

City Council of Monday, September 19, 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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REMINDER

As a courtesy to those in attendance,
please
**turn off your cell phones and
pagers.**

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

The Council Chambers has listening devices for the hearing impaired; request a device from the Council Secretary. The City can provide sign language interpretation for persons attending City Council meetings. If you need sign language interpretation, please contact Lorrie Kosinski at TTY 720-913-8484 at least 72 hours in advance.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at Denver City Council, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is also posted on the City Council website. Questions on agenda items may be directed to the Denver City Council at 720-865-9534.

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PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak during a public hearing, speaker cards are available during the recess of Council. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes. Public hearings allow citizens the opportunity to speak in favor or against specific items. The Council President will open the public hearing to receive public comment on that specific item. Upon hearing all public comments, the Council President will close or continue the public hearing. Council may then decide to engage in discussion and/or take action on the item.

City Council Agenda and Explanatory Notes

Meeting Date: Monday, September 19, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, September 12, 2011

Council Announcements

Presentations

Communications

Proclamations

CP11-0680 A proclamation to honor West Colfax Business Improvement District for receiving the Governor's Award for Best Sustainable Downtown Project.

Sponsored by Councilmembers Shepherd, López, Ortega, Lehmann, Susman, Robb, and Kniech.

Resolutions

Business, Workforce & Sustainability

CR11-0651 A resolution appointing Erin Bassity, Lee Kathryn Gash-Maxey and reappointing Michael Uhlenkamp to the Denver County Cultural Council. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Appoints Erin Bassity for a 3 year term and Lee Kathryn Gash-Maxey to a 2 year term and reappoints Michael Uhlenkamp to a 3 year term on the Denver County Cultural Council. The Committee approved filing this bill by consent on 9-8-11.

Land Use, Transportation & Infrastructure

CR11-0643 A resolution approving the Mayor's appointment to the Regional Transportation District Board of Directors, District D. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the mayoral appointment of Jeffrey A. Walker to the Regional Transportation District Board of Directors, District D (representing Council District 2; parts of Council Districts 3 and 7; and parts of Jefferson and Arapahoe counties),

effective immediately and continuing until the next RTD election in Nov. 2012. The Committee approved filing this resolution by consent on 9-8-11.

Bills for Introduction

Health, Safety, Education & Services

CB11-0535 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the University of Colorado Denver d/b/a Addiction Research and Treatment Services, for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves an agreement between the University of Colorado Health Sciences Center - Addiction Research and Treatment Services Peer I and Haven in the amount of \$4,080,239.76 for residential and non-residential community corrections services. The last regularly scheduled Council meeting within the 30-day review period is on 10-10-11. The Committee approved filing this bill by consent on 7-21-11.

CB11-0612 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Mental Health Center of Denver to provide DARTT services to clients in Drug Court. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the existing agreement with the Mental Health Center of Denver to add \$401,866 from the federal Substance Abuse Mental Health Services Administration (SAMHSA) grant for DARTT services to Drug Court clients. The last regularly scheduled Council meeting within the 30-day review period is on 10-10-11. The Committee approved filing this bill at its meeting on 8-23-11.

Land Use, Transportation & Infrastructure

CB11-0603 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and the Regents of the University of Colorado, a body corporate, for and on behalf of the University of Colorado, Denver to provide student interns on an on-call basis for work in the Engineering Division of the Public Works Department. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the agreement with the University of Colorado at Denver to provide on-call student interns for work in the Engineering Division of the Public Works Department. The last regularly scheduled Council meeting within the 30-day review period is on 10-10-11. Committee approved filing this bill by consent on 8-25-11.

CB11-0631 A bill for an ordinance approving an agreement between K.E.C.I. Colorado, Inc. and the City & County of Denver for Phase II of the 2011 On Call Structural and Safety Repairs Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$788,663, 18-month contract with K.E.C.I Colorado for on-call structural and safety repairs to bridges and viaducts. The last regularly scheduled Council meeting within the 30-day review period is on 10-10-11. The Committee approved filing this bill by consent on 9-1-11.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB11-0582 A bill for an ordinance approving a proposed 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, acting by and through, Emily Griffith Opportunity School, to provide vocational training and job placement assistance to TANF participants. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a 12 month, \$671,558 contract between the Office of Economic Development and Denver Public Schools Emily Griffith Technical Center to provide vocational training and job placement assistance to TANF participants. The last regularly scheduled Council meeting within the 30-day review period is on 10-03-11. The Committee approved filing this bill by consent on 8-18-11.

