

City Council of Monday, October 31, 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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****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 720-865-9534.

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, October 31, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, October 10, 2011

Council Announcements

Councilmembers may offer motions to amend the Mayor's Proposed 2012 Budget. Next week, November 7, is the last night for Councilmembers to offer amendments. On Monday, November 14, Council will vote to either adopt or reject the Mayor's Proposed 2012 Budget.

Presentations

Communications

Proclamations

**CP11-0814 A proclamation in support of locating a satellite United States Patent and Trademark Office in Denver, Colorado
Councilmembers Nevitt, Montero, Robb, Brown, López, Brooks, Lehmann, Susman, Kniech, and Ortega.**

**CP11-0805 A proclamation in recognition of the 70th Anniversary of the Eisenhower Chapel at Lowry.
Sponsored by Councilmembers Susman, Brown, Lehmann, Brooks, Robb, López, and Herndon.**

Resolutions

Business, Workforce & Sustainability

CR11-0759 A resolution approving the Mayor's appointment to the Lowry Redevelopment Authority Board of Directors. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Mayoral reappointments of Mark Betchey, Derek Camunez and David Herlinger to the Lowry Redevelopment Authority Board of Directors for terms effective immediately and expiring August 31, 2014 or until a successor is duly

appointed. The Committee approved filing this resolution by consent on 10-20-11.

Government & Finance

CR11-0675 A resolution approving the Mayor's appointment to the Career Service Authority Board. (GOVERNMENT & FINANCE)

Approves the mayoral appointment of Colleen Meyers Rea to the Career Service Authority Board for a term effective immediately and expiring September 16, 2016. The Committee approved filing this resolution at its meeting on 10-19-11.

Health, Safety, Education & Services

CR11-0757 A resolution approving the Mayor's appointment to the Denver Preschool Program Board of Directors. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral appointment of Theresa Peña to the Denver Preschool Program Board of Directors for a term effective immediately and expiring 03-12-13 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-20-11.

Land Use, Transportation & Infrastructure

CR11-0758 A resolution approving the Mayor's appointment to the Cableland Home Foundation Board of Directors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the Mayoral appointments of Anthony Aragon and Marcia Johnson to the Cableland Home Foundation Board of Directors for a term effective immediately and to serve at the pleasure of the Mayor. The Committee approved filing this resolution by consent on 10-20-11.

CR11-0772 A resolution granting a revocable permit to Zeppelin Development, Inc. to encroach into the right-of-way alley with underground parking connecting two buildings at 225 S. Harrison Street and 250 S. Jackson Street and other items. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Grants a revocable permit to Zeppelin Development to encroach into the alley right-of-way with underground parking connecting two buildings; 10 foot diameter pipe for a stormwater detention system; and 4 foot diameter sanitary sewer manholes at 225 S. Harrison and 250 S. Jackson. Councilwoman Robb approved filing this resolution.

Bills for Introduction

Business, Workforce & Sustainability

CB11-0611 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Urban Renewal Authority to provide low or no interest rehabilitation loans to income-qualified homeowners using federal HOME funding (BUSINESS, WORKFORCE, AND SUSTAINABILITY)

Approves a \$600,000 contract with Denver Urban Renewal Authority to provide low or no interest rehabilitation loans to income-qualified homeowners using federal HOME funding. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 8-25-11.

CB11-0668 A bill for an ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Brown and Caldwell concerning professional environmental consulting services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Adds \$250,000 to and provides an approximate 12% increase since 2008 in hourly rates for the contract with Brown and Caldwell Inc for environmental remediation and redevelopment services at the former Stapleton airport. The last regularly scheduled Council meeting within the 30-day period is on 11-21-11. The Committee approved filing this bill by consent on 9-22-11.

CB11-0692 A bill for an ordinance approving petitions requesting continuance of the Downtown Denver Business Improvement District for a ten year period. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves petition requests for continuance of the Downtown Denver Business Improvement District for an additional ten year period. The Committee approved filing this bill at its meeting on 10-19-11.

CB11-0703 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Landrum and Brown concerning Airspace Simulation Modeling Services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a \$1 million, 5-year contract with Landrum and Brown for Airside and Airspace Simulation Modeling services to improve financial and operational analyses of airfield project impacts as well as airfield and airspace procedure changes. The last regularly scheduled Council meeting within the 30-day period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0752 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Old South Gaylord Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Old South Gaylord Business Improvement District, located in Council District 6. The Committee approved filing this bill by consent on 10-20-11.

