

City Council of Tuesday, February 19, 2013

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 B. Young..... Director
Kelly Velez..... Clerk

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WEB ACCESS

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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

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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: Tuesday, February 19, 2013 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP13-0100 A proclamation supporting tuition equity for all Colorado students.

Sponsored by Councilmembers López, Lehmann, Kniech, Montero, Ortega, and Brooks.

Resolutions

Government & Finance

CR13-0099 A resolution approving the appointments of Mr. John Eckhardt and Mr. Deric Wynn to the Deferred Compensation Plan Committee.

Approves City Council appointments to the Deferred Compensation Plan Committee. The Committee approved filing this bill at its meeting on 2-13-13.

Health, Safety, Education & Services

CR13-0069 A resolution approving the Mayor's appointment to the Community Corrections Board.

Approves the Mayoral appointment of Makisha Boothe to the Community Corrections Board for a term effective immediately and expiring June 30, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-7-13.

Land Use, Transportation & Infrastructure

CR13-0076 A resolution granting a revocable permit to the University of Denver to encroach into the right-of-way with various items at 2306 East Evans Avenue.

Grants a revocable permit to the University of Denver to encroach into the public right-of-way with a private sanitary sewer and manhole at 2306 Evans in Council District 7. The Committee approved filing this resolution by consent on 2-7-13.

CR13-0102 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Thirteen Thousand Five Hundred and 00/100 Dollars (\$13,500.00), payable to Adam J. Schlanger and the Sawaya Law Firm, in full payment and satisfaction of all claims by the City and County of Denver in Case No. 12-CV-536, in the Denver District Court.

Settles a claim involving the Street Maintenance Division of the Public Works Department. This resolution was approved for filing at the Mayor-Council meeting on 2-12-13.

Bills for Introduction

Government & Finance

CB13-0038 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Harris Corporation for the maintenance and improvement of the City's emergency response communications equipment.

Approves a \$12,000,000 master purchase order with Harris Radio Equipment for the maintenance and improvement of the City's emergency response agencies' communications equipment.

CB13-0080 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Oracle America, Inc., for the annual maintenance and support for PeopleSoft Enterprise.

Approves a \$594,163 payment to Oracle America for the annual maintenance and support for PeopleSoft Enterprise from March 20, 2013 through March 19, 2014. The last regularly scheduled Council meeting within the 30-day review period is on 3-11-13. The Committee approved filing this bill by consent on 2-7-13.

CB13-0081 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and FSH Communications, LLC, to extend the contract for pay phones located on City property.

Adds three years to the revenue contract with FSH Communications for pay phones located on City property (RC83004). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-13. The Committee approved filing this

bill by consent on 2-7-13.

Health, Safety, Education & Services

CB12-0791 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Urban Peak to establish services for the operation of the Rocky Mountain Youth Housing Program (RMYHP).

Amends the contract with Urban Peak Denver to add \$44,346.25 and to extend the agreement through January 10, 2013 to provide funding for the Rocky Mountain Youth Housing program which serves homeless youth ages 16 to 22 (CE00096-04). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-13. The Committee approved filing this bill by consent on 10-25-12.

CB13-0094 A bill for an ordinance to amend Ordinance No. 17 Series of 2013 and to approve a proposed Grant Agreement between the City and County of Denver and Living Cities/Bloomberg Philanthropies concerning the "Financial Empowerment Centers" program and the funding thereof.

Amends Ordinance Number 17, Series 2013 (CB12-0950), to include changes to the grant agreement with Living Cities/Bloomberg Philanthropies in the amount of \$597,000 to implement the Financial Empowerment Centers Program (HRCRS-201209007-00). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-13. The Committee approved filing this bill by consent on 2-14-13.

Land Use, Transportation & Infrastructure

CB13-0074 A bill for an ordinance approving the Service Plans for the formation and establishment of the Aviation Station area metropolitan districts including Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No. 3, Aviation Station North Metropolitan District No. 4, Aviation Station North Metropolitan District No. 5, Aviation Station North Metropolitan District No. 6, Smith Metropolitan District No. 1, Smith Metropolitan District No. 2, Smith Metropolitan District No. 3 and Smith Metropolitan District No. 4.

