

## City Council of Tuesday, March 27, 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: Tuesday, March 27, 2012 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, March 19, 2012**

## **Council Announcements**

## **Presentations**

## **Communications**

**A letter dated March 20, 2012 from Cary Kennedy, Chief Financial Officer, to notify you that in accordance with Denver Revised Municipal Code Section 53-23(2), I am proposing revisions to the existing "Rules Governing Hearings before the Manager of Finance."**

## **Proclamations**

**CP12-0245 A proclamation honoring the 2012 NCAA Women's Final Four National Collegiate Basketball Championship in Denver, Colorado March 30 – April 3, 2012.**

**Councilmembers Brown, Brooks, Montero, Ortega, Susman, López, Kniech, Faatz, and Herndon.**

## **Resolutions**

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

**CR12-0177 A resolution approving the Mayor's reappointments to the Denver Commission on Cultural Affairs. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves the Mayoral reappointments of Gwinavere Johnston, Gillian Silverman and Kent Talmage-Bowers to the Denver Commission on Cultural Affairs for terms effective immediately and expiring on August 31, 2012. The Committee approved filing this resolution by consent on 3-15-12.

### **Government & Finance**

**CR12-0207 A resolution amending Rule 11 of the Denver City Council Rules of Procedure in regard to the permissible uses of City Council special revenue funds. (GOVERNMENT & FINANCE)**

Expands the use of City Council offices' special revenue funds for certain travel, travel expenses, and salaries for temporary employees as specified. The Committee approved filing this resolution by consent on 3-22-12.

**Health, Safety, Education & Services**

**CR12-0178 A resolution approving the Mayor's appointment to the Denver Latino Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the Mayoral appointment of Yolanda Ortega to the Denver Latino Commission for a term effective immediately and expiring on June 1, 2013 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 3-15-12.

**Land Use, Transportation & Infrastructure**

**CR12-0181 A resolution granting a revocable permit to Denver Bike Sharing to encroach into the right-of-way with bicycle docking stations at 745 E. 6th Avenue, 1301 Speer Boulevard, 1405 Race Street, 1509 17th Street, 2701 17th Street and 3401 N. Zuni Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to Denver Bike Sharing to encroach into the public right-of-way with bicycle docking stations at 745 E. 6th Ave, 1301 Speer Blvd., 1405 Race, 1509 17th St., 2701 17th St. and 3401 N. Zuni in Council Districts 10 and 9. The Committee approved filing this resolution by consent on 3-15-12.

**CR12-0182 A resolution granting a revocable permit to the University of Denver to encroach into the right-of-way with new fiber optic lines in the alley between York Street and Jewell Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to DU to encroach with new fiber optic lines in the alley southwest of York and Jewell in Council District 7. The Committee approved filing this resolution by consent on 3-15-12.

**CR12-0183 A resolution granting a revocable permit to Boris Klein to encroach into the right-of-way with planters and an ADA ramp at 419 W. 13th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to Boris Klein to encroach into the public right-of-way with planters and an ADA ramp at 419 W. 13th Av. in Council District 10. The Committee approved filing this resolution by consent on 3-15-12.

**Bills for Introduction**

## **Business, Workforce & Sustainability**

### **CB12-0167 A bill for an ordinance approving a proposed First Amendatory Loan Agreement between the City and County of Denver and Housing Authority of the City and County of Denver to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends the City's loan agreement with Denver Housing Authority to assure compliance with the Housing and Community Development Act of 1980 and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act) and to clarify indemnification provisions. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. The Committee approved filing this bill at its meeting on 3-14-12.

### **CB12-0168 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Urban Renewal Authority to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends an existing contract with Denver Urban Renewal Authority to improve permanent residential owner-occupied housing to assure compliance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. The Committee approved filing this bill at its meeting on 3-14-12.

### **CB12-0187 A bill for an ordinance approving a proposed Revival and Second Amendment to Agreement between the City and County of Denver and Passur Aerospace Inc. (f/k/a Megadata Corporation) related to maintenance and support services software related to landing fees at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Adds \$443,000 and five years to the contract with Megadata subscription services for maintenance and support services software related to landing fees. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. This bill was approved for filing by consent on 3-15-12.

### **CB12-0188 A bill for an ordinance approving a proposed Other Transaction Agreement between the City and County of Denver and Transportation Security Administration for upgrades to the Checked Baggage Inspection System at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a 100% reimbursement funding agreement with the Transportation Security Administration (TSA) supporting the upgrade of the checked baggage resolution areas in the Terminal and adjacent garages on level three. The last regularly scheduled meeting within the 30-day review period is on 4-16-12. This bill was approved for filing by consent on 3-15-12.

### **CB12-0190 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and**

**Denver Neighborhood Revitalization, Inc., to revise the scope of services of the Agreement to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends an existing contract with Denver Neighborhood Revitalization, Inc. (DNRI) to assure compliance with federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act) and revise the date to return program revenue. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. The Committee approved filing this bill at its meeting on 3-14-12.

