

City Council of Monday, March 07, 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

ROOM 451
CITY & COUNTY BUILDING
DENVER COLORADO
80202
720-865-9534
FAX: 720-865-9540
EMAIL: dencc@denvergov.org

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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

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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, March 07, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Tuesday, February 22, 2011

Council Announcements

Presentations

Communications

A letter dated March 7, 2011 from Claude Pumilia, Chief Financial Officer and Manager of Finance, notifying City Council of the Department of Finance's intent to issue Airport System Revenue Refunding Bonds, Series 2011A in an amount not to exceed \$400 million for the purpose of refunding Series 2000A, 2008A3 and 2008A4 bonds.

Proclamations

**CP11-0150 A proclamation recognizing the Denver St. Patrick's Day Parade Committee for its 49th Annual Parade on March 12, 2011.
Councilmembers Montero, López, Hancock, Linkhart, Faatz, Robb, Lehmann, Sandoval, and Johnson.**

**CP11-0182 A proclamation celebrating the 100th Anniversary of International Women's Day on March 8, 2011.
Councilmembers López, Robb, Brown, Montero, Johnson, Linkhart, Lehmann, Boigon**

Resolutions

Business, Workforce & Sustainability

CR11-0119 A resolution approving the Mayor's Appointment to the Downtown Denver Business Improvement District Board of Directors. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Mayoral appointment of Myra Napoli to the Downtown Denver Business Improvement District Board of Directors for a term effective immediately and expiring December 31, 2013. The Committee approved filing this resolution by consent on 2-24-11.

CR11-0120 A resolution approving the Mayor's Reappointment to the Denver Urban Renewal Authority Board of Directors. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Mayoral reappointment of Catherine Cox Blair to the Denver Urban Renewal Authority, for a term effective immediately and expiring April 3, 2016. The Committee approved filing this resolution by consent on 2-24-11.

Land Use, Transportation & Infrastructure

CR11-0129 A resolution granting a revocable permit to Denver Union Station Project Authority (DUSPA) to encroach into the right-of-way with chilled water lines at Wewatta Street, between 19th Street and 17th Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Grants a revocable permit to Denver Union Station Project Authority to encroach into the public right-of-way with chilled water lines at Wewatta between 19th and 17th streets in Council District 9. The Committee approved filing this resolution by consent on 2-24-11.

CR11-0130 A resolution amending Resolution No. 45, Series of 2010, to add 87 square feet to the encroachment area contained in the revocable permit granted to Denver Bike Sharing, to encroach into the right-of-way with a bicycle docking station at 1526 Glenarm Place. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends a 2010 resolution to add 87 square feet to the encroachment area contained in the revocable permit issued to Denver Bike Sharing to encroach into the right-of-way with a bike station at 1526 Glenarm Place in Council District 8. The Committee approved filing this resolution by consent on 2-24-11.

CR11-0131 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Jewell Ave., located at the intersection of S. Holly St. and Jewell Ave. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Officially dedicates as public right-of-way an existing portion of Jewell Ave. at its intersection with S. Holly St. in Council District 6. The Committee approved filing this resolution by consent on 2-24-11.

Bills for Introduction-Held or Postponed

CB11-0152 A bill for an ordinance setting the salaries of elected Charter officers for terms beginning July 18, 2011. (GENERAL GOVERNMENT & FINANCE)

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

Bills for Introduction

Business, Workforce & Sustainability

CB11-0095 A bill for an ordinance approving a proposed Agreement Revenue Advising Services between the City and County of Denver and MXD Development Strategists, Ltd. for professional consulting services related to optimizing non-airline revenue sources at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Revenue Advising Services Agreement with MXD Development Strategists Ltd. in the amount of \$975,000 to identify and define the range of potential land uses and possible development throughout Denver International Airport (CE03086). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0108 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and J & B AVIATION SERVICES, INC. for pre-conditioned air flat ducts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Master Purchase Order that will exceed \$500,000 with J&B Aviation for pre-conditioned air flat ducts and associated parts for jetbridges (MPO 0145A0109). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0109 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and The Colorado Coalition For The Homeless to provide funds to be utilized for the Tenant Based Rental Assistance (TBRA) program for rental assistance and security deposits. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Accepts an additional \$850,000 from the HUD HOME Program and extends the term for the 2011 Tenant-Based Rental Assistance program for the Colorado Coalition for the Homeless (GE11102). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0124 A bill for an ordinance approving a proposed Hotel Management Agreement between the City and County of Denver and Westin DIA Operator, LLC related to a hotel at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a 15-year Hotel Management Agreement between Westin DIA Operator, LLC and Denver International Airport for a total contract cost of \$21,239,400 over the 15-year term. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0125 A bill for an ordinance approving a proposed Westin Denver International Airport Development Consulting Services Agreement between the City and County of Denver and Westin DIA Operator, LLC related to development of an airport hotel at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Development Consulting Services Agreement between Westin DIA Operator, LLC and Denver International Airport effective after the opening date of the hotel. Westin/Starwood DIA Operator will be paid a fee of \$320,000 and may be reimbursed for eligible expenses up to \$75,000 and may be paid additional fees of up to \$60,000 if the hotel construction is delayed. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0126 A bill for an ordinance approving a proposed Pre-Opening Services Agreement between the City and County of Denver and Westin DIA Operator, LLC related to a hotel at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Pre-Opening Services Agreement between Westin DIA Operator, LLC and Denver International Airport to provide services during the pre-opening phase of the hotel construction process in the amount of \$150,000 for management fees, \$3,460,401 for pre-opening expenses, and a possible contingency of \$25,000. Services include hiring and training employees as well as installation, testing, and certification of hotel-specific systems. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0127 A bill for an ordinance approving a proposed Second Amendment to Aircraft Deicing System Maintenance, Operation and Management Services Agreement between the City and County of Denver and Inland Technologies International Limited for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Amends the Operation and Management Services Agreement with Inland Technologies International Limited for aircraft deicing system maintenance services (CE 45008-2). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0128 A bill for an ordinance approving a proposed Second Amendatory Airport Use and Facilities Lease Agreement between the City and County of Denver and Great Lakes Aviation, LTD., concerning a lease at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a one-year term extension through December 31, 2011 and a space change between Great Lakes Aviation LTD and the City (AR 49008-2). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