Approves the service plans for the formation and establishment of ten Title 32 metropolitan districts in the vicinity of the FasTracks Aviation Station at 61st Ave. and Peña Blvd. in Council District 11. A PUBLIC HEARING WILL BE HELD ON FEBRUARY 25, 2013. The Committee approved filing this bill at its meeting on 2-5-13.

CB13-0077 A bill for an ordinance approving a Revival and Second Amendatory Agreement between Deighton Associates LTD. and the City & County of Denver to revive the Agreement, increase funds and extend the term.

Amends the existing technical services agreement with Deighton Associates Limited to extend it for an additional year and increase the maximum amount by \$200,000 for a new total of \$803,402 for pavement/asset management consulting services (CE01113-2). The last regularly scheduled Council meeting within the 30-day review period is on 3-11-13. The Committee approved filing this bill by consent on 2-7-13.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a public hearing on CB12-0807 changing the zoning classification for 245 Columbine Street. Anyone wishing to speak on this matter 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

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

CB12-0807 A bill for an ordinance changing the zoning classification for 245 Columbine Street, with a reasonable condition.

Changes the zoning classification from C-CCN (Urban Center Neighborhood Context, Cherry Creek North) to C-MX-8 (Urban Center Neighborhood Context, Mixed Use, 8 story maximum height) with a condition that a regulating plan be filed for property at 245 Columbine in Council District 10. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 1-8-13.

Bills for Final Consideration

Business, Workforce & Sustainability

CB13-0058 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and AEG Live-Rocky Mountains, LLC, to promote and book concerts and live events at various City venues and facilities.

Approves a contract with AEG Live-Rocky Mountains, LLC (the "Promoter") for the Arts & Venues Denver Promoter Commission Program (THTRS-201208885). The

last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill at its meeting on 1-30-13.

CB13-0059 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Bill Bass Concerts, Inc., to promote and book concerts and live events at various City venues and facilities.

Approves a contract with Bill Bass Concerts, Inc., (the "Promoter") for the Arts & Venues Denver Promoter Commission Program (THTRS-201209262). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill at its meeting on 1-30-13.

CB13-0065 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and University Station Apartments LLC, for construction costs related to University Station Apartments.

Approves a \$600,000 Home Investment Partnership Program (HOME) funds loan to University Station, LLC, for construction costs related to University Station Apartments at 1881 East Buchtel Blvd. in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-31-13.

CB13-0030 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and the United States of America, General Services Administration related to office space at Denver International Airport.

Extends the World Port Lease for nine months to terminate on August 25, 2013 for \$163,604.83 in additional revenue (AR2A000(01)). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-31-13.

Government & Finance

CB13-0041 A bill for an ordinance approving a proposed Fifth Amendatory Agreement by and between the City and County of Denver and Syscon Justice Systems, Inc.

Adds \$199,364 to the contract with Syscon Justice Systems, Inc., (through December 31, 2013) for maintenance of the Jail Management System software (CE-76012-05). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-31-13.

CB13-0063 A bill for an ordinance establishing a "Denver Employee Fitness Center" fund in the Culture and Recreation Special Revenue Fund and the means for authorizing expenditures from such fund; and making a transfer of cash from the General Government Special Revenue Fund to the Culture and Recreation Special Revenue Fund.

Transfers remaining cash balance for the Wellness Center from the Wellness Program special revenue fund in the Office of Human Resources to a new fund in

the Department of Parks and Recreation to reflect the transfer of operations of the Wellness Center. The Committee approved filing this bill at its meeting on 1-30-13.

CB13-0072 A bill for an Ordinance approving a Purchase and Sale Agreement with The George W. Clayton Trust, by its Trustee Clayton Early Learning, and the Regional Transportation District for the sale of certain property located on the north and west edges at the Park Hill Golf Course for the construction of the East Corridor FasTracks Project.

Approves a purchase and sale agreement for \$935,000 with The George W. Clayton Trust and the Regional Transit District for property located at the Park Hill Golf Course for the benefit of the FasTracks Project in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill at its meeting on 2-6-13.

