

## City Council of Friday, December 06, 2013

# 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 B. Young..... Director  
Kelly Velez..... Clerk

Room 451  
City & County Building  
Denver CO 80202

Phone: 720-337-2000  
Email: [dencc@denvergov.org](mailto:dencc@denvergov.org)

### \*\*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 720-337-2000.

### 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: Friday, December 06, 2013 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

## **Bills for Introduction**

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

**CB13-0886 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and West Metro Fire Protection District to provide emergency medical services during events at Red Rocks Amphitheatre.**

Increases the contract with West Metro Fire Protection District by \$145,000 to \$635,000 for fire protection, emergency medical, rescue, and ambulance services when requested for events at Red Rocks Amphitheatre through the current contract expiring on April 30, 2014 (CE03034). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-27-13.

**CB13-0893 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Ricondo & Associates, Inc. related to on-call airside planning services at Denver International Airport.**

Approves a three-year, \$1,000,000 contract with Ricondo and Associates for on-call professional aviation related planning studies and analysis for Denver International Airport (201310079). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-27-13.

**CB13-0894 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and DHL Express (USA), Inc. related to leased space at Denver International Airport.**

Amends the existing airport use and cargo support facilities lease agreement between Denver International Airport and DHL Express (USA) to change the aircraft parking position in one of the ramp areas (PLANE -AC2X022-04). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-27-13.

**Government & Finance**

**CB13-0815 A bill for an ordinance approving a Fifth Amendatory Agreement between Health Systems International, LLC f/k/a IMED, LLC and the City and County of Denver.**

Approves a one-year, \$650,000 contract with Health Systems International for pharmacy benefit management services for the Denver workers' compensation program through December 31, 2014 (CE05007). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-7-13.

**CB13-0831 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Woolpert, Inc., to extend the term.**

Approves a one-year, no-cost extension of the contract with Woolpert, Inc. for on-call professional services (201102807-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-7-13.

**CB13-0839 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and PMAM Corporation, to increase the maximum contract amount.**

Amends the Department of Excise and Licenses Alarm Management contract to increase the payment cap by \$204,000 to allow payments to be made through the end of the contract period (CE05013-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-14-13.

**CB13-0849 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and DLT Solutions, LLC, to extend the term and include other contract language.**

Extends through May. 31, 2014 the contract with DLT Solutions, LLC for maintenance on Oracle Global Customer Support (GCSTECHS-CE95019-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-14-13.

**CB13-0853 A bill for an ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Tyler Technologies, Inc., to extend the term and to increase the compensation.**

Adds three years and \$1,611,693.20 to the contract with Tyler Technologies for maintenance and support for the Assessor and Treasurer systems (CE62074). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-14-13.

**CB13-0863 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Chandler Asset Management, to extend the term and increase the maximum contract amount.**

Adds \$280,000 and one year to the contract with Chandler Asset Management, bringing the total contract from July 28, 2009 through December 31, 2014, and to a new total of \$1,420,000, to maintain advisory and investment management services (CE90484). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-14-13.

**CB13-0891 A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund.**

Appropriates \$10,408,789.88 for the 2014 Self-Insured Dental Fund with the City paying 68% (\$7,089,065.14) and employees 32% (\$3,319,724.74) of the total. The Committee approved filing this bill by consent on 11-27-13.

**CB13-0892 A bill for an ordinance authorizing expenditures in the Employees Voluntary Salary Redirection Plan Special Trust Fund for Uninsured Medical Expense, Dependent Care Expense, and Qualified Parking Expense.**

Approves \$6,517,713.48 in spending authority for the 2014 Flexible Spending programs for city employees including Dependent Care (\$1,204,516.80), Qualified Parking (\$183,400.80), and Health Savings Account programs (\$5,129,795.88). The Committee approved filing this bill by consent on 11-27-13.

**Health, Safety, Education & Services**

**CB13-0889 A bill for an ordinance approving a Second Amendatory Agreement with Integral Recoveries, Inc., to assist Denver County Court with the collection of delinquent court-ordered fines, costs, and fees.**

Amends the contract with Integral Recoveries, Inc. to add \$830,000 for a total contract amount of \$2,080,000 for the purpose of collecting delinquent fines and fees for the County Court (2012-04950-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-28-13.

