City Council of Monday, December 03, 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 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

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, December 03, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

Resolutions

Health, Safety, Education & Services

CR12-0926 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred Ninety Thousand and 00/100 Dollars (\$190,000.00), payable to Vicki Lynn Trujillo on behalf of the Estate of Jason Gomez, in full payment and satisfaction of all claims in Civil Action No. 09-CV-03011-CMA-KLM, in the United States District Court for the District of Colorado. Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor Council meeting on 11-27-12.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0727 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Glenarm Residences, LLC, to modify the terms and conditions of the Loan Agreement.

Amends provisions of a \$920,000 loan to Glenarm Residences, LLC, for the acquisition of property located at Glenarm and Park Ave. by extending the maturity date, modifying the payment schedule, and securing additional collateral. The last

regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill at its meeting on 10-24-12.

CB12-0871 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and Renaissance Housing Development Corporation, to receive HOME Program funds for the development of the Renaissance Stout Street Lofts.

Approves a performance-based deferred loan for 40 years of \$1,000,000 in Home Investment Partnership Program (HOME) funds to Renaissance Housing Development Corporation for the development of the new Renaissance Stout Street Lofts affordable rental units to be located on Stout Street between 21st and 22nd streets in the Five Points Neighborhood. Terms of the loan require the project to remain affordable and maintain 8 units restricted per the City's Rental Covenant agreement request. The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

Government & Finance

CB12-0838 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and JAMSAB Realty Corp. d/b/a Capital One Public Funding, LLC.

Changes the on-call firm listed to do certain work on a capital lease with Capital One Public Funding from Tyler Technologies, which can no longer perform the work, to Zia Consulting with no other lease term or cost modifications (CE17002-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-7-12.

CB12-0839 A bill for an ordinance authorizing the City and County of Denver to convey to Joseph M. Archambault and Courtney Archambault its interest in a parcel of real estate located at approximately 1301 Holly Street.

Approves the sale of a surplus portion of land at 1301 Holly Street in Council District 5 for \$5,000 to Joseph and Courtney Archambault, owners of adjacent property. The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-7-12.

CB12-0862 A bill for an ordinance approving a proposed Ninth Amendatory Agreement between the City and County of Denver and Tyler Technologies, Inc., to extend the term to December 31, 2013, and increase the total amount of compensation for software maintenance costs for property application software.

Adds \$114,208 and one year to the contract with Tyler Technologies, Inc., for maintenance and support of CRIS+plus, Personal Property, Quickdocs and related interfaces which support the revenue generating services for Clerk and Recorder, Assessment and Treasury Divisions (CE-31338-09). The last regularly scheduled

Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0863 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Tyler Technologies, Inc., to extend the term to December 31, 2013, and increase the total amount of compensation.

Adds \$50,000 and one year to the contract with Tyler Technologies, Inc., for support of OASIS/CAMA and related interfaces which is used by Assessment and Treasury to support their revenue generating services (CE-62074-04). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0873 A bill for an ordinance approving a proposed Fifth Amendatory Lease Agreement between the City and County of Denver and GRE Bear Valley LLC, to extend the term of the existing lease and to provide for the payment of further rentals to Lessor.

Adds \$282,366 to and extends the existing lease agreement for five years with GRE Bear Valley, LLC, for the Motor Vehicle office located at 3100 S. Sheridan Blvd. (FINAN 201208320-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0892 A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund.

Appropriates \$10,462,511.84 for the 2013 Self-Insured Dental Fund (the City contributes an estimated 68% or \$7,114,535 and employees 32% or \$3,347,976) for dental benefits for City employees. The Committee approved filing this bill by consent on 11-22-12.

CB12-0893 A bill for an ordinance authorizing expenditures in the Employees Voluntary Salary Redirection Plan Special Trust Fund for Uninsured Medical Expense, Dependent Care Expense, and Qualified Parking Expense.

Appropriates \$5,844,472.28 for 2013 flexible benefit programs primarily funded by employees (\$4,630,012.38 for Medical Care, \$1,063,520.30 for Dependent Care, and \$150,939.60 for the Qualified Parking Program). The Committee approved filing this bill by consent on 11-22-12.

CB12-0894 A bill for an ordinance making an appropriation from the Arts and Venues Denver Special Revenue Fund.