CB11-0753 A bill for an ordinance approving an Operating Plan and Budget

for 2012 for the Cherry Creek Subarea Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Cherry Creek Subarea Business Improvement District, located in Council District 9. The Committee approved filing this bill by consent on 10-20-11.

CB11-0754 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Cherry Creek North Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Cherry Creek North Business Improvement District, located in Council District 10. The Committee approved filing this bill by consent on 10-20-11.

CB11-0755 A bill for an ordinance approving a Joint Use Agreement with the Clyfford Still Museum and Denver Art Museum, to provide ongoing operation and maintenance services relating to the land at 13th Avenue and Bannock Street at the Clyfford Still Museum. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Joint Use Agreement between the City and County of Denver, Denver Art Museum, and the Clyfford Still Museum that allows for the ongoing improvements, operation and maintenance of detention and drainage facilities, landscaping and electrical infrastructure in the North and South Easement Areas located on both sides of the new Clyfford Still Museum at the corner of 13th and Bannock. The last regularly scheduled Council meeting within the 30-day period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0765 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Downtown Denver Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Downtown Denver Business Improvement District, located in Council Districts 8 and 9. The Committee approved filing this bill at its meeting on 10-19-11.

CB11-0766 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Colfax Business Improvement District, located in Council Districts 8 and 10. The Committee approved filing this bill by consent on 10-20-11.

CB11-0767 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the West Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the West Colfax Business Improvement District, located in Council District 1. The Committee approved filing this bill by consent on 10-20-11.

CB11-0768 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the 9TH Avenue Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the 9th Avenue Business Improvement District, located in Council Districts 5 and 10. The Committee approved filing this bill by consent on 10-20-11.

Government & Finance

CB11-0749 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and ADS Denver, LLC. (GOVERNMENT & FINANCE)

Approves a \$1,020,000 two-year contract with ADS Denver, LLC to install, repair, and maintain City network cabling. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0760 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and eCommerce Systems. (GOVERNMENT & FINANCE)

Approves a two-year, on-call technology services agreement with ECS for services related to enterprise integration, identity management, information security and mobile applications development. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

Health, Safety, Education & Services

CB11-0577 A bill for an ordinance approving an Amendatory Agreement with Bureau Veritas North America, Inc. for on-call, environmental remediation services. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a no-cost one-year extension, as allowed by contract, to the contract with Bureau Veritas North America, Inc. for remediation and groundwater monitoring. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 8-11-11.

CB11-0712 A bill for an ordinance approving an Amendatory Agreement with LVI Environmental Services, Inc., regarding on-call abatement services for asbestos, lead-based paint, and mold. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a contract amendment with LVI Environmental Services, Inc. to add \$1,000,000 and to extend the agreement one year for on-call abatement services for asbestos, lead-based paint, and mold. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-6-11.

CB11-0747 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 "FY2011 Byrne Memorial Justice Assistance Grant (JAG) Program" and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Authorizes acceptance of the FY2011 Byrne Memorial/Justice Assistance Grant (JAG) Award # 2011-DJ-BX-2846 in the amount of \$443,714. The Committee approved filing this bill by consent on 10-20-11.

Land Use, Transportation & Infrastructure

CB11-0745 A bill for an ordinance approving a Chilled Water Service Agreement with the Public Service Company of Colorado for the new Police Crime Laboratory Building. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Authorizes an agreement with Public Service Company of Colorado for chilled water service for the new Crime Lab facility, at a maximum amount of \$1.7 million, budgeted and paid on a year to year basis and renewable for successive ten year periods as part of the City's utility program. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0751 A bill for an Ordinance approving a Second Amendment to Contract Services Agreement with CEM Sales & Services, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a second amendment to the on-call contract with CEM Sales and Service to extend for three one-year extensions and increase the amount by \$400,000, for a new total contract amount of \$890,000, for maintenance and repair of the City's 29 swimming pools in the years 2012-2015. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB11-0669 A bill for an Ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Verizon Wireless

(VAW) LLC. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes Verizon Wireless, LLC to enhance its current cellular telephone network in the Colorado Convention Center from 3G to 4G for an additional \$1,200 per month. The last regularly scheduled meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 10-13-11.

CB11-0726 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Oshkosh Truck Corporation concerning the purchase of an Oshkosh Class 5 Aircraft Rescue and Firefighting Striker unit for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes the purchase of replacement firefighting equipment for DIA for \$1,180,919 from Oshkosh Truck Corporation. The last regularly scheduled Council meeting within the 30-day period is on 11-14-11. The Committee approved filing this bill by consent on 10-13-11.

