

## City Council of Monday, February 28, 2011

# City and County of Denver

Carol Boigon..... At Large  
Doug Linkhart..... At Large  
Paula E. Sandoval..... District 1  
Jeanne Faatz..... District 2  
Paul López..... District 3  
Peggy Lehmann..... District 4  
Marcia Johnson..... District 5  
Charlie Brown..... District 6



Chris Nevitt..... District 7  
Carla Madison..... District 8  
Judy H. Montero..... District 9  
Jeanne Robb..... District 10  
Michael B. Hancock..... 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, February 28, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Tuesday, February 22, 2011**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

## **Resolutions**

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

#### **CR11-0045 A resolution approving the Mayor's Appointment to the Denver Convention Center Hotel Authority Board of Directors. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves the appointment of Diane Barrett to the Denver Convention Center Hotel Authority Board of Directors for a term effective immediately and expiring December 31, 2013. The Committee approved filing this bill by consent on 2-17-11.

### **General Government & Finance**

#### **CR11-0106 A resolution approving the reappointment by the City Council of Edgar L. Neel to serve as a member of the Board of Ethics. (GENERAL GOVERNMENT & FINANCE)**

Approves the City Council reappointment of Edgar L. Neel to the Denver Board of Ethics for a four-year term starting April 20, 2011 to April 20, 2015. The Committee approved filing this bill at its meeting on 2-16-11.

## **Bills for Introduction**

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

**CB11-0091 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc., for corrections and modifications to program activities related to the Neighborhood Stabilization Program (NSP). (BUSINESS, WORKFORCE AND SUSTAINABILITY)**

Approves an amendment to the grant agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc. (DNRI) for the Neighborhood Stabilization Program to correct the CFDA Number, modify the number of units to be developed, delete land banking as an eligible activity, define program income vs. program revenue, expand eligible neighborhoods, transfer \$205,905.62 of NSP funding from Contract GE94053, and to modify line items in the budget (GE9A020). The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill at its meeting on 2-16-11.

**CB11-0096 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and the United States of America concerning a lease at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a first amendment to the agreement with U.S. Customs sublease to add flexibility to the current and future use of the World Port office park (AR2A000). The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill by consent on 2-17-11.

**CB11-0097 A bill for an ordinance approving a proposed First Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Air Canada, concerning a lease at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends the Air Canada agreement to change the term end date to December 31, 2011 (AR 56001-1). The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill by consent on 2-17-11.

**CB10-1118 A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Denver Urban Economic Development Corporation to extend the loan maturity date. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to a \$99,980.44 loan provided to Denver Urban Economic Development Corp. (DUEDC) in 1988 for the improvement of 3003 Arapahoe commercial real property which was a small business incubator commonly known as Denver Enterprise Center (GE81118). The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill at its meeting on 2-16-11.

**CB10-1119 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Denver Urban Economic Development Corporation to extend the loan maturity date. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to a \$750,000 loan provided to Denver Urban Economic Development Corp. (DUEDC) in 1995 to fund the construction of the kitchen incubator at 3003 Arapahoe commercial real property to start a small business incubator commonly known as Denver Enterprise Center (GE50208). The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill at its meeting on 2-16-11.

**CB10-1120 A bill for an ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Denver Urban Economic Development Corporation to extend the loan maturity date. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment a \$1.0 million loan provided to Denver Urban Economic Development Corp. (DUEDC) in 1985 for the acquisition of 3003 Arapahoe commercial real property to start a small business incubator commonly known as Denver Enterprise Center (GE59014). The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill at its meeting on 2-16-11.

**General Government & Finance**

**CB11-0100 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. (GENERAL GOVERNMENT & FINANCE)**

Approves classification notice # 1336 to change the pay grades for Associate City Planner, Development and Planning Supervisor, Principal City Planner, and Senior City Planner. The Committee approved filing this bill by consent on 2-17-11.

**CB11-0152 A bill for an ordinance setting the salaries of elected Charter officers for terms beginning July 18, 2011.**

Approves elected officer's salaries for terms July 18, 2011 to July 20, 2015. This bill was approved for filing by Council President Nevitt.

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

### **CB11-0072 A bill for an ordinance authorizing expenditures in the Human Services Special Revenue Fund based on a letter of intent from State of Colorado to award funding for the "Community Services Block Grant FY11-12" program. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts 2011 - 2012 funding from the Community Service Block Grant provided by the Colorado Department of Local Affairs in the amount of \$1,060,000 to provide services addressing poverty. The Committee approved filing this bill by consent on 2-10-11.

### **CB11-0105 A bill for an ordinance authorizing the redistribution of funds from the Police Department's Victim Assistance Municipal Surcharge Special Revenue Fund to the Victim Assistance Municipal Surcharge Special Revenue Funds of the District Attorney, City Attorney and County Court. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Reallocates \$255,000 in unused Municipal Victim Assistance and Law Enforcement (VALE) surcharge reserve funds from the Police Department to the other three participating City agencies for victim services. The Committee approved filing this bill by consent on 2-17-11.

## **Land Use, Transportation & Infrastructure**

### **CB11-0078 A bill for an ordinance to approve annual programs of the Department of Public Works and waive the City Council approval requirement for specific contracts let pursuant to the annual program. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves implementation of the Public Works annual infrastructure maintenance program, a total of \$32,850,000 approved in the 2011 budget, and waives the requirement that contracts implementing the annual program that are above \$500,000 be individually approved by Council in order to expedite construction projects while following all standard contract advertising and competitive awards and providing Council detailed monthly written and quarterly oral reports, including M/WBE goals and compliance, on all contracts awarded under this process. The Committee approved filing this bill at its meeting on 2-15-11.