Approves a \$1,100,000 supplemental for Arts and Venues Denver Special Revenue Fund (15815-3050000) due to increased expenditures for additional events. The supplemental is offset by increased revenue from the events. The Committee approved filing this bill by consent on 11-22-12.

Health, Safety, Education & Services

CB12-0874 A bill for an ordinance approving a proposed second 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 extend the term to June 30, 2013 and increase the total amount of compensation.

Amends the contract with Clayton Educare Head Start to add \$790,764 for fiscal year period January 1, 2013 through June 30, 2013 to provide Head Start services to 236 children (MOEAI-201205670-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0875 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver to extend the term to June 30, 2013 and increase the total compensation.

Amends the contract with Catholic Charities and Community Services of the Archdiocese of Denver to add \$769,861 for fiscal year period from January 1, 2013 through June 30, 2013 to provide Head Start services to 224 children (MOEAI-201205675-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0877 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado to extend the term to June 30, 2013 and increase the total compensation for Head Start programs and services.

Amends the contract with the Denver School District No. 1 agreement to add \$909,246.50 for fiscal year period January 1, 2013 through June 30, 2013 to provide Head Start services to 302 children (201205604-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0895 A bill for an ordinance approving the amendment of a grant agreement between the City and County of Denver and United States Department of Housing and Urban Development (HUD) concerning the "Emergency Solutions Grant FY11" program and the funding therefor.

Accepts and expends the second allocation award in the amount of \$219,083 for a total award of \$608,563 for the 2011 Emergency Solutions Grant provided by the U.S. Department of Housing and Urban Development for support of emergency services for homeless individuals (GC11005 (01)). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-22-12.

Land Use, Transportation & Infrastructure

CB12-0879 A bill for an ordinance amending the Denver Zoning Code to amend the definition of Sign and amend the treatment and definition of noncommercial signs.

Amends the Denver Zoning Code definition of "sign" and of "noncommercial sign" and regulations addressing noncommercial signs. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill for 11-29-12 at its meeting on 11-27-12.

CB12-0896 A bill for an ordinance relinquishing easements established in Reception Number 2007027330 at 2907 Huron Street.

Relinquishes easements at 2907 Huron to accommodate redevelopment in Council District 9 (Reception No 2007027330). The Committee approved filing this bill by consent on 11-22-12.

CB12-0897 A bill for an ordinance vacating a portion of Wewatta Street at 21st Street adjacent to 2100 Delgany Street, without reservations.

Vacates a portion of Wewatta at 21st Street adjacent to 2100 Delgany for redevelopment in Council District 9. The Committee approved filing this bill by consent on 11-22-12.

Recap of Bills to be Called Out

Pre-Recess Announcement

Council will hold a required public hearing on CB12-0795 changing the zoning classification for properties located at 3740, 3750, 3754 and 3758 York 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

CB12-0795 A bill for an ordinance changing the zoning classification for properties located at 3740, 3750, 3754 and 3758 York Street.

Changes the zoning classification for 3740-3758 York from I-1 with waivers, UO-2 (General Industrial with waivers limiting uses; overlay allowing billboards) to U-MX-3 (General Urban context, Mixed-use, max. 3 stories) in Council District 8. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The

Committee approved filing this bill at its meeting on 10-23-12.

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0853 A bill for an ordinance approving a proposed Eighth Amendment to Agreement between the City and County of Denver and Ayala's, Inc. for the operation of a concession at Denver International Airport.

Changes the concessionaire agreement with Ayala's Inc. (Seattle's Best Coffee), located at the Jeppesen Terminal, Level 5 West, to allow participation in the airport's Alternative Surety program by providing a performance surety at less cost and without having to pay the higher costs of obtaining a bond through a bonding company. The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0854 A bill for an ordinance approving a proposed Seventh Amendment to Agreement between the City and County of Denver and Ayala's, Inc. for the operation of a concession at Denver International Airport.

Changes the concessionaire agreement with Ayala's Inc. (Seattle's Best Coffee located on, Concourse B West Outboard Subcore) to allow participation in the airport's Alternative Surety program by providing a performance surety at less cost and without having to pay the higher costs of obtaining a bond through a bonding company. The last regularly scheduled Council meeting within the 30-day review period is on12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0855 A bill for an ordinance approving a proposed Eighth Amendment to Agreement between the City and County of Denver and Ayala's, Inc. for the operation of a concession at Denver International Airport.