General Government & Finance

CB11-0104 A bill for an ordinance establishing an "Energy Conservation Capital Projects" fund in the Grant/Other Capital Projects Fund and the means for authorizing expenditures therefor. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Creates a capital grant fund to accept and expend revenue associated with energy conservation projects in City buildings. The Committee approved filing this bill by consent on 2-24-11.

CB11-0116 A bill for an ordinance creating a Fund Number in the Grant/Other Capital Projects Fund for the "Lowry Economic Redevelopment Authority (LRA) Supplemental Funding" project, and the funding therefor. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Creates a capital grant fund and appropriates funding in the amount of \$3,000,000 to accompany the 2010 Lowry Supplemental Project Funding Agreement for the Kelly Road Wetland System and the Yosemite Extension Open Space projects (agreement), as approved by City Council in January 2011 (XC04052). The Committee approved filing this bill by consent on 2-24-11.

Land Use, Transportation & Infrastructure

CB11-0101 A bill for an ordinance approving an amendatory on call agreement between Diamond Hills Services, Inc. and the City & County of Denver that will provide general construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Increases the maximum work order amount in the on-call contract with Diamond Hills Services from \$75,000 to \$150,000 with no change in the term of 6-1-09 to 5-31-13 or the maximum contract amount of \$1.5 million. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0110 A bill for an ordinance approving an agreement between Silva Construction, Inc. and the City & County of Denver for 2011 Citywide Curb Ramp And Concrete Repair, Phase I. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$702,576 contract with Silva Construction for 2011 Citywide Curb Ramp & Concrete Repairs, part of the annual work programs for Public Works. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0111 A bill for an ordinance approving an agreement between Fasick Concrete, Inc. and the City & County of Denver for a 2011 Citywide Curb, Gutter and Concrete Repair Project, Phase 2. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$1,016,111.35 construction contract with Fasick Concrete for the 2011 Citywide Curb, Gutter, Concrete, and Crossspan Repairs program. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0112 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 State Board of the Great Outdoors Colorado Trust Fund concerning the "River North Greenway Land Acquisition" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a grant agreement with Great Outdoors Colorado (GOCO) for up to \$1 million for acquisition of a 2.1-acre parcel in the River North area for a park, implementing part of the River North Greenway Master Plan. The Committee approved filing this bill at its meeting on 2-22-11.

CB11-0113 A bill for an ordinance making rescissions and appropriations within the Winter Parks and Recreation Capital Fund and the State Conservation Projects Trust Fund. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Rescinds \$420,000 from the Cranmer Park Sundial Plaza Restoration project in Council District 5 and reappropriates this amount to the River North Greenway Land Acquisition in Council District 9, to be restored to Cranmer Park in 2012. The Committee approved filing this bill at its meeting on 2-22-11.

CB11-0114 A bill for an ordinance approving a Disposition Agreement with The Trust for Public Land (TPL) for the transfer of property located at 3400 Arkins Court from TPL to the City of Denver. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a Disposition Agreement with the Trust for Public Land (TPL) for the transfer of property from TPL to Denver for the River North Park Acquisition. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-22-11.

CB11-0115 A bill for an ordinance approving a Lease Agreement with Interstate Shippers Service, Inc., as part of the land acquisition of 3400 Arkins Court. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a lease agreement between the City and Interstate Shippers Service to lease the building back to ISS, the current occupant, for up to one year to allow for relocation of the business after the City acquires the property as part of Denver's River North park land acquisition. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-22-11.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

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.

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.

Adjourn