15/2011	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