

## City Council of Monday, November 21, 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  
Vacant..... 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, November 21, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, November 14, 2011**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP11-0874 A proclamation celebrating the Denver Kick-Off of the fifth annual "Buy Local Week" from November 25-December 2nd, 2011, as part of the ongoing Buy Local campaign to encourage the support of local businesses.**

**Sponsored by Councilmembers Kniech, Shepherd, Herndon, Susman, Lehmann, López, Brown, and Brooks.**

**CP11-0875 A proclamation declaring November as the National Adoption Month in Denver.**

**Sponsored by Councilmembers Ortega, López, Robb, Montero, Herndon, Brown, and Brooks.**

## **Resolutions**

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

**CR11-0809 A resolution approving the Mayor's reappointments and appointments to the Crime Prevention & Control Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the Mayoral reappointments of Charles Garcia and Lisa Calderon to the Crime Prevention & Control Commission for terms effective immediately and expiring on September 1, 2012; approves the Mayoral reappointment of Shawn Cohn and the appointments of Henry Jackson and Louise Boris to the Crime Prevention & Control Commission for terms effective immediately and expiring on September 1, 2013; and approves the Mayoral reappointment of Rodney Perry and

the appointments of Angela Williams, Denise Vargas, Stacey Hervey, Mark Wright, and Barbara Downing to the Crime Prevention & Control Commission for terms effective immediately and expiring on September 1, 2014. The Committee approved filing this resolution by consent on 11-10-11.

**CR11-0810 A resolution approving the Mayor's reappointments and appointments to the Denver Commission on Aging. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the Mayoral reappointments of Joyce Butler and William Lundgren and the appointments of Juanita Rios-Johnston, Arthur Fine, Joe Anzures, and Curtis Rouse to the Denver Commission on Aging for terms effective immediately and expiring on August 31, 2013 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 11-10-11.

**Land Use, Transportation & Infrastructure**

**CR11-0825 A resolution granting a revocable permit, subject to certain terms and conditions, to the Colorado Department of Transportation, to encroach into Center Street right-of-way at approximately 15th Street with soil nails. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to the Colorado Department of Transportation to encroach into the right-of-way with soil nails along Central St. at 15th St. in Council District 9. The Committee approved filing this resolution by consent on 11-10-11.

**Bills for Introduction-Held or Postponed**

**Land Use, Transportation & Infrastructure**

**CB11-0283 A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Vacates a small portion of Forest St., which is not being used as a street, between 43rd Ave. and railroad right-of-way in Council District 11. The Committee approved filing this bill by consent on 6-16-11.

**Bills for Introduction**

**Government & Finance**

**CB11-0795 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)**

Changes pay grade for the risk analyst classification from the professional occupational group to the fiscal occupational group to reflect placement in the

market and creates a new class of lead animal control investigator to share in administrative tasks for the 18-member unit to reduce the supervisor's span of control. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0811 A bill for an Ordinance approving an on call technology services agreement by and between the City and County of Denver and Compri Consulting, Inc., in the areas of Generalist, Service Oriented Architecture, Enterprise Integration, Business Intelligence, Data Warehouse and related tasks. (GOVERNMENT & FINANCE)**

Approves a two year, on-call technology services agreement for up to \$4,000,000 with Compri Consulting for services in the areas of generalist, service oriented architecture, enterprise integration, business intelligence, data warehouse, enterprise reporting and database administration, geographical information systems, infrastructure and network services, custom web development and PeopleSoft and related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by consent on 11-10-11.

**CB11-0818 A bill for an ordinance making appropriations to pay the expenses of conducting the public business for the year 2012 and for the purposes required by the Charter and by other law. (GOVERNMENT & FINANCE)**

Appropriates the 2012 City budget approved by City Council on Monday, November 14, 2011, as required by Charter (commonly referred to as the Long Bill).

**Health, Safety, Education & Services**

**CB11-0750 A bill for an ordinance approving a proposed Seventh Amendatory Agreement between the City and County of Denver and Nicoletti-Flater Associates, to add \$204,500.00 for psychological services and to extend the contract for one year. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves a seventh amendment to the agreement (CE-61080-07) between the City and County of Denver and Nicoletti-Flater Associates, to extend the term of the agreement for one year through December 31, 2012 and to add \$204,500 to the contract for psychological services for the Department of Safety. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by consent on 10-20-11.