### **CB11-0088 A bill for an ordinance approving an on-call agreement between ICON Engineering, Inc. and the City & County of Denver for engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 5-year contract with ICON Engineering for on-call professional services with a total not to exceed \$2.5 million and annual expenditure limit of \$500,000. The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill at its meeting on 2-15-11.

**CB11-0089 A bill for an ordinance approving an on-call agreement between Olsson Associates, Inc. and the City & County of Denver for engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 5-year contract with Olsson Associates for on-call professional engineering services with a total not to exceed \$2.5 million and annual expenditure limit of \$500,000. The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill at its meeting on 2-15-11.

**CB11-0090 A bill for an ordinance approving an on-call agreement between Enginuity Engineering Solutions, LLC and the City & County of Denver for engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 5-year contract with Enginuity Engineering Solutions for on-call professional services with a maximum contract amount of \$2.5 million and annual expenditure limit of \$500,000. The last regularly scheduled Council meeting within the 30-day review period is on 3-21-11. The Committee approved filing this bill at its meeting on 2-15-11.

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

### **Recess**

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

### **Bills for Final Consideration**

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

**CB11-0074 A bill for an ordinance approving a proposed Non-Disturbance and Attornment Agreement between the City and County of Denver, Skyport Development Company, LLC and Sunglass Hut Trading LLC concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a Non-Disturbance, Attornment, and Concession Agreement with Sunglass Hut Trading, LLC at Denver International Airport (AR7A020) that outlines rights and obligations in the event of a default by Skyport Development Company. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

**CB11-0075 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Service America Corporation, dba Centerplate, relating to concession services at the Colorado Convention Center and the Denver Performing Arts Complex. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a sixth amendment to the existing contract with Service America Corporation doing business as Centerplate, to provide that payments owed to the City shall be made in care of SMG, the management company retained by the City to manage the Convention Center Complex (RC9X011-6). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

**CB11-0076 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and SMG, relating to management services at the Colorado Convention Center. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the existing contract with SMG to pay, on behalf of the City (electricity, solar power, etc.), all approved budget operating expenses for the Convention Center Complex (CE93003-1). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

**CB11-0092 A bill for an ordinance approving a proposed purchase order by the City and County of Denver for two Refuse Barrel Loaders for Solid Waste. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a purchase order in the amount \$569,006 for two Refuse Barrel Loaders for Solid Waste. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

**General Government & Finance**

**CB11-0016 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Independent Stationers, Inc., for various office supplies with the option of four yearly extensions. (GOVERNMENT AFFAIRS & FINANCE)**

Approves a one-year Master Purchase Order between the City and Independent Stationers for various office supplies with the option of four yearly extensions. It is anticipated that the City will spend \$1.5 million annually (5595U0111). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 1-20-11.

**CB11-0065 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Sylvester Tally regarding a coffee kiosk at the City and County Building. (GENERAL GOVERNMENT & FINANCE)**

Amends the income lease agreement with Sylvester Tally (vendor) to reduce rent at the City and County Building for a period of six months with a three-month option (RC35008). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-3-11.

**CB11-0107 A bill for an ordinance creating a Fund Number in the Grant Projects Fund and creating a Fund Number in the Community Development Special Revenue Fund for the "City of Denver Community Challenge Planning Grant Program – Denver TOD Strategic Implementation Program". (GENERAL GOVERNMENT & FINANCE)**

Approves the creation of a new capital grant fund and special revenue fund - "Housing Development Assistance Fund - in the Office of Economic Development to administer Denver's Community Challenge Planning Grant Program – "Denver TOD Strategic Implementation Program". The Committee approved filing this bill by consent on 2-17-11.

**CB11-0143 A bill for an ordinance approving a proposed Purchase Agreement between the City and County of Denver and 513, LLC for the purchase of a building located at 4640 Lipan Street for the Denver Fire Line Shop. (GENERAL GOVERNMENT & FINANCE)**

Approves the purchase of a building located at 4640 Lipan Street for \$925,000 for the Denver Fire Department's Line Shop. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. This bill was approved for filing by Councilmembers Boigon and Sandoval. The Committee approved filing this bill by consent on 2-24-11.

**Health, Safety, Education & Services**

**CB11-0064 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Energy Outreach Colorado to provide weatherization and energy efficiency education services to low-income residents living in multi-family affordable housing units within the City and County of Denver. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves a \$500,000 agreement with Energy Outreach Colorado to provide weatherization and energy efficiency education services to low-income residents living in multi-family affordable housing units within the City and County of Denver. The last regularly-scheduled Council meeting within the 30-day period is on 3-14-11. The Committee approved filing this bill by consent on 2-3-11.



**CB11-0073 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 Women's FY10-11" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts \$358,176 in 2010-2011 funding from the U.S. Dept. of Housing and Urban Development for Shelter Plus Care to provide 41 units of sponsor based rental assistance for the Women's Project to help chronically homeless women with mental illnesses obtain and remain in housing. The Committee approved filing this bill by consent on 2-10-11.

**Land Use, Transportation & Infrastructure**

**CB11-0077 A bill for an ordinance approving an agreement between Concrete Works of Colorado, Inc. and the City & County of Denver to reconstruct S. Broadway from Yale to Wesley Avenues. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$5,744,766.46 construction contract with Concrete Works to widen and reconstruct S. Broadway between Yale and Wesley, including storm sewer and water service line replacement, a Better Denver Bond project in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

**Adjourn**