

City Council of Monday, July 09, 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..... Clerk

ROOM 451
CITY & COUNTY BUILDING
DENVER COLORADO
80202
PHONE: 720-337-2000
FAX: 720-865-9540
EMAIL: denc@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

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, July 09, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

**CP12-0485 A proclamation recognizing the "Brake for Bela" summer safe driving awareness campaign.
Sponsored by Councilmembers Shepherd, Ortega, Montero, López, Brooks, Lehmann, Robb, and Susman.**

**CP12-0523 A proclamation in honor of Tom Scott to recognize 36 years of dedicated service.
Sponsored by Councilmembers Faatz, Lehmann, Ortega, Brown, Herndon, López, and Robb.**

Resolutions

Health, Safety, Education & Services

CR12-0466 A resolution approving the Mayor's reappointments to the Denver Health & Hospital Authority Board.

Approves the Mayoral reappointments of Jim Crowe, Doug Jones, and Caroline "Caz" Matthews to the Denver Health & Hospital Authority Board for terms effective July 1, 2012 and expiring June 30, 2017, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 6-21-12.

CR12-0467 A resolution approving the Mayor's appointment to the Denver Commission on Aging.

Approves the Mayoral appointment of Barb Evans-Small to the Denver Commission on Aging for a term effective immediately and expiring August 31, 2013, or until a

successor is duly appointed. The Committee approved filing this resolution by consent on 6-21-12.

CR12-0500 A resolution approving the appointments of three arbitrators to the permanent panel of arbitrators created by City Council pursuant to Charter §§ 9.8.8(C) and 9.9.8(C).

Approves the appointments of John DiFalco, Harry MacLean, and Daniel Winograd to the Permanent Panel of Arbitrators Board for staggering terms as required by Charter 9.8.8, that City Council creates a permanent panel of arbitrators to resolve impasses in collective bargaining between the City and bargaining units of the Denver Police Department and Denver Sheriff's Department. The Committee approved filing this resolution by consent on 7-5-12.

Land Use, Transportation & Infrastructure

CR12-0471 A resolution to set a public hearing relating to the approval of the Ironworks Foundry Urban Redevelopment Plan for August 13, 2012.

Sets a public hearing before City Council on August 13, 2012, on the proposed Ironworks Foundry Urban Redevelopment Plan for 3350 Brighton in Council District 9. A PUBLIC HEARING WILL BE HELD ON AUGUST 13, 2012. The Committee approved filing this resolution by consent on 6-21-12.

CR12-0479 A resolution laying out, opening and establishing as part of the city street system parcels of land as W. Colfax Avenue at its intersection with Zenobia Street.

Dedicates a parcel as part of the public right-of-way of W. Colfax near its intersection Zenobia as part of site development for the Renaissance West End Flats in Council District 1. The Committee approved filing this resolution by consent on 6-21-12.

CR12-0480 A resolution granting a revocable permit to RedPeak Properties, to encroach into the right-of-way with various items at 18th Avenue and Pennsylvania Street.

Grants a revocable permit to RedPeak Properties to encroach into public right-of-way with various items, including foundation wall, concrete slab for a transformer, drains, stairs and handrail on Pennsylvania and on 18th Ave. for a residential development in Council District 8. The Committee approved filing this resolution by consent on 6-21-12.

CR12-0482 A resolution laying out, opening and establishing as part of the city street system parcels of land as a public alley near W. Colfax Avenue and Zenobia Street.

Dedicates a parcel as part of the public right-of way of the alley near W. Colfax and Zenobia as part of site development for Renaissance West End Flats in Council District 1. The Committee approved filing this resolution by consent on 6-21-12.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0490 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Neighborhood Development Collaborative, Inc., to modify the terms and conditions of the Loan Agreement.

Amends an existing \$3,079,153.00 contract with Neighborhood Development Collaborative, Inc. (NDCI) for federally funded services to acquire, rehabilitate and resell foreclosed, vacant, or abandoned properties and related activities under the Neighborhood Stabilization Program to assure compliance with federal requirements of Title IV of the 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 7-30-12. The Committee approved filing this bill by consent on 6-28-12.

CB12-0491 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Neighborhood Development Collaborative, Inc. to modify the terms and conditions of the Loan Agreement.