**CB11-0774 A bill for an ordinance approving a proposed Fiscal Year 2012 Amendment to the Amended and Restated Operating Agreement between the City and County of Denver and the Denver Health and Hospital Authority providing for the amounts to be paid for services by the City and County of Denver and by the Denver Health and Hospital Authority during 2012 and amending other provisions of the Operating Agreement. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves amendments to the Intergovernmental Agreement between the City and

Denver Health for new funding levels and other service adjustments for 2012. The contract allows the City to pay for expenditures in the amount of \$53,492,488 for Denver Health medical services and for the City to receive funds in the amount of \$1,513,164 for City services provided to Denver Health. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill at its meeting on 11-8-11.

**CB11-0830 A bill for an ordinance approving a proposed agreement between the City and County of Denver and Robert C. White as Chief of the Denver Police Department. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the employment contract with Robert C. White for the position of Chief of Police of the City and County of Denver. The Committee approved filing this bill at its meeting on 11-8-11.

**Land Use, Transportation & Infrastructure**

**CB11-0719 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Merrick & Company to extend the term of the contract. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a fourth amendment to the On-Call General Engineering Services Agreement with Merrick & Company to extend it for one year, with one more one-year option, with a maximum work order amount of \$500,000 and a total amount not to exceed \$2,500,000. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by consent on 10-6-11.

**CB11-0721 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and American Sign and Striping Company to increase the maximum contract amount and extend the term. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a second amendment to the On-Call Traffic Signage Replacement/Installation contract with American Sign and Striping Company, Inc. to extend one year and add \$200,000, for a new maximum of \$1.4 million. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by consent on 10-6-11.

**CB11-0734 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Huitt-Zollars, Inc. to extend the term of the contract. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a fourth no-cost amendment to the On-Call General Engineering Services Agreement with Huitt-Zollars to extend for one year, leaving one more one-year option, with a maximum work order amount of \$500,000 and a total amount not to exceed \$2,500,000. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by

consent on 10-13-11.

**CB11-0736 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Atkins North America, Inc., to extend the term of the contract. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a fourth no-cost amendment to the On-Call General Engineering Services Agreement with Atkins North America, Inc. to extend for one year, leaving one more one-year option, with a maximum work order amount of \$500,000 and a total amount not to exceed \$2,500,000. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by consent on 10-13-11.

**CB11-0776 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Jacobs Investments, LLC dba Colorado Boring Co., for traffic signal system improvements. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$588,253.50 contract with Colorado Boring for traffic signal system improvements at 52 intersections. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0824 A bill for an ordinance amending the revocable permit granted by Ordinance No. 393, Series 1989 to TCNC, LLC to add additional items to encroach into the Encroachment Area and to add additional right-of-way to the Encroachment Area at 17th Avenue and Humboldt Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the revocable permit approved in 1989 to allow TCNC, LLC to encroach into the right-of-way with a glass and metal patio enclosure over a current outdoor patio at 17th Ave. and Humboldt in Council District 8. The Committee approved filing this bill by consent on 11-10-11.

**CB11-0826 A bill for an ordinance vacating a portion of W. Mulberry Place at the intersection of Wyandot Street, with reservations over a portion of the vacated area. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Vacates a portion of W. Mulberry Place currently not being used as public right-of-way at its intersection with Wyandot to allow for site and area improvements in Council District 9. The Committee approved filing this bill by consent on 11-10-11.

**CB11-0827 A bill for an ordinance approving a proposed Revival and Second Amendatory Agreement between the City and County of Denver and Augusta Consulting to extend the term of the contract for the continued supervision, oversight and management of various projects as part of the Better Denver Bond Program. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends a no-cost extension to Dec. 31, 2013, of the contract with Augusta Consulting for continued supervision, oversight and management of various Better

Denver Bond projects. The last regularly scheduled Council meeting within the 30-day review period is on 12-12-11. The Committee approved filing this bill by consent on 11-10-11.

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

### **Recess**

## **Council Reconvenes and Resumes its Regular Session**

### **Bills for Final Consideration**

#### **Business, Workforce & Sustainability**

**CB11-0851 A bill for an ordinance amending Sections 28-55, 28-135 and 28-205, D.R.M.C. to delete the provisions that disqualify the relatives of city officials, officers and employees from eligibility for certification in the MBE, WBE and SBE programs. (BUSINESS, WORKFORCE & SUSTAINABILITY COMMITTEE)**

Repeals provisions of the Denver Code that disqualify the relatives of city officers and employees and their families from eligibility for certification in the women, minority, and small business enterprise programs. The Committee approved filing this bill at its meeting on 11-9-11.

#### **Government & Finance**

**CB11-0790 A bill for an Ordinance approving an on call technology services agreement by and between the City and County of Denver and Zia Consulting for services in the area of enterprise document management and other related tasks (GOVERNMENT & FINANCE)**

Approves an on-call technology services agreement with ZIA Consulting for up to \$4,000,000 for services in the area of enterprise document management and other related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0792 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and Woolpert, Inc. (GOVERNMENT & FINANCE)**

Approves an on-call technology services agreement with Woolpert Inc., for up to \$4,000,000 to provide services in the area of service oriented architecture, enterprise integration, geographical information systems (GIS) and other related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-

11.

**CB11-0796 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and reVision, Inc. (GOVERNMENT & FINANCE)**

Approves an on-call technology services agreement with reVision, Inc, for up to \$4,000,000 to provide services in the areas of generalist, geographical information systems(GIS), identity management information security, custom web development and enterprise database administration and other related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**Health, Safety, Education & Services**

**CB11-0800 A bill for an ordinance accepting funding from the United States of America for the "State Criminal Alien Assistance Programs (SCAAP)" for Fiscal Year 2011 and authorizing expenditures therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Authorizes the acceptance of the State Criminal Alien Assistance Program award of \$893,032 from the US Department of Justice for the Sheriff's Department to fund correctional housing for foreign born inmates. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**Land Use, Transportation & Infrastructure**

**CB11-0727 A bill for an ordinance making a rescission from the Wastewater Management Storm Capital Improvements Fund and making a transfer to the Grants Projects Fund. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves transfer of \$2,135,105 from Wastewater Management's Storm Capital Improvement fund to General Fund CIP account, specifically the Justice Center Grant fund, following transfer of assets to Wastewater Management for storm drainage purposes, namely a constructed wetland pilot project to demonstrate the benefit of a regional approach to storm water quality requirements under the City's MS4 environmental permit. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0780 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the St. Luke's Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for St. Luke's local maintenance district in Council District 8. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.



**CB11-0781 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Delgany Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Delgany Street local maintenance district in Council District 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0782 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Broadway A local maintenance district in Council Districts 7 and 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0783 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Broadway B local maintenance district in Council District 7. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0784 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Phase II Broadway local maintenance district in Council District 7. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0785 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Viaduct Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Broadway Viaduct local maintenance district in Council Districts 8 and 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0786 A bill for an ordinance assessing the annual costs of the**

**continuing care, operation, repair, maintenance and replacement of the 22nd Street and Park Avenue West Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for the 22nd St. and Park Ave. West local maintenance district in Council Districts 8 and 9. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill at its meeting on 11-1-11.

**CB11-0787 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Morrison Road Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Consolidated Morrison Road local maintenance district in Council District 3. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0788 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Wesley Avenue to Yale Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for S. Broadway (Wesley to Yale) local maintenance district in Council District 7. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0789 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves 2012 assessments for Tennyson Streetscape (W. 38th to W. 44th) local maintenance district in Council District 1. Council sat as the Board of Equalization on Nov. 7. The Committee approved filing this bill by consent on 10-27-11.

**CB11-0791 A bill for an ordinance approving the fourth amendatory agreement between Wenk Associates and the City & County of Denver to increase compensation for additional design services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the contract with Wenk Associates for Parkfield Lake Park to increase the amount by \$7,250, for a new contract total of \$715,502, for additional design services. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0793 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 "Denver TSSIP 2012" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Executes an Intergovernmental Agreement with the Colorado Department of Transportation to receive and expend \$1.2 million federal funds to continue update of the traffic control system. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0794 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 "Denver Traffic Improvement Program (TIP) 2012" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Executes an Intergovernmental Agreement with the Colorado Department of Transportation to receive and expend \$1.09 million federal funds to design signal system infrastructures and furnish and install system software and equipment. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0799 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Fasick Concrete, Inc for citywide curb, gutter and crossspan work, and pedestrian ramp installations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$1,282,332 contract with Fasick Concrete for 2011 Citywide curb, gutter, crossspan, concrete repairs and pedestrian ramps. The last regularly scheduled Council meeting within the 30-day review period is on 12-5-11. The Committee approved filing this bill by consent on 11-3-11.

**Adjourn**

**Pending**

**CB11-0748 A bill for an ordinance changing the zoning classification of 2555 31st Street.**

Bills Pending 12/5/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0748	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of	10/25/2011 11/1/2011 11/7/2011	YES

			2555 31st Street.		
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