Government & Finance

Health, Safety, Education & Services

CB11-0538 A bill for an ordinance approving a proposed Fourth Amendatory Agreement by and between the City and County of Denver and SYSCON Justice Systems, Inc., for necessary program changes. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a fourth amendment to the SYSCON Justice Systems, Inc. contract for necessary program changes. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 7-21-11.

CB11-0711 A bill for an ordinance approving an Amendatory Agreement with Excel Environmental Inc., regarding on-call abatement services for asbestos, lead-based paint, and mold, that adds \$1,000,000 and extends the Term of the agreement for one year. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a contract amendment with Excel Environmental Inc. to add \$1,000,000 and to extend the agreement one year for on-call abatement services for asbestos, lead-based paint, and mold. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 10-6-11.

Land Use, Transportation & Infrastructure

CB11-0628 A bill for an ordinance approving a second amendatory on call agreement between Studiotrope, LLC and the City & County of Denver to provide general architectural design services. (LAND USE,

TRANSPORTATION & INFRASTRUCTURE)

Amends the on-call agreement with Studiotrope for architectural and engineering services to increase the maximum contract from \$960,000 to \$1,440,000 and add two years to extend the term to March 31, 2014. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 9-1-11.

CB11-0720 A bill for an ordinance approving a Park Use Agreement with Downtown Denver Events, Inc., to allow use of Skyline Park for ice skating event. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a 5-year, non-financial Parks Use Agreement with Downtown Denver Events, Inc. to allow use of Skyline Park between approximately Nov. 1 and March 15, including load-in and load-out time, for free public ice skating during the winter months in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 10-6-11.

CB11-0732 A bill for an ordinance terminating a permit and relinquishing a portion of the easement relating to the Exempla development at the former St. Joseph Hospital site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Relinquishes an access permit recorded in 1977 and a portion of an easement recorded in 1999 to enable redevelopment of the Exempla St. Joseph's site between 18th, 21st, Emerson & Franklin in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 10-13-11.

CB11-0737 A bill for an ordinance to relinquish all of the easement established in Ordinance No. 372, Series of 1977; and relinquish a portion of the easement established in Ordinance No. 385, Series of 1998, and Ordinance No. 705, Series of 1990 relating to the Exempla development at the former St. Joseph Hospital site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Relinquishes easements established in 1977, 1998 and 1990 to enable redevelopment of the Exempla St. Joseph's site between 18th, 21st, Emerson & Franklin in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 10-13-11.

CB11-0738 A bill for an ordinance revoking the revocable permits granted by various Ordinances and the revocable permit recorded at Reception No. 9900110651 relating to the Exempla development at the former St. Joseph Hospital site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the revocation of permits granted in 1982, 1986, and 1987 to enable redevelopment of Exempla St. Joseph's site in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill on 10-13-11.

CB11-0742 A bill for an ordinance relinquishing a portion of the easement established in Ordinance No. 137, Series of 1948, and relinquishing all of the easement established in Ordinance No. 31, Series of 1917. (LAND USE, INFRASTRUCTURE & TRANSPORTATION)

Relinquishes an easement established in 1917 and a portion of an easement established in 1948 to enable redevelopment at 235 S. Cherokee in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 11-14-11. The Committee approved filing this bill by consent on 10-13-11.

Announcement

On Monday, November 7, 2011, Council will sit as the Board of Equalization to hear any protests of assessment from the following local maintenance districts: St. Luke's Pedestrian Mall, Delgany Street Pedestrian Mall, Broadway Pedestrian Mall A, Broadway Pedestrian Mall B, Phase II Broadway Pedestrian Mall, Broadway Viaduct Pedestrian Mall, 22nd and Park Avenue Pedestrian Mall, Consolidated Morrison Road Pedestrian Mall, South Broadway (Wesley to Yale), and Tennyson (Portions of 38th to 44th).

Adjourn

Pending

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

CB11-0546 A bill for an ordinance changing the zoning classification of 7995 E. Hampden Ave. 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave.

CB11-0705 A bill for an ordinance changing the zoning classification of 4455 E. 12th Ave.

CB11-0724 A bill for an ordinance changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard.

Bills Pending 11/7/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0546	LAND USE TRANSPORTATION	Final Consid.	A bill for an ordinance	7/26/2011 8/2/2011	YES

	AND INFRASTRUCTURE		changing the zoning classification of 7995 E. Hampden Ave. 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave.	8/9/2011 9/26/2011 10/3/2011 10/10/2011 10/17/2011	
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 10/3/2011	YES

Bills Pending 11/14/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0724	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard.	10/4/2011 10/11/2011 10/17/2011	YES
CB11-0705	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 4455 E. 12th Ave.	10/4/2011 10/11/2011 10/17/2011	YES