**CB12-0191 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc., to revise the scope of services of the Agreement and to revise and clarify the contract language. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends an existing contract with Denver Neighborhood Revitalization, Inc. (DNRI) to: assure compliance with federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act); outline provisions prohibiting employment of illegal aliens; and revise the date for submitting American Recovery and Reinvestment Act (ARRA) Job Reports. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. The Committee approved filing this bill at its meeting on 3-14-12.

**CB12-0192 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Bayaud Payroll Services LLC, to provide comprehensive payroll services for youth with funds generated from various fund streams (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a ten month (5/1/12-3/1/13) \$590,000 contract for youth employment (youth wages & stipends) and training services with Bayaud Payroll Services through Bridges to Work, General Fund and Workforce Investment Act (WIA) programs. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. The Committee approved filing this bill by consent on 3-15-12.

**Government & Finance**

**CB12-0125 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and Year One Inc. dba Mile High Youth Corps, for its acquisition of a Community Center located at 6740 East Colfax Avenue. (GOVERNMENT & FINANCE)**

Approves the sale agreement with Year One, Inc for its acquisition of a Community Center located at 6740 East Colfax Avenue in Council District 5. The last regularly scheduled Council meeting within the 30-day period is on 4-16-12. The Committee approved filing this bill at its meeting on 2-29-12.

**CB12-0179 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 classification series for intern for the Department of Parks and Recreation. The Committee approved filing this bill by consent on 3-15-12.

**CB12-0193 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Unemployment Compensation Insurance budget. (GOVERNMENT & FINANCE)**

Approves a \$1,300,000 supplemental for the Unemployment Compensation Insurance account to reimburse the State of Colorado for unemployment benefits paid by the State to former General Fund employees and to pay for unanticipated extended benefits in the 2012 budget. This bill was approved for filing by consent on 3-15-12.

**Health, Safety, Education & Services**

**CB11-0877 A bill for an ordinance approving a proposed Amendatory 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, to extend the contract term, and increase the total amount of compensation to be paid. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves an amendment to the Denver Public Schools contract to extend the agreement through June 30, 2012 and to add funding for a total contract amount of \$1,662,965 that will help 302 Head Start children. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. The Committee approved filing this bill by consent on 12-1-11.

**Land Use, Transportation & Infrastructure**

**CB11-0729 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Regional Transportation District, to accept reimbursement for the FasTracks liaison position and extend the term. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the contract for RTD to reimburse the City for the FasTracks liaison position in Public Works, authorizing three additional reimbursement years, through Oct. 30, 2014, at \$125,000 annually. The last regularly scheduled Council meeting within the 30-day review period is on 4-16-12. The Committee approved filing this bill by consent on 10-13-11.

**CB12-0165 A bill for an ordinance amending the Denver Zoning Code to modify the standards for attached garages. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves Text Amendment No. 11 to the Denver Zoning Code to better utilize the context-based approach and other tools in the code to refine and provide flexibility in the design of attached garages consistent with the intent of the current design standard. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER

PUBLICATION. The Committee approved filing this bill at its meeting on 3-6-12.

**CB12-0194 A bill for an ordinance changing the zoning classification for 3198 Blake Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Changes the zoning from C-MU-10 with waivers (commercial mixed-use, lower density, from Former Chapter 59) to C-MX-5 (urban center context, mixed-use, 1-5 stories) to allow for redevelopment more consistent with the neighborhood context for property at 3198 Blake in Council District 9. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 3-13-12.

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

### **Pre-Recess Announcement**

**Tonight there will be a public hearing on CB12-0107 approving the Tamarac Square South Urban Redevelopment Plan. Anyone wishing to speak on this 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**

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

	<p><b>CB12-0107 A bill for an ordinance approving the Tamarac Square South Urban Redevelopment Plan. (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE) Approves the Tamarac Square South Urban Redevelopment Plan authorizing the creation of an Urban Redevelopment Area and the use of sales tax increment financing for redevelopment at Hampden and Tamarac in Council District 4. A PUBLIC HEARING WILL BE HELD ON MARCH 27, 2012. The Committee approved filing this bill at its meeting on 3-6-12.</b></p>
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## **Bills for Final Consideration**

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

**CB12-0169 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Dataman USA,**

**LLC related to on-call technology systems support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Adds \$300,000 to the agreement with Dataman USA for additional on-call technologies systems support for the airport. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 3-8-12.

**CB12-0170 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Insight Global, Inc. related to on-call technology systems support services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Adds \$300,000 to the agreement with Insight Global, Inc. for additional on-call technologies systems support for the airport. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 3-8-12.

**Government & Finance**

**CB12-0147 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Office Max, Inc. (GOVERNMENT & FINANCE)**

Approves a \$2 million up to four-year master purchase order with OfficeMax for access to Greenprint-approved copy paper containing 30% recycled content for all City agencies. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 3-1-12.

**Health, Safety, Education & Services**

**CB12-0019 A bill for an ordinance approving a proposed Fourth Amendatory Agreement by and between the City and County of Denver and The Learning Source. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves an amendment to the Learning Source contract to extend the term for two years through December 31, 2013 with options for three (3) additional one year annual extensions for a contract cost of \$396,380 to provide GED classes to the Denver County Jail and Downtown Detention Center inmates. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 1-5-12.

**CB12-0173 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Populus, LLC to procure energy efficiency program support. (HEALTH SAFETY EDUCATION AND SERVICES)**

Approves a contract with Populus, LLC, in the amount of \$971,442 to provide customer support, data management, work flow management, energy advising, energy advisor training, and other project management services for the Denver Energy Challenge (201204731-00). The last regularly scheduled Council meeting



within the 30-day review period is on 4-9-12. The Committee approved filing this bill at its meeting on 3-6-12.

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

**CB12-0067 A bill for an ordinance approving an amendatory agreement between Deighton Associates Limited and the City & County of Denver for technical services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the contract with Deighton Associates Limited to extend it for the second year of the four-year term and increase the amount by \$149,990 to a maximum of \$603,402 for technical services to include pavement/asset management for the City's street, alley and bridge network. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 1-26-12.

**CB12-0087 A bill for an ordinance approving an agreement between Keene Concrete and the City & County of Denver for construction of the Inca Street Bike/Pedestrian Bridge Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 273-day, \$814,897.24 contract with Keene Concrete for construction of the Inca Street bike/pedestrian bridge over the 38th Avenue underpass for connectivity to the future 41st and Fox Street Light Rail Station in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 2-2-12.

**CB12-0108 A bill for an ordinance approving the Tamarac Square South Urban Redevelopment Area Cooperation Agreement between the City and County of Denver and the Denver Urban Renewal Authority. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a Cooperation Agreement between the City and Denver Urban Renewal Authority for the Tamarac Square South Urban Redevelopment Area to establish, among other matters, the parameters for tax increment financing with sales tax increment for redevelopment at Hampden and Tamarac in Council District 4. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill at its meeting on 3-6-12.

**CB12-0154 A bill for an ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Republic Parking System, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Extends through August 31, 2012 the management services contract with Republic Parking for operation of four City-owned parking lots for \$250,000 in additional revenue. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 3-1-12.

**CB12-0164 A bill for an ordinance approving a proposed First Amendatory Agreement to Intergovernmental Agreement (Denver-RTD FasTracks East Corridor) and Intergovernmental Agreement for FasTracks East**

**Corridor/Denver International Airport between the City and County of Denver and the Regional Transportation District. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends Intergovernmental Agreements with RTD and with DIA regarding East Corridor improvements, specifically drainage improvements, grade-separated crossings at Tower Road and Green Valley Ranch Blvd., and one additional mile of double track with infrastructure to enable future double tracking and stations. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill at its meeting on 2-28-12.

**CB12-0174 A bill for an ordinance relinquishing an easement near Holly Place and S. Locust Street, reserved in established in Book 543, Page 458. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Relinquishes certain easements established in 1972 and recorded in Book 543, Page 458, for redevelopment near Holly Place and S. Locust in Council District 4. The Committee approved filing this bill by consent on 3-8-12.

**CB12-0175 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 9th Avenue - Lincoln to Ogden - Pavement Rehabilitation project from LaFarge to Martin Marietta Materials Inc. due to a change in the contractors' relationship. The last regularly scheduled Council meeting within the 30-day review period is on 4-9-12. The Committee approved filing this bill by consent on 3-8-12.

**CB12-0176 A bill for an ordinance approving a First Amendment to Intergovernmental Agreement between the City and County of Denver, City of Aurora and Park Creek Metropolitan District relating to drainage and roadway connections at Stapleton. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the Intergovernmental Agreement with Aurora and Park Creek Metro District which provides for the funding and construction of roadway connections between Aurora and Stapleton to change the completion dates, which were delayed by unforeseen environmental issues, in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is 4-9-12. The Committee approved filing this bill by consent on 3-8-12.

## **Announcement**

**Dependent upon publication there will be a public hearing on CB12-0165 amending the Denver Zoning Code to modify the standards for attached garages and CB12-0194 changing the zoning classification for 3198 Blake Street on Monday, April 23, 2012. Any protests against CB12-0194 must be filed with the Council Offices no later than Monday, April 16, 2012.**

## **Adjourn**

## Pending

**CB12-0081 A bill for an ordinance changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit Development District General (PUD-G).**

Bills Pending 4/2/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CB12-0081	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit Development District General (PUD-G).	2/7/2012 2/14/2012 3/5/2012	YES