Amends an existing \$2,500,000.00 contract with Neighborhood Development Collaborative, Inc. (NDCI) for federally funded services to remediate the affects of foreclosures on individuals with incomes not exceeding 50% of area median income to comply with the federal requirements of Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act) and to revise the date for submitting ARRA Job Reports (GE0A045). The last regularly-scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill by consent on 6-28-12.

CB12-0492 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Neighborhood Development Collaborative, Inc., to modify the terms and conditions of the Loan Agreement.

Amends an existing \$2,481,520.00 contract with Neighborhood Development Collaborative, Inc. to provide for the return of program revenue held by the contractor on February 10, 2012 as well as revenues from the sale of National Stabilization Program properties after that date (GE94051). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill by consent on 6-28-12.

Government & Finance

CB12-0323 A bill for an ordinance approving a proposed Equipment Lease Purchase Agreement between the City and County of Denver and Sovereign Leasing, LLC, to Lease Purchase an Emergency Siren System made by

Federal Signal Corporation.

Approves a three-year \$1,661,362 lease purchase agreement with Sovereign Leasing with financing subject to annual appropriation at a maximum interest amount of 2.5% for purchase of an Emergency Siren System from Federal Signal Corporation. The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill by consent on 4-26-12.

CB12-0478 A bill for an ordinance approving a proposed Affiliate Participation Agreement between the City and County of Denver and Citibank, N.A., to provide PCard services along with provisions related to the payment of rebates.

Approves a seven-year contract with CitiBank for purchasing Credit Cards for city employees (bid with the State of Colorado) under which the City receives a higher rebate rate than the current provider, estimated at approximately \$250,000 annually (GENRL-201102746-00). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill by consent on 6-21-12.

CB12-0489 A bill for an ordinance creating a Fund Number in the Grant/Other Capital Projects Fund and creating a Fund Number in the Wastewater Storm Capital Improvement Fund and making appropriations for capital improvements related to the East Corridor Project.

Creates a new capital grant fund and a new wastewater capital fund to accept and appropriate \$10 million from the Series 2012C1-C3 Certificates of Participation proceeds for the purpose of funding capital improvements related to the East Corridor Project. The Committee approved filing this bill by consent on 6-28-12.

Health, Safety, Education & Services

CB12-0324 A bill for an ordinance approving a proposed no cost Agreement by and between the City and County of Denver and Federal Signal Corporation in conjunction with Sovereign Leasing LLC for a Warning Siren Replacement System.

Approves a no-cost contract for the Warning Siren Replacement System with Federal Signal Corporation to replace and upgrade the City's outdoor warning siren system, related to the financing of the warning siren equipment. The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill at its meeting on 5-8-12

CB12-0325 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and Federal Signal Corporation for the Capital Improvement Project to upgrade the City's outdoor warning siren system used to notify the public of tornadoes and other emergencies.

Approves a contract in the amount of \$611,577 for the Warning Siren Replacement System with Federal Signal Corporation to replace and upgrade the City's outdoor warning siren system that will be funded by the CIP, 911, and DIA funds. The last

regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill at its meeting on 5-8-12.

CB12-0348 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to correct budget line item.

Amends the Colorado Coalition for the Homeless contract to add an Administrative budget line item in the amount of \$30,600 that was omitted in the agreement. This amendment will not change the contract amount (CE01129(2)). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill by consent on 5-17-12.

Land Use, Transportation & Infrastructure

CB12-0383 A bill for an ordinance approving an amendatory agreement between Tsiouvaras Simmons Holderness and the City & County of Denver to provide design construction services.

Amends the design contract with Tsiouvaras Simmons Holderness to add \$187,765, for a new total of \$2,883,129, to add post-design construction support, such as testing, inspection, and field engineering, for S. Broadway reconstruction between Wesley and Iowa in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill by consent on 5-17-12.

CB12-0481 A bill for an ordinance approving an agreement between BT Construction, Inc. and the City & County of Denver for the 5th and Newport Storm Sewer Improvements Project.

Approves a \$1,262,711 contract with BT Construction for Storm Sewer improvements at 5th and Newport in Council District 5 (201205219). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. The Committee approved filing this bill by consent on 6-21-12.

CB12-0486 A bill for an ordinance approving the Cherry Creek Area Plan, which plan shall become a part of the Comprehensive Plan for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.

Adopts the Cherry Creek Area Plan as a supplement to the Denver Comprehensive Plan 2000. The Committee approved filing this bill at its meeting on 6-19-12.