CB11-0607 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2011D" in the maximum aggregate principal amount of \$610,000,000 for the purposes of paying the costs of the 2011D Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes the Manager of Finance to issue for the City and County of Denver, for and on behalf of its Department of Aviation, Airport Revenue Refunding Bonds, Series 2011D in an amount not to exceed \$610 million for the purpose of refunding outstanding Series 1998, 2001, and 2002 Airport Revenue bonds. The last regularly scheduled Council meeting within the 30-day review period is on 10-03-11. The Committee approved filing this bill by consent on 8-25-11.

CB11-0609 A bill for an ordinance approving a proposed First Amendatory to Agreement between Airport and Aviation Professionals, Inc. and the City and County of Denver related to services as an Airline Liaison Office at Denver International Airport. (BUSINESS, WORKFORCE, AND SUSTAINABILITY)

Approves a \$575,000 contract amendment with Airport and Aviation Professionals, Inc to extend the contract for two years for services as an Airline Liaison Office, representing the airlines' collective views while facilitating the airline/airport relationship as a business partnership. The last regularly scheduled Council meeting within the 30-day review period is on 10-03-11. The Committee approved filing this bill by consent on 8-25-11.

CB11-0623 A bill for an ordinance to correct a transcription error contained in the City Clerk Filing Number for Ordinance No. 274, Series of 2011, approving a proposed Seventh Amendment to Agreement between the City and County of Denver and Mission Yogurt, Inc. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Amends the existing agreement between the City and County of Denver and Mission Yogurt, Inc to correct an error in the previously approved bill. The last regularly scheduled Council meeting within the 30-day review period is on 10-03-11. The Committee approved filing this bill by consent on 9-1-11.

CB11-0626 A bill for an Ordinance authorizing the execution of a First Amendment to Tax Regulatory Agreement relating to Highlands Garden Village Apartments. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Revises the tax regulatory agreement regarding \$6,615,000 in private activity bonds (PAB) issued to construct Highland Garden Village Apartments in the old Elitch Gardens amusement park site to replace AMI Capitol, Inc with Beerkadia Mortgage Company as the first mortgage holder. The Committee approved filing this bill by consent on 9-1-11.

CB11-0662 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2011B" in the maximum aggregate principal amount of \$500,000,000 for the purposes of paying the costs of the 2011B Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes the Manager of Finance to issue for the City and County of Denver, for and on behalf of its Department of Aviation, Airport Revenue Refunding Bonds, Series 2011B in an amount not to exceed \$500 million for the purpose of refunding outstanding Series 1998, 2001, and 2002 Airport Revenue bonds. The last regularly scheduled Council meeting within the 30-day review period is on 10-03-11. The Committee approved filing this bill by consent on 8-25-11.

CB11-0663 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2011C" in the maximum aggregate principal amount of \$380,000,000 for the purposes of paying the costs of the 2011C Refunding Project, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes the Manager of Finance to issue for the City and County of Denver, for and on behalf of its Department of Aviation, Airport Revenue Refunding Bonds, Series 2011C in an amount not to exceed \$380 million for the purpose of refunding outstanding Series 1998, 2001, and 2002 Airport Revenue bonds. The last regularly scheduled Council meeting within the 30-day review period is on 10-03-11. The Committee approved filing this bill by consent on 8-25-11.

Government & Finance

CB11-0608 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Community Mediation Concepts, to provide mediation services for City agencies. (GOVERNMENT & FINANCE)

Extends for one year the contract with Community Mediation Concepts to provide mediation services for City agencies for \$8,291.67 per month while an RFP is conducted for a new contract for the citywide services. The last regularly scheduled Council meeting within the 30-day review period is on 10-03-11. The Committee approved filing this bill by consent on 8-25-11.

CB11-0624 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)

Creates a new Aviation Security Technician class to replace Operations Assistant at Denver International Airport (DIA) that more accurately describes the functions of the position and establishes better education and experience criteria for recruitment and selection. There is no budget impact because incumbents are within the recommended pay range. The Committee approved filing this bill by consent on 9-1-11.

Health, Safety, Education & Services

CB11-0602 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, Federal Emergency Management

Agency, concerning the "Incident Management Team Pilot FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Accepts the FY11-12 Incident Management Team pilot project grant award of \$250,000 from FEMA for the Office of Emergency Management to provide regional training and exercise funds for Incident Management Teams. The Committee approved filing this bill by consent on 8-25-11.

CB11-0632 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 "Shelter Plus Care Rental Assistance-Scattered Sites FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Authorizes the Department of Human Services to accept a grant of \$478,176 from the U.S. Department of Housing and Urban Development for the Shelter Plus Care-Scattered Sites program. The Committee approved filing this bill by consent on 9-1-11.