Changes the concessionaire agreement with Ayala's, Inc. (Seattle's Best Coffee, located at Concourse B West Inboard Subcore) to allow participation in the airport's Alternative Surety program by providing a performance surety at less cost and without having to obtain a bond through a bonding company. The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0866 A bill for an ordinance approving a proposed Sponsorship Agreement between the City and County of Denver and Bellco Credit Union to obtain certain sponsorship opportunities in connection with the naming rights of the Lecture Hall in the Colorado Convention Center.

Approves a Sponsorship Agreement with Bellco Credit Union for the theatre at the

Colorado Convention Center (THTRS-201207726). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill at its meeting on 11-14-12.

CB12-0867 A bill for an ordinance approving an amendatory agreement between the City and County of Denver and Wells Fargo Bank, N.A., relating to sponsorship opportunities in connection with the naming rights for the Colorado Convention Center Lecture Hall.

Approves an Amendatory Agreement with Wells Fargo Bank regarding signage with the theatre at the Colorado Convention Center (RC65016). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill at its meeting on 11-14-12.

CB12-0868 A bill for an ordinance approving a proposed fourth amendatory agreement between the City and County of Denver and Proxy Partners, LLC to provide venue sponsorship marketing services.

Approves the fourth amendment to the contract with Proxy Partners to increase sponsorship dollars allowable by the City and to increase the commission ceiling to sell naming rights to the Colorado Convention Center lecture hall (CE26001). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill at its meeting on 11-14-12.

CB12-0869 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and Bayaud Payroll Services LLC, to extend the term for an additional three months and increase the total amount of compensation to be provided for comprehensive payroll services for youth.

Adds \$230,422 to the contract with Bayaud Payroll Services and extends the term through June 2013 to provide payroll services for youth employment and training programs administered through the Office of Workforce Development (OEDEV 201204780-0). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0870 A bill for an ordinance approving a proposed Second Amendatory License Agreement between the City and County of Denver and Denver Bike Sharing, to add two additional Licensed Areas located at the Denver Zoo and the Denver Museum of Nature and Science.

Amends the existing license agreement with Denver Bike Sharing (DBS) to license two additional bike kiosks located at the Denver Zoo and the Denver Museum of Nature and Science (XC0A010-2). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

Government & Finance

CB12-0858 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Integral Development, LLC, to sell City owned property located at 1155 30th Street. Approves a \$2,400, 000 sale of City owned property located at 1155 30th Street to Integral Development, LLC (FINAN -201206402-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0861 A bill for an ordinance approving a proposed agreement by and between the City and County of Denver and Service-now.com, Inc., to provide software, professional services and training to manage technology service requests.

Approves a \$573,900 contract with Service-Now.com, Inc., to replace the HEAT (customer service ticket tracking for information technology complaints) and Innotas (project management) systems. The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0864 A bill for an ordinance making supplemental appropriations from the General Contingency Fund to departments; making appropriations from the General Fund to the General Contingency; and making appropriations in the Wastewater Management Enterprise Fund.

Approves 2012 year-end budget adjustments and supplemental appropriations. The Committee approved filing this bill at its meeting on 11-14-12.

CB12-0865 A bill for an ordinance making appropriations from the Environmental Services Enterprise Fund and authorizing a cash transfer from the Environmental Services Enterprise Fund to the Underground Storage Tanks Fund; making a rescission from the Community Corrections FY2011-12 grant and making cash transfers from the grant and two internal service funds to the General Fund to close out funds; and authorizing the transfer of cash from the General Fund to the Planned Fleet Replacement special revenue fund.

Approves year-end transfers between funds to close out certain funds. The Committee approved filing this bill at its meeting on 11-14-12.

CB12-0878 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.

Adds new Career Service Authority classifications for lead property and evidence technician, lead fingerprint technician, and welder. The Committee approved filing this bill by consent on 11-15-12.

Health, Safety, Education & Services

CB12-0872 A bill for an ordinance approving an amendatory agreement with the Frank Moya Law firm to extend the agreement through December

31, 2013.

Amends the Frank Moya Law Firm contract to extend the agreement through December 31, 2013, and to add \$454,818 to provide indigent defense for those charged with municipal ordinance violations (COURT-201103663-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0876 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and Mile High Montessori Early Learning Centers to extend the term to June 30, 2013, and increase the total amount of compensation.