CB13-0073 A bill for an Ordinance approving an Agreement for Grant of Easement with The George W. Clayton Trust, by its Trustee Clayton Early Learning, and Public Service Company for an easement located on the northerly edge of Park Hill Golf Course for relocation of electric transmission lines in furtherance of the construction of East Corridor FasTracks Project.

Approves an electric transmission line easement agreement between The George W. Clayton Trust, The City and County of Denver and Public Service Company for property located at Park Hill Golf Course for the benefit of FasTracks in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill at its meeting on 2-6-13.

Health, Safety, Education & Services

CB13-0061 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and BLUFF MERCY, LLC, to provide subsidized housing and support services.

Approves an amendment to the Bluff Mercy, LLC, contract to add \$331,192 for total contract amount of \$604,586 to subsidize 91 housing units and for associated case management services for program residents (SOCSV-2011-03957-01). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-31-13.

Land Use, Transportation & Infrastructure

CB12-0968 A bill for an ordinance approving a proposed Third Amendatory Professional Services Agreement between the City and County of Denver and Jacobs Project Management Co.

Amends a contract with Jacobs Project Management to extend the term from June 1, 2013 to Dec. 31, 2013, with no additional cost, to complete various projects (CE85030-3). The last regularly scheduled Council meeting within the 30-day

review period is on 3-4-13. The Committee approved filing this bill by consent on 12-27-12.

CB13-0045 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and Gilmore Construction Corporation, to perform construction services on an "as needed" or "on-call" basis.

Approves a 3-year, \$5,000,000 maximum on-call construction contract with Gilmore Construction Corp. (201208985). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0046 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and Wilderness Construction Co., to perform construction services on an "as needed" or "on-call" basis.

Approves a 3-year, \$5,000,000 maximum on-call construction contract with Wilderness Construction Co. (201208976). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0047 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and Ash & White Construction Co., to perform construction services on an "as needed" or "on-call" basis.

Approves a 3-year, \$5,000,000 maximum on-call construction contract with Ash and White Construction Group (201208977). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0050 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and Milender White Construction Co., to perform construction services on an "as needed" or "on-call" basis.

Approves a 3-year, \$5,000,000 maximum on-call construction contract with Milender White Construction (201208981). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0051 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and Interlock Construction Corp., to perform construction services on an "as needed" or "on-call" basis.

Approves a 3-year, \$5,000,000 maximum on-call construction contract with Interlock Construction Corp. (201208982). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0052 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and Haselden Construction, LLC, to perform construction services on an "as needed" or "on-call" basis.

Approves a 3-year, \$5,000,000 maximum on-call construction contract with Haselden Construction (201208983). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0053 A bill for an ordinance approving a proposed on-call agreement between the City and County of Denver and FCI Constructors, Inc., to perform construction services on an "as needed" or "on-call" basis.

Approves a 3-year, \$5,000,000 maximum on-call construction contract with FCI Constructors (201208984). The last regularly scheduled Council meeting within the 30-day review period is on 3-4-13. The Committee approved filing this bill by consent on 1-24-13.

Announcement

Dependent upon publication there will be a public hearing on CB13-0074 approving the Service Plans for the formation and establishment of the Aviation Station area metropolitan districts including Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No. 3, Aviation Station North Metropolitan District No. 4, Aviation Station North Metropolitan District No. 5, Aviation Station North Metropolitan District No. 6, Smith Metropolitan District No. 1, Smith Metropolitan District No. 2, Smith Metropolitan District No. 3 and Smith Metropolitan District No. 4 on Monday, February 25, 2013.

Adjourn

Pending

For 2-25-13

CB13-0074 A bill for an ordinance approving the Service Plans for the formation and establishment of the Aviation Station area metropolitan districts including Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No. 3, Aviation Station North Metropolitan District No. 4, Aviation Station North Metropolitan District No. 5, Aviation Station North Metropolitan District No. 6, Smith Metropolitan District No. 1, Smith Metropolitan District No. 2, Smith Metropolitan District No. 3 and Smith Metropolitan District No. 4.

**Required Public Hearing
Final Consideration**

For 3-11-13

**CB13-0071 A bill for an ordinance changing the zoning classification for
1454 South Milwaukee Street.**

**Required Public Hearing
Final Consideration**