Land Use, Transportation & Infrastructure

CB11-0587 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 15th Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the 2012 assessments for the 15th Street local maintenance district in Council District 9. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0588 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 20th Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the 2012 assessments for the 20th Street local maintenance district in Council District 9. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0589 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the 2012 assessments for the Consolidated Larimer Street local maintenance district in Council District 9. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0590 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the 2012 assessments for the Santa Fe A local maintenance district. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0591 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the assessments for the Santa Fe B local maintenance district in Council District 9. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0592 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall C Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the assessments for the Santa Fe C local maintenance district in Council District 9. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0593 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Welton Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the assessments for the Welton Street local maintenance district in Council District 8. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0594 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the assessments for the South Downing Street local maintenance district in Council District 7. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0595 A bill for an ordinance assessing the annual costs of the

continuing care, operation, repair, maintenance and replacement of the West 38th Avenue I Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the assessments for the West 38th Avenue Phase I local maintenance district in Council District 9. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0597 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 44th Avenue and Eliot Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the assessments for the 44th Avenue & Eliot Street local maintenance district in Council District 1. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0598 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 32nd Avenue Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the assessments based on the 2012 budget for the West 32nd Avenue local maintenance district in Council District 1. Council sat as the Board of Equalization on August 29, 2011. The Committee approved filing this bill by consent on 8-18-11.

CB11-0620 A bill for an ordinance approving an amendatory agreement between Durrant Group, Inc. and the City & County of Denver to provide professional engineering design services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the contract with The Durrant Group to add \$177,122, for a new maximum contract amount of \$3,097,122, for additional design services for the new Police Crime Lab, a Better Denver Bond Project in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 10-3-11. The Committee approved filing this bill by consent on 9-1-11.

CB11-0622 A bill for an Ordinance approving a Lease Agreement with Outward Bound, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a 3-year lease of the Camp Rollandet building at 5161 Sheridan to Outward Bound Inc. for \$36,000. The last regularly scheduled Council meeting within the 30-day review period is on 10-3-11. The Committee approved filing this bill at its meeting on 8-30-11.

CB11-0625 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 "38th Avenue Underpass—Inca St. Bike/Pedestrian Bridge"

project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an Intergovernmental Agreement with the Colorado Department of Transportation to receive and expend \$501,000 for construction of a pedestrian bridge over the 38th Ave. underpass in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 10-3-11. The Committee approved filing this bill by consent on 9-1-11.

Announcement

On Monday, September 26, Council will sit as the Board of Equalization to hear any protests of assessment from the following local maintenance districts: East 13th Avenue Pedestrian Mall, Tennyson Street II Pedestrian Mall, Expanded Greektown Pedestrian Mall, Golden Triangle Pedestrian Mall, West 38th Avenue II Pedestrian Mall, and the 32nd and Lowell Pedestrian Mall.

Adjourn

Pending

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

CB11-0605 A bill for an ordinance changing the zoning classification of 3155 East First Avenue from PUD No. 151 to C-CCN.

CB11-0606 A bill for an ordinance changing the zoning classification of 75 Adams Street from PUD No. 304 to C-MX-8.

Bills Pending 9/26/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0677	GOVERNMENT & FINANCE		Amends Section 18-173 of Chapter 18, of the Revised Municipal Code, to change the City's percentage contribution towards monthly premiums for employee medical insurance plans.	9/15/2011	NO
CB11-	GOVERNMENT		Amends Section 18-175	9/15/2011	NO

0678	& FINANCE		of Chapter 18, of the Revised Municipal Code, to change the City's percentage contribution towards monthly premiums for employee dental insurance plans.		
CB11-0677	GOVERNMENT & FINANCE		Amends Section 18-173 of Chapter 18, of the Revised Municipal Code, to change the City's percentage contribution towards monthly premiums for employee medical insurance plans.	9/15/2011	NO
CB11-0678	GOVERNMENT & FINANCE		Amends Section 18-175 of Chapter 18, of the Revised Municipal Code, to change the City's percentage contribution towards monthly premiums for employee dental insurance plans.	9/15/2011	NO

Bills Pending 10/3/2011

CB #	Committee	Status	Description	Continued From	Hearing
CB11-0283	LAND USE, TRANSPORTATION & INFRASTRUCTURE	1st Reading - Held in Committee	A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations.	6/16/2011 6/21/2011 6/27/2011 8/1/2011	YES

Bills Pending 10/10/2011

CB #	Committee	Status	Description	Continued From	Hearing
CB11-0605	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance changing the zoning classification of 3155	8/23/2011 8/30/2011 9/12/2011 9/19/2011	NO

			East First Avenue from PUD No. 151 to C-CCN.		
CB11-0606	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance changing the zoning classification of 75 Adams Street from PUD No. 304 to C-MX-8.	8/23/2011 8/30/2011 9/12/2011 9/19/2011	NO