Amends the contract with Mile High Montessori Early Learning Centers' agreement to add \$837,540 for fiscal year period January 1, 2013 through June 30, 2013 to provide Head Start services to 269 children (MOEAI-201205674-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

Land Use, Transportation & Infrastructure

CB12-0819 A bill for an ordinance approving a second amendatory agreement between Felsburg, Holt & Ullevig, Inc. and the City & County of Denver for general design services.

Amends the design services contract with Felsburg Holt & Ullevig for S. Broadway (Arizona to Exposition) and I-25 Interchange to revise the scope of work to add final design tasks related to part of Mississippi and delete tasks related to the I-25 ramp and water quality pond, with no cost adjustment, in Council District 7 (CE93007). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-1-12.

CB12-0820 A bill for an ordinance modifying Chapter 30, Landmark Preservation.

Amends Chapter 30, Landmark Preservation, to update and clarify the designation process and criteria and to try to address concerns regarding designation applications submitted by non-owners. The Committee approved filing this bill at its meeting on 11-13-12.

CB12-0880 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding final design, right-of-way acquisition and construction of drainage and flood control improvements for 40th Street Outfall, 40th Avenue to South Platte River.

Amends the Intergovernmental Agreement with the Urban Drainage and Flood Control District to add \$2,054,000 from the District, for a total District contribution of \$9,139,000, and \$14,861,000 from the City's Wastewater Management Capital Improvement Project fund, for a total of \$24,000,000 to design and construct the 40th Street/High Street Outfall in Council District 9 (CCN CE90764-03). The last

regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0881 A bill for an ordinance approving an agreement between W. L. Contractors, Inc. and the City & County of Denver to upgrade existing traffic signals at six (6) intersections, including general sidewalk, curb ramp and roadway upgrades.

Approves a \$1,791,616 contract with W.L. Contractors, with State grant program funds, for upgrade of existing traffic signals at 6 intersections, including general sidewalk, curb ramp and roadway upgrades at those sites in Council Districts 4, 5, 8, 9, 10 and 11 (201207186). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0887 A bill for an ordinance vacating two partial alleys, including half of the alley bounded by 9th Avenue, 10th Avenue, Mariposa Street and Navajo Street and half of the alley bounded by 10th Avenue, 11th Avenue, Mariposa Street and Navajo Street, without reservations.

Vacates two partial alleys without reservations as part of the Denver Housing Authority development: 1) half the alley between Mariposa, Navajo and 9th and 10th avenues; and 2) half the alley between Mariposa, Navajo and 10th and 11th avenues in Council District 9. The Committee approved filing this bill by consent on 11-15-12.

CB12-0888 A bill for an ordinance vacating two partial alleys, including half of the alley bounded by 9th Avenue, 10th Avenue, Mariposa Street and Navajo Street and half of the alley bounded by 10th Avenue, 11th Avenue, Mariposa Street and Navajo Street, with reservations.

Vacates two partial alleys with reservations as part of the Denver Housing Authority development: 1) half the alley between Mariposa, Navajo and 9th and 10th avenues; and 2) half the alley between Mariposa, Navajo and 10th and 11th avenues in Council District 9. The Committee approved filing this bill by consent on 11-15-12.

CB12-0889 A bill for an ordinance approving a proposed Amendatory Design Services Agreement between the City and County of Denver and Wilson & Company Inc., Engineers & Architects, to authorize Phase 2 of the project and add additional funds.

Approves a \$874,194 contract with Wilson and Co. for final design of the 31st and 36th streets outfall construction project associated with construction of the FasTracks East Corridor and to address drainage issues in Council Districts 8, 9 and 10. The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-15-12.

CB12-0899 A bill for an ordinance approving a Second Amendment to Contract Services Agreement with Acme Tree Service, Inc., for tree maintenance services.

Amends the contract with ACME Tree Service, the first responder for on-call City Wide Emergency and Enforcement Service, to increase it from \$450,000 to \$875,000 with the same end date of June 30, 2014 (OC 03062). The last regularly scheduled Council meeting within the 30-day review period is on 12-17-12. The Committee approved filing this bill by consent on 11-22-12.

Announcement

Dependent upon publication, on Monday, January 7, 2013, Council will hold a required public hearing on CB12-0879 amending the Denver Zoning Code to amend the definition of sign and amend the treatment and definition of noncommercial signs.

Adjourn