

City Council of Monday, April 01, 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

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WEB ACCESS

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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

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived web cast at <http://www.denvergov.org/citycouncil>. DVD recordings of meetings are available at the Central Library or at the Clerk and Recorder's Office.

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 01, 2013 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP13-0220 A proclamation declaring April as Child Abuse Prevention Month.

Councilmembers Brooks, Montero, Susman, Brown, Faatz, Robb, Herndon, Ortega, López, and Lehmann.

Resolutions

Business, Workforce & Sustainability

CR13-0172 A resolution approving the Mayor's reappointment and appointment to the Denver Convention Center Hotel Authority.

Approves the Mayoral reappointment of Jaren Ducker and the appointment of Nick LeMasters to the Denver Convention Center Hotel Authority for terms effective immediately and expiring December 31, 2015. The Committee approved filing this bill by consent on 3-21-13.

Health, Safety, Education & Services

CR13-0186 A resolution approving the re-appointment of Matthew Spengler and Neal G. Berlin to the Civil Service Commission.

Re-appoints Matthew Spengler as the joint representative of the Mayor and City Council and re-appoints Neal G. Berlin as the City Council representative to the Civil Service Commission Board for terms ending December 31, 2015. The Committee approved filing this resolution by consent on 3-21-13.

Bills for Introduction

Business, Workforce & Sustainability

CB13-0175 A bill for an ordinance approving a proposed Concession Agreement between the City and County of Denver and Public Service Employees Credit Union, d/b/a Public Service Credit Union, concerning Concessionaire's branch location at Denver International Airport.

Approves a three-year \$225,000 agreement with the Public Service Credit Union to upgrade the branch location on Level 6 West of the Jeppesen Terminal at Denver International Airport as part of the concession terminal stabilization program, and to pay \$18,000 in rent annually (PLANE-201207893-00).

CB13-0176 A bill for an ordinance approving a proposed Concession Agreement between the City and County of Denver and Public Service Employees Credit Union, d/b/a Public Service Credit Union, concerning ATMs operated by Concessionaire at Denver International Airport.

Approves a three-year \$273,452 agreement with the Public Service Credit Union to upgrade at least one ATM in each of the concourses and terminal with the latest Americans with Disabilities Act (ADA) technology as part of the concession terminal stabilization program at Denver International Airport, and to pay \$400,000 in rent over the period (PLANE – 201207902-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

CB13-0177 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Millstone Bangert, Inc. for Runway 17R-35L Complex Pavement Rehabilitation at Denver International Airport.

Approves a \$34,377,506 contract with Millstone Bangert, Inc., for the Runway 17R-35L Complex Pavement Rehabilitation Project at Denver International Airport (DIA) (201208806). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill at its meeting on 3-20-13.

CB13-0178 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Colorado Health Network, Inc. d/b/a Colorado AIDS Project, to provide funds for services to low income households affected by HIV/AIDS.

Approves a one-year \$1,462,523 Housing Opportunities for Persons with AIDS (HOPWA) grant with Colorado Health Network, Inc. (Colorado Aids Project) for services to low income households affected by HIV/AIDS. The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

Health, Safety, Education & Services

CB13-0083 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and Motorola Solutions, Inc., to provide telecommunications equipment and installation for Evergreen Fire Rescue.

Approves a contract with Motorola Solutions Inc. in the amount of \$543,742 to provide telecommunications equipment and installation for Evergreen Fire Rescue as a project in the FY10 and FY11 Urban Area Security initiative grants. The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 2-7-13.

CB13-0174 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and AARP FOUNDATION to provide financial education, programs and services to underserved and low-income individuals.

Approves a contract with the American Association for Retired Persons (AARP) Foundation to authorize a License for Site Use with Denver Human Services (DHS) to help low- to moderate-income taxpayers with tax services for a fee of \$10 to ensure they receive all applicable tax credits and deductions (SOCSV-2013-10080). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

Land Use, Transportation & Infrastructure

CB13-0119 A bill for an ordinance approving an On-Call General Engineering Services Agreement between the City and County of Denver and Tsiouvaras Simmons Holderness, Inc.

Approves an on-call general engineering services agreement with Tsiouvaras Simmons Holderness not to exceed \$1,000,000 a year for three years. The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 2-21-13.

CB13-0155 A bill for an ordinance changing the zoning classification of the northeast corner of East 1st Avenue and Fillmore Place.

Changes the zoning classification by amending Planned Unit Development (PUD) #617 at 1st Ave. and Fillmore in Council District 10. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 3-19-13.

CB13-0173 A bill for an ordinance changing the zoning classification for 1172-1178 Mariposa Street and 1120-1122 West 12th Avenue.

Changes the zoning classification from U-TU-B (Urban Neighborhood Context, 2-unit, min. 4500 sq. ft. lots) to U-MX-2x (Urban Neighborhood Context, Mixed Use, max. 2 story, limited scale) of the property at 1172-1178 Mariposa and 1120-1122 West 12th Ave. in Council District 9. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 3-19-13.

CB13-0179 A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and the Great Outdoors Colorado (GOCO), concerning the "River Vision Implementation Plan-GOCO" project and the funding therefor.

Approves a grant agreement with Great Outdoors Colorado, establishes a capital grant fund and appropriates the \$4,600,000 grant funding for development/redevelopment of Vanderbilt/Johnson-Habitat Parks, Grant Frontier/Overland Parks and portions of the South Platte Regional Trail in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

CB13-0180 A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and The Greenway Foundation, concerning the "River Vision Implementation Plan-TGF" project and the funding therefor.

Approves a grant agreement with The Greenway Foundation, establishes a capital grant fund and appropriates the \$2,022,750 grant funding for design and construction of the South Platte River Vision Implementation Plan - Phase 1, including improvements to the South Platte River, Grant Frontier/Overland and Vanderbilt/Johnson-Habitat parks from West Iliff Avenue north to West Alameda Ave. in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

CB13-0181 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Urban Drainage and Flood Control District, concerning the "River Vision Implementation Plan-UDFCD" project and the funding therefor.

Amends the intergovernmental agreement with Urban Drainage and Flood Control District to increase funding from \$350,000 to \$1,250,000 and appropriates the grant funding for design, acquisition, and construction of drainage and flood control improvements for South Platte River Vision – Phase 1, West Harvard Avenue to West Alameda Avenue in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

CB13-0182 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Hallmark, Inc. for on-call structural and safety repair projects.

Executes on-call structural and safety repairs contract with Hallmark, Inc., for \$678,369 for repair and rehabilitation work for various locations involving bridges, culverts, walls, etc. throughout the City and County of Denver (201309355). The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

CB13-0183 A bill for an ordinance approving the Peoria Project Agreement between Regional Transportation District, the City of Aurora and the City and County of Denver for the Peoria Street Grade Separation Crossing Project.

Approves the second intergovernmental agreement among Denver, Aurora, and the Regional Transportation District involving many facets of funding and timing of various steps in the Peoria Street Grade Separation project over Smith Road in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 4-22-13. The Committee approved filing this bill by consent on 3-21-13.

CB13-0187 A bill for an ordinance designating 2070 Colorado Boulevard, the Dr. Margaret Long House, as a structure for preservation.

Designates the 1908 Margaret Long House, 2070 Colorado Blvd., as a structure for preservation in Council District 8. A PUBLIC HEARING WILL BE HELD AT LEAST ONE WEEK AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 3-19-13.

CB13-0188 A bill for an ordinance changing the zoning classification for 13000 East Albrook Drive.

Changes the zoning classification from B-4 with waivers (Former Chapter 59 high density business/residential), UO-1 and UO-2 (Overlay districts allowing adult uses and billboards, respectively) to S-MX-2 (Suburban Context, Mixed Use, max. 2 stories) of 13000 E. Albrook in Council District 11 (2012I-00047). A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 3-19-13.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a one-hour courtesy public hearing on CB13-0171 approving a proposed Contract to Exchange Property between the City and County of Denver and School District No. 1 in the City and County of Denver and State of Colorado ("DPS"), to exchange property which DPS owns located at 1330 Fox Street and land which the City owns approximately located at the intersection of East Girard Street and South Havana Street. 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

Public Hearings - Bills for Final Consideration

Government & Finance

CB13-0171 A bill for an ordinance approving a proposed Contract to Exchange Property between the City and County of Denver and School District No. 1 in the City and County of Denver and State of Colorado ("DPS"), to exchange property which DPS owns located at 1330 Fox Street and land which the City owns approximately located at the intersection of East Girard Street and South Havana Street.

Approves a contract to exchange property between the City and County of Denver (11.7 acres located at Girard Avenue and Havana Street sometimes called Hentzell Park) and Denver Public Schools (building at 1330 Fox) to facilitate the construction of a new elementary school in southeast Denver and a centralized domestic violence center to be operated by a non-profit. The last regularly scheduled Council meeting within the 30-day period is on 4-15-13. The Committee approved filing this bill at its meeting on 3-13-13.

Bills for Final Consideration

Business, Workforce & Sustainability

CB13-0133 A bill for an ordinance repealing and reenacting section 20-69, D.R.M.C., concerning disclosure of political contributions made by certain persons doing business with the city.

Streamlines the bidder disclosure ordinance by limiting applicability to political contributions made to current elected City officials and to contracts that are not competitively bid, requiring disclosure of certain charitable donations to the City, eliminating the current five-year time limit for disclosure, and deleting requirements to list underage children of enterprise principals. The Committee approved filing this bill at its meeting on 3-6-13.

CB13-0154 A bill for an ordinance approving a proposed Donation and Waiver Agreement between the City and County of Denver and Yvonne Domenge, providing for the donation of a work of art consisting of a carbon steel sculpture and related components.

Accepts Yvonne Domenge's donation of the sculpture "Coral Sphere" to the City and County of Denver by to be displayed at the McNichols Civic Center Building (201208618-00). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-13. The Committee approved filing this bill by consent on 3-14-13.

CB13-0157 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and ISS, Inc. for window washing services at Denver International Airport.

Approves a two-year, \$6,478,324 contract with ISS Facility Services for window cleaning services at the airport (201208293). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-13. The Committee approved filing this bill by consent on 3-14-13.

Government & Finance

CB13-0149 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and EZLinks Golf, Inc., for a golf scheduling system for Parks and Recreation.

Approves a 5-year contract with EZLinks Golf, Inc., for a modernized scheduling system for City of Denver golf courses in exchange for revenues from the sale of less popular tee times. The last regularly scheduled Council meeting within the 30-day review period is on 4-15-13. The Committee approved filing this bill at its meeting on 3-6-13.

CB13-0159 A bill for an ordinance approving the use of the pilot alternative property tax valuation protest and appeal procedure established in HB13-1113.

Establishes a pilot alternative property tax valuation protest and appeal procedure that streamlines the annual valuation dispute process into a single hearing and extends the deadline for filing protests. The Committee approved filing this bill at its meeting on 3-20-13.

Health, Safety, Education & Services

CB13-0125 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Populus, LLC to procure energy efficiency program support.

Amends the contract with Populus, LLC, to add American Recovery and Reinvestment Act (ARRA) grant funds in the amount of \$295,925 for a total contract amount of \$1,308,367 for services related to customer support, data management, work-flow management, energy advising, energy advisor training, and other project management support for the Denver Energy Challenge program (ENVHL-201204731). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-13. The Committee approved filing this bill by consent on 2-28-13.

CB13-0158 A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the United States of America concerning the "Ryan White Part A FY13" program and the funding therefor.

Accepts partial year funding in the amount of \$2,889,862 from Ryan White HIV/AIDS Treatment Extension Act to provide services to persons living with HIV/AIDS in the Denver metro area from the Health Resources & Services Administration (HRSA) (ENVHL-201310026-00). The last regularly scheduled

Council meeting within the 30-day review period is on 4-15-13. The Committee approved filing this bill by consent on 3-14-13.

Land Use, Transportation & Infrastructure

CB13-0129 A bill for an ordinance approving a Concession License with BC Evergreen LLC, for food and beverage concession at Evergreen Golf Course.

Approves a new concession agreement with BC Evergreen, LLC, for food and beverage service at Evergreen Golf Course, in the Denver Mountain Park system, following a competitive bid process, and providing for Golf Enterprise Fund compensation equal to 8% of gross sales with a guaranteed annual minimum payment of \$25,000 and requiring the concessionaire to perform and pay for a specific list of capital improvements, estimated at between \$100,000 and \$150,000, to the club house no later than December 31, 2014. The last regularly scheduled Council meeting within the 30-day review period is on 4-15-13. The Committee approved filing this bill by consent on 2-28-13.