**CB13-0890 A bill for an ordinance approving an agreement with Court Child Care Center d/b/a Denver Warm Welcome Court Child Care Center**

**for the lease of premises and provision of child care services for persons appearing in Denver County Court.**

Approves a 5-year contract with the Court Child Care Center, doing business as Denver Warm Welcome Court Child Care Center, for a total contract of \$1,080,492.88 for lease of premises and provision of child care services for the Denver County Court (201312192-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-28-13.

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

**CB13-0802 A bill for an ordinance approving an Intergovernmental Agreement with the Regional Transportation District for the North Metro Rail Line Project.**

Approves an Intergovernmental Agreement with the Regional Transportation District regarding construction of the segment of the North Metro Corridor commuter rail between Denver Union Station and York St. in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill at its meeting on 11-26-13.

**CB13-0901 A bill for an ordinance revoking the Major Encumbrance Permit granted by Ordinance No. 92, Series of 2003, to Regional Transportation District.**

Revokes Ordinance #92, Series of 2003, granting a revocable permit to the Regional Transportation District to encroach into the public right-of-way with various improvements north of 16th Street west of Wynkoop since all encroachments have been removed from the area for redevelopment in Council District 9. The Committee approved filing this bill by consent on 11-27-13.

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

### **Pre-Recess Announcement**

**Council will hold a required public hearing on CB13-0735, amending various provisions of the Denver Zoning Code for the growing of marijuana as well as allowing enclosed plant husbandry uses in the I-A zone district within 500 feet of a residential zone district; and a required public hearing on CB13-0757, changing the zoning classification for 8822 Beekman Place also known as 4936 Verbena Street. Anyone wishing to speak on either matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.**

### **Recess**

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

## **Public Hearings - Bills for Final Consideration**

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

**CB13-0735 A bill for an ordinance amending the Denver Zoning Code to amend various provisions for the growing of marijuana as well as allowing enclosed plant husbandry uses in the I-A zone district within 500 feet of a residential zone district.**

Amends the code to delete "medical" in references to marijuana and limit the number of home-grown plants to 12. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 10-15-13.

**CB13-0757 A bill for an ordinance changing the zoning classification for 8822 Beekman Place a/k/a 4936 Verbena Street.**

Approves changes to the zoning classification from M-RX-5 (Master Planned context, Residential Mixed Use, 5 stories) to M-MX-5 (Master Planned context, Mixed Use, 5 stories) of property located at 8822 Beekman Place (also known as 4936 Verbena Street) in Council District 11. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 10-29-13.

## **Bills for Final Consideration**

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

**CB13-0825 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and HR Resourcing, LLC, for payroll services concerning adult and youth employment and training programs.**

Approves a four-year, \$5,000,000 contract with HR Resourcing, LLC for comprehensive payroll services and administrative support for the Office of Economic Development (OED) Workforce Development programs (OEDEV-2013 13723-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill at its meeting on 11-6-13.

### **Government & Finance**

**CB13-0816 A bill for an ordinance approving the Fourth Amendatory Agreement between CorVel Healthcare Corporation and the City & County of Denver.**

Approves a one-year, \$600,000 contract with CorVel Corporation for bill review and re-pricing services for the City's workers' compensation program (CE06002). The last regularly scheduled Council meeting within the 30-day review period is on 12-

23-13. The Committee approved filing this bill by consent on 11-7-13.

**CB13-0834 A bill for an ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Kone, Inc., to extend the term and increase the compensation.**

Adds \$15,000 and extends for three months the contract with Kone, Inc. for elevator maintenance for city buildings to provide service while a new long-term contract is completed (PC94002). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-14-13.

**CB13-0854 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Qwest Communications Company, LLC d/b/a Centurylink QCC, to extend the term, increase the compensation, update the scope of services and fees for services and update other contract language.**

Adds two years and \$380,160 to the contract with Qwest Communications Company, LLC for internet data services for a total contract of \$13,158,160 (CE95035-2). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-14-13.

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

**CB13-0501 A bill for an ordinance to amend Chapter 48 (Solid Waste) of the Revised Municipal Code to add an Article IX (Disposable Bag Fees) and to make a corresponding amendment to Chapter 24.**

Amends Chapter 48 (Solid Waste) of the Revised Municipal Code to add a disposable bag fee in the amount of five cents (\$0.05) at the time of purchase from a food store that meets the following thresholds: is 1500 square feet or larger, located within Denver city limits in a permanent building, operating year round, is a full-line, self-service market, and which receives more than 2% of its revenue from sales of staple foodstuffs, meats, produce, dairy products, or other perishable items. A food store may retain two cents (\$0.02) of each five cent (\$0.05) disposable bag fee collected to be used by the food store to defray the costs of implementation of the disposable bag fee program and the remaining three cents (\$0.03) will be remitted to the City to mitigate the impact of disposable bags in Denver. The Committee approved filing this bill at its meeting on 8-20-13.

**CB13-0871 A bill for an ordinance amending Chapter 18 of the Revised Municipal Code to establish the 2013 and 2014 salaries and benefits of the Undersheriff, Deputy Sheriff Division Chiefs and Deputy Sheriff Majors.**

Amends Chapter 18 of the Denver Revised Municipal Code (DRMC) to establish the 2013 and 2014 salary and fringe benefits of the command staff for the Sheriff Department. The Collective Bargaining Agreement instituted a 0% pay increase in 2013 and a 2% increase in 2014. Section 18-114 of the DRMC is also amended for acting pay. The Committee approved filing this bill by consent on 11-21-13.

**CB13-0872 A bill for an ordinance amending Chapter 22 of the Revised Municipal Code to establish the 2013, 2014 and 2015 salaries and fringe benefits of the Fire Chief, Deputy Chief and Division Chiefs.**

Amends Chapter 22 of the Denver Revised Municipal Code to establish the 2013, 2014, and 2015 salary and fringe benefits of the command staff for the Fire Department. The Collective Bargaining Agreement instituted a 0% pay increase in 2013 and a 1% pay increase for both 2014 and 2015. Additionally, obsolete language relating to lag pay is deleted and the contribution to the Post Employment Health Plan is reduced from 1% to 0.5% in 2013 and 2014, returning to a 1% contribution in 2015. The Committee approved filing this bill by consent on 11-21-13.

**CB13-0873 A bill for an ordinance amending Chapter 42 of the Revised Municipal Code to establish the 2013 and 2014 salaries of the Police Chief, Deputy Chiefs, Division Chiefs and Commanders.**

Amends Chapter 42 of the Denver Revised Municipal Code to establish the 2013 and 2014 salary and fringe benefits of the command staff for the Police Department. The Collective Bargaining Agreement instituted a 0% pay increase in 2013 and a 1% in 2014. Additionally, obsolete language relating to lag pay is deleted. The Committee approved filing this bill by consent on 11-21-13.

**CB13-0874 A bill for an ordinance approving an Amended and Restated Intergovernmental Agreement to provide fire protection services to the City of Sheridan.**

Approves an Intergovernmental Agreement/Lease to provide fire protection services to the City of Sheridan through December 31, 2014 for \$1,898,800 in annual revenue (FIRES201208809-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-21-13.

**Land Use, Transportation & Infrastructure**

**CB13-0848 A bill for an ordinance approving a Second Amendatory On-Call Agreement between CH2M Hill, Inc. and the City & County of Denver for the Better Denver Bond Program.**

Approves a second amendment to the on-call agreement with CH2M Hill to extend the term by two years through June 30, 2016, and to increase the capacity by \$4,645,000, for a new total of \$12,433,399, in order to provide continuing program and project management services in support of the Better Denver Bond Program (OC85035-2). The last regularly scheduled Council meeting within the 30-day review period is on 12-23-13. The Committee approved filing this bill by consent on 11-14-13.

**Special Issues: Amendment 64**



**CB13-0736 AS AMENDED, a bill for an ordinance concerning the public display and consumption of marijuana.**

Adopts regulations regarding open and public possession, consumption, and display of marijuana. Amended 11-25-13 to make it illegal to consume marijuana on private residential property if observable from a public street, highway or sidewalk; and 2) on private non-residential property if observable from a public place.

Deletes the entire subsection allowing for outdoor consumption of marijuana on private residential property by homeowners and tenants and their guests.

Amended 12-02-13 to make it legal to consume marijuana "publicly" on private residential property by the owner or renter of the property or by anyone with permission by the owner or renter. This amendment negates the amendment to CB13-0736 approved on 11-25-13, restoring the original language of the bill as filed. The Committee approved filing this bill at its meeting on 11-12-13.

**Adjourn**