CB12-0494 A bill for an ordinance approving a proposed Rooftop Lease and Solar Facility Lease Purchase Agreement between the City and County of Denver and Park Creek Metropolitan District, for the placement and operation of a solar collection and generating facility.

Approves a 20-year lease of a portion of the Central Park Recreation Center rooftop to the Park Creek Metro District for the placement and operation of a solar collection and generating facility, which is providing energy to the facility in Council District 11. The last regularly scheduled Council meeting within the 30-day review

period is on 7-30-12. Committee approved filing this bill by consent on 6-28-12.

CB12-0495 A bill for an ordinance relinquishing the easement established in the Permanent Easement recorded at Reception No. 2012017069.

Relinquishes an easement granted to the City for storm drainage facilities at the intersection of Little Raven and 20th Street in Council District 9. The last Council meeting within the 30-day review period is on 7-30. The Committee approved filing this bill by consent on 6-21-12.

CB12-0497 A bill for an ordinance vacating a portion 12th Street between Welton Street and Glenarm Street, with reservations.

Vacates, with reservation, a 0.087-acre (approximately 200 ft. x13 ft.) strip of public right-of-way on the south side of 12th St. between Welton and Glenarm Council District 8. The Committee approved filing this bill by consent on 6-28-12.

CB12-0498 A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and PB Americas for project management services and construction administration for various projects.

Approves first amendment to the contract with PB Americas to add \$565,091, for a new total of \$2,779,206, and extend the contract from May 1, 2013 to June 30, 2014, to provide continuing project management services through completion of three Better Denver Bond Program projects: 14th/Colfax Streetscape, Crime Lab, and Lowry Fire Station (CE94011-1). The last regularly scheduled Council meeting within the 30-day review period is on 7-30-12. Committee approved filing this bill by consent on 6-28-12.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0458 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; providing for the investment and application of certain defeasance deposits and other details in connection therewith; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.

Authorizes the Manager of Finance to deposit approximately \$100 million of Airport funds into escrow accounts to retire outstanding bonds associated with unused

baggage space on Concourses A and B, through a bond defeasance. The last regularly scheduled Council meeting within the 30-day review period is on 7-16-12. The Committee approved filing this bill at its meeting on 6-13-12.

CB12-0460 A bill for an ordinance authorizing expenditures in the Economic Opportunity Special Revenue Fund for the "Temporary Assistance for Needy Families (TANF) Case Management, Employment, and Training FY12-13" program.

Authorizes the expenditure of \$12,500,000 in federal funds for fiscal year 2012-2013 for case management service in the Employment and Training Program under the Temporary Assistance for Needy Families (TANF) program. The Committee approved filing this bill by consent on 6-14-12.

Government & Finance

Health, Safety, Education & Services

CB12-0442 A bill for an ordinance amending section 14-34, D.R.M.C. to increase bond fees in the Denver County Court.

Approves a municipal code change increasing the \$30 Bond Fee to \$50 (D.R.M.C. 14-34). The Committee approved filing this bill at its meeting on 6-5-12.

CB12-0443 A bill for an ordinance amending subsection 14-40 (a), D.R.M.C. to increase the fee for certain court costs in the Denver County Court.

Approves a municipal code change to increase the docket fee from \$10 to \$15 (D.R.M.C. 14-40(a)). The Committee approved filing this bill at its meeting on 6-5-12.

CB12-0444 A bill for an ordinance amending section 14-32, D.R.M.C. to establish a warrant cancellation fee in the Denver County Court.

Approves a municipal code change to the warrant fee to implement a \$100 cancellation fee (D.R.M.C. 14-32). The Committee approved filing this bill at its meeting on 6-5-12.

Land Use, Transportation & Infrastructure

CB12-0435 A bill for an ordinance approving an Intergovernmental Agreement between the City and County of Denver and the State of Colorado, Department of Transportation for the State Highway Maintenance Agreement.

Approves the 5-year, \$1,374,339.28 local maintenance agreement with CDOT regarding State reimbursement for snow removal and basic maintenance performed on state highways by Denver Public Works for 2013-2017 (201205383). The last regularly scheduled Council meeting within the 30-day review period is on 7-16-12. The Committee approved filing this bill by consent on 5-31-12.

CB12-0459 A bill for an ordinance making appropriations from the Capital Improvements and Capital Maintenance projects.

Appropriