

City Council of Monday, April 16, 2012

City and County of Denver

Robin Kniech..... At Large
Deborah "Debbie" Ortega..... At Large
Susan K. Shepherd..... District 1
Jeanne Faatz..... District 2
Paul D. López..... District 3
Peggy Lehmann..... District 4
Mary Beth Susman..... District 5
Charlie Brown..... District 6



Chris Nevitt..... District 7
Albus Brooks..... District 8
Judy H. Montero..... District 9
Jeanne Robb..... District 10
Christopher Herndon..... District 11
Janna M. Bergquist..... 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

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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, April 16, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, April 9, 2012

Council Announcements

Presentations

Communications

A letter dated April 16, 2012, from Cary Kennedy, Manager of Finance, notifying of the Department of Finance's intent to enter into a Lease Purchase Agreement with the Denver Properties Leasing Trust 2012C and sell into the Trust City owned facilities. Approval of the Lease will also allow the Trustee on behalf of the Leasing Trust to execute and deliver \$45,000,000 of Certificates of Participation, Series 2012C1-C3.

Proclamations

CP12-0285 A proclamation celebrating Earth Day 2012. Councilmembers Ortega, Brooks, Shepherd, Susman, Lehmann, Herndon, López, Montero, and Robb.

CP12-0300 A proclamation recognizing April 18, 2012 as Preschool One Book, One Denver Day. Councilmembers Shepherd, Montero, Herndon, Lehmann, Brooks, Kniech, López, Robb, and Susman.

Resolutions

Government & Finance

CR12-0246 A resolution approving the Mayor's appointment to the Career Service Board. (GOVERNMENT & FINANCE)

Approves the Mayoral appointment of Derrick Fuller to the Career Service Board for a term effective immediately and expiring on September 16, 2014. The Committee approved filing this resolution by consent on 4-5-12.

Health, Safety, Education & Services

CR12-0247 A resolution approving the Mayor's appointment to the Welfare Reform Board. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral appointment of Bridget Kaminetsky to the Welfare Reform Board for a term effective immediately and expiring January 1, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 4-5-12.

Land Use, Transportation & Infrastructure

CR12-0255 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as W. Florida Avenue at its intersection with Hazel Court. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates a tract as public right-of-way for widened sidewalk at 3151 and 3145 W. Florida in Council District 3. The Committee approved filing this resolution by consent on 4-5-12.

CR12-0257 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Mile High Stadium West Circle at its intersection with Morrison Road. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates a parcel of land as public right-of-way at the intersection of Mile High Stadium West Circle and Morrison Rd. as part of the West Corridor FasTracks project in Council District 9. The Committee approved filing this resolution by consent on 4-5-12.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0171 A bill for an ordinance approving an Amended and Restated Agreement - Hotel, Public Transit Center and Jeppesen Terminal Interface South Terminal Redevelopment Program (STRP) Construction Management/General Contractor (CM/GC), between the City and County of Denver, Mortenson/Hunt/Saunders, a Joint Venture, M.A. Mortenson Company, and STEP (South Terminal Expansion partnership) Aviation Builders, a joint venture, related to the South Terminal Redevelopment Project at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Consolidates the contracts with Mortenson, Hunt and Saunders into one \$350,000,000 construction management/general contractor contract for the South Terminal Redevelopment Project for construction of the hotel, public transit center,

and the interface with the Jeppesen Terminal. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill at its meeting on 3-7-12.

CB12-0218 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Pizza Republica, LLC, for indoor and outdoor restaurant space at the Colorado Convention Center. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a \$1,413,985 ten-year lease agreement (plus 2.5% of gross sales over \$2.2 million) with Pizza Republica for indoor and outdoor restaurant space at the Colorado Convention Center. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-29-12.

Government & Finance

CB12-0220 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)

Abolishes 911 Lead Operator, 911 Operator, Aviation Tour Guide, Epidemiological Research Technician, Health Information Supervisor, Nuclear Medicine Technologist Supervisor, Nurse Midwife, Physician Assistant, Public Health Dentist and Senior Plus Case Coordinator; revises Community Rate Schedule A per state law and changes corresponding pay grades of Activities Leader I – Non Certified, Activities Leader II – Certified, Advanced Lifeguard, Fitness Instructor I – Non Certified, Fitness Instructor II – Certified, Lifeguard, Pool Supervisor, Sports Official I- Non Certified, Sports Official II – Certified and adds pay grade and job code of Television & Video Production Support Technician. The Committee approved filing this bill by consent on 4-05-12.

Health, Safety, Education & Services

CB12-0153 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and ACS State and Local Solutions, Inc., to implement a two-tiered fine structure in coordination with the Photo Enforcement Ordinance and Amendment. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a third amendment to the ACS State and Local Solutions, Inc. contract to implement a two-tiered fine structure and modifications to the CiteWeb system to track and program for red light and stop bar violations. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-1-12.

Land Use, Transportation & Infrastructure

CB12-0184 A bill for an ordinance approving an amendatory agreement between Huitt-Zollars, Inc. and the City & County of Denver for the design and reconstruction of University and Josephine Streets Drainage Improvements Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an amendatory agreement with Huitt-Zollars to design reconstruction of University and Josephine Drainage Improvements Project to increase the scope of work, extend the term to Dec. 31, 2013, and cap the City's obligation at \$956,900.36. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-15-12.

CB12-0228 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Interlock Construction Corp., to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the third Amendment to the Interlock Construction contract, adding \$1 million, bringing contract capacity to \$9 million, to allow for on-call construction services for a variety of construction projects including Better Denver Bond and facility improvement projects. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0229 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and FCI Constructors, Inc., to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the second amendment to the FCI Constructors contract, adding \$1 million, bringing contract capacity to \$6 million, to allow for on-call construction services for a variety of construction projects including Better Denver Bond and facility improvement projects. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0230 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Haselden Construction, LLC., to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the third amendment to the Haselden Construction contract, adding \$1 million, bringing contract capacity to \$6 million, to allow for on-call construction services for a variety of construction projects including Better Denver Bond and facility improvement projects. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0231 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Turner Construction Company, to increase the maximum contract amount. (LAND

USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the third amendment to the Turner Construction contract, adding \$1 million, bringing contract capacity to \$6 million, to allow for on-call construction services for a variety of construction projects including Better Denver Bond and facility improvement projects. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0232 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Ash & White Construction Co. d/b/a White Construction Group, LTD., to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the second amendment to the contract with Ash & White Construction Group, adding \$1 million, bringing contract capacity to \$6 million, to allow for on-call construction services for a variety of construction projects including Better Denver Bond and facility improvement projects. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0243 A bill for an ordinance vacating a portion of Central Street between Kensing Court and 17th Street, without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Vacates a two-foot wide strip of the west side of Central Street between Kensing Court and 17th Street for new development in Council District 9. The Committee approved filing this bill by consent on 4-5-12.

CB12-0248 A bill for an Ordinance approving a Lease Agreement for the lease of a building and parking lot located within Habitat Park to The Greenway Foundation, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a lease with The Greenway Foundation to use the City building in Habitat Park for \$1 per year plus other maintenance considerations for programming, meeting and office space for a term ending 12-31-17, in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 4-5-12.

CB12-0249 A bill for an ordinance changing the zoning classification for 4100 Federal Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Rezones from U-SU-C1 (urban context, single-unit residential) to U-MX-2x (urban context, mixed use, low intensity) property containing a commercial structure at 4100 Federal in Council District 1. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 4-3-12.

CB12-0251 A bill for an ordinance approving an Amendatory

Intergovernmental Agreement with Denver Public Schools that adds composting services to the IGA for solid waste disposal and collection and recycling services and that extends the term for 3 years. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the Intergovernmental Agreement with Denver Public Schools regarding City collection of trash, recycling and compost to extend the term 3 years and to allow the City to offer compost to certain sites. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 4-5-12.

CB12-0252 A bill for an ordinance approving an amendatory agreement between Tsiouvaras Simmons Holderness and the City & County of Denver to provide engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a no-cost extension to 12-31-13 of the contract with Tsvouras, Simmons & Holderness for design of the Federal Blvd. Reconstruction project from 5th Ave. to Howard Pl. in Council Districts 1, 3 and 9. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 4-5-12.

CB12-0253 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Macdonald Equipment Company to purchase three asphalt pothole patch trucks for Public Works street maintenance. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an \$899,022 Master Purchase Order with MacDonald Equipment Co. for three Asphalt Pothole Patch Trucks to replace three retiring trucks. The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 4-5-12.

CB12-0254 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Pierce Manufacturing Inc., to purchase two velocity pumper trucks and one aerial ladder truck for the Lowry Fire Station. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$1,218,028 Master Purchase Order with Pierce Manufacturing Inc. for Velocity Ladder and Velocity Pumper for the new Lowry Fire Station in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 5-14-12. The Committee approved filing this bill by consent on 4-5-12.

CB12-0299 A bill for an ordinance approving an assignment agreement between Martin Marietta Materials, Inc. and the City & County of Denver. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Transfers the contract for the paving of 9th Avenue between Lincoln and Ogden from LaFarge to Martin Marietta Materials Inc. due to change in contractors' relationship (PWADM-201102206-01). The last regularly scheduled Council meeting within the 30-day review period is on 5-7-12. The Committee approved filing this bill by consent on 3-8-12. It was filed as CB12-0175 but defeated on final reading 3-27-12 due to the wrong contract being attached.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0202 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Daktronics, Inc., for a modular LED display. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a \$966,656 purchase of a modular LED display (video board) for events at Red Rocks Amphitheatre and the Denver Coliseum from Daktronics, Inc. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-22-12.

CB12-0240 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to provide rental assistance and security deposits. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a \$850,000 contract with the Colorado Coalition for the Homeless for its Tenant Based Rental Assistance program providing rental assistance and security deposits for 95 eligible households. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-29-12.

Government & Finance

CB12-0186 A bill for an ordinance approving a proposed Fourth Amendatory Agreement by and between the City and County of Denver and TrustWave Holdings, Inc. (GOVERNMENT & FINANCE)

Adds \$300,000 to and extends the contract with TrustWave for two terms for services to validate City compliance with Payment Card Industry Data Security Standard (PCI DSS) for its credit card and related programs. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. This bill was approved for filing by consent on 3-15-12.

CB12-0221 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)

Consolidates Art, Design, Recreation, Media, and Entertainment and General Support Services occupational groups within the City's Classification and Pay Plan

per recommendations of a 2011 external audit of the CSA Pay Survey methodology. The Committee approved filing this bill by consent on 3-29-12.

CB12-0222 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Municipal Emergency Services, Inc., for self contained breathing apparatus for Denver Front Range First Responders. (GOVERNMENT & FINANCE)

Approves a \$10 million purchase order from Municipal Emergency Services, Inc. for Self Contained Breathing Apparatus for the Denver Front Range First Responders. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0223 A bill for an ordinance making appropriations from the Environmental Services Enterprise Fund and authorizing the transfer of cash from the Environmental Capital Service Fund to the Underground Storage Tanks Fund. (GOVERNMENT & FINANCE)

Appropriates \$1,448,993.19 to the Environmental Services Enterprise Fund Capital Project Fund (78400) to enable and complete a cash transfer and appropriation to the Underground Storage Tank Subfund. The Committee approved filing this bill at its meeting on 3-28-12.

CB12-0225 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and Burst Communications, Inc. (GOVERNMENT & FINANCE)

Approves a \$1,168,781 contract with Burst Communication to purchase and install new high-definition video/audio/lighting/networking systems for Channel 8 using Comcast PEG funds at the new Denver 8 Media Services facility in the City & County Building. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0227 A bill for an Ordinance approving the 2012 Eco Pass Amendatory Agreement with the Regional Transportation District (RTD) to clarify the City and County of Denver's maximum payment obligation under the Agreement. (GOVERNMENT & FINANCE)

Corrects the total amount in one of two references to the total contract in the previously approved 2012 Eco Pass Agreement providing discounted Eco pass decals to eligible city employees. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-29-12.

Health, Safety, Education & Services

CB12-0219 A bill for an ordinance approving a First Amendment to Intergovernmental Agreement to provide fire protection services to the City of Sheridan. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the Intergovernmental Agreement with the City of Sheridan to transfer fire protection services - plan review, fire safety inspections, and licenses - to the Denver Fire Department (#RC-03020-01). The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-29-12

Land Use, Transportation & Infrastructure

CB12-0216 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Jacobs Investments, LLC, d/b/a Colorado Boring Co., to add additional funds and extend the term for one additional year. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a second amendment to the on-call directional boring contract with Jacobs Investments LLC dba Colorado Boring to add \$750,000, for a new maximum amount of \$1,950,000, and add one year to the term. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-29-12.

CB12-0233 A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings of fee, easement and other interests, including any rights and interests related or appurtenant to properties as needed for the Peoria Crossing Grade Separation Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Grants authority to acquire property interest in 22 properties for easements, access, and construction of temporary and permanent improvements as part of the Peoria/Smith Road Grade Separation Project. The Committee approved filing this bill at its meeting on 3-27-12.

CB12-0236 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Pierce Manufacturing Inc., for two velocity pumper trucks and one aerial ladder truck. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$1,666,437 Master Purchase Order with Pierce Manufacturing Incorporated for a velocity pumper truck and an aerial ladder truck as replacement equipment. The last regularly scheduled Council meeting within the 30-day review period is on 4-30-12. The Committee approved filing this bill by consent on 3-29-12.

Announcement

Dependent upon publication there will be a public hearing on CB12-0249 changing the zoning classification for 4100 Federal Boulevard on Monday, May 14, 2012. Any protests against CB12-0249 must be filed with the Council Offices no later than Monday, May 7, 2012. There will be a

courtesy public hearing on CB12-0286 approving a new Council District map to be effective for the 2015 municipal election on Monday, April 23, 2012. Also, there will be a courtesy public hearing on CB12-0241 prohibiting unauthorized camping on public or private property on Monday, April 30, 2012.

Adjourn

Pending

CB12-0201 A bill for an ordinance changing the zoning classification of 2765 South Federal Boulevard to a Planned Unit Development District.

CB12-0165 A bill for an ordinance amending the Denver Zoning Code to modify the standards for attached garages.

CB12-0194 A bill for an ordinance changing the zoning classification for 3198 Blake Street.

Bills Pending 4/23/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CB12-0165	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance amending the Denver Zoning Code to modify the standards for attached garages.	3/6/2012 3/13/2012 3/27/2012	YES

Bills Pending 4/30/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CB12-0194	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification for 3198 Blake Street.	3/13/2012 3/20/2012 3/27/2012	YES
CB12-0201	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 2765	3/20/2012 3/27/2012 4/2/2012	YES

			South Federal Boulevard to a Planned Unit Development District.		
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