CB13-0161 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Goodland Construction, Inc., for the Washington Park diagonal renovation.

Approves a \$778,990 contract with Goodland Construction, Inc., for reconfiguration of the diagonal road in Washington Park and related improvements, including drainage, sidewalks, landscaping, picnic site amenities and restoration of the historic masonry fireplace, in Council District 6 (201309398). The last regularly scheduled Council meeting within the 30-day review period is on 4-15-13. The Committee approved filing this bill by consent on 3-14-13.

CB13-0162 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Ruby Hill Park.

Designates Ruby Hill Park in Council District 7. The Committee approved filing this bill by consent on 3-14-13.

CB13-0163 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely the unnamed park located at 41st and Ensenada in Denver.

Designates unnamed 41st and Ensenada Park located at 4100 N. Ensenada in Council District 11. The Committee approved filing this bill by consent on 3-14-13.

CB13-0164 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely the First Creek Park Open Space located in Green Valley Ranch South in Denver.

Designates First Creek Open Space at E. 45th Avenue and Orleans Street in Council District 11. The Committee approved filing this bill by consent on 3-14-13.

CB13-0165 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely the unnamed park located at East 13th Ave. & Xenia Street in Denver.

Designates unnamed 13th and Xenia Park at 8800 E. 13th Avenue in Council District 5. The Committee approved filing this bill by consent on 3-14-13.

CB13-0166 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely the unnamed park located at 42nd and Lisbon in Denver.

Designates unnamed 42nd and Lisbon Park at 4000 N. Kirk Street in Council District 11. The Committee approved filing this bill by consent on 3-14-13.

CB13-0167 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Green Valley Ranch East Park.

Designates Green Valley Ranch East Park in Council District 11. The Committee approved filing this bill by consent on 3-14-13.

CB13-0168 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Green Valley Ranch West Park.

Designates Green Valley Ranch West Park in Council District 11. The Committee approved filing this bill by consent on 3-14-13.

CB13-0169 A bill for an ordinance designating certain property as a "park" under section 2.4.5 of the city charter which is to be incorporated into and known as Paul H. Hentzell Park.

Designates additional acreage to Hentzell Park in Council District 4. The Committee approved filing this bill by consent on 3-14-13.

CB13-0170 A bill for an ordinance designating certain property as "park" under section 2.4.5 of the city charter, namely Marrama Park.

Designates Marrama Park at 19300 E. 43rd Avenue in Council District 11. The Committee approved filing this bill by consent on 3-14-13.

Announcement

Dependent upon publication on Monday, April 8, 2013, Council will hold a required public hearing on CB13-0187, designating 2070 Colorado Boulevard, the Dr. Margaret Long House, as a structure for preservation. And, on Monday, April 29, 2013, Council will hold required public hearings on CB13-0155, changing the zoning classification of the northeast corner of East 1st Avenue and Fillmore Place, on CB13-0173, changing the zoning classification for 1172-1178 Mariposa Street and 1120-1122 West 12th Avenue, and on CB13-0188, changing the zoning classification for 13000 East Albrook Drive. Any protests against CB13-0155, CB13-0173, or CB13-0188 must be filed with the Council Offices no later than Monday, April 15, 2013.

Adjourn

Pending

For 4-15-13

CB13-0105 A bill for an ordinance changing the zoning classification for 100, 102, 114 and 128 Steele Street.

**Required Public Hearing
Final Consideration**

For 4-22-13

CB13-0104 A bill for an ordinance changing the zoning classifications to certain portions of dedicated City rights-of-way located generally adjacent to 61-81 South Garfield Street; 200, 234 and 280 Columbine Street and 2600 East 3rd Avenue; 360 South Monroe Street; and 3740, 3750, 3754 and 3758 York Street.

**Required Public Hearing
Final Consideration**

For 4-22-13

CB13-0137 A bill for an ordinance changing the zoning classification for 1410 – 1460 South Holly Street.

**Required Public Hearing
Final Consideration**

For 4-22-13

CB13-0156 A bill for an ordinance changing the zoning classification at approximately 16th Avenue between Fillmore Street and Milwaukee Street.

**Required Public Hearing
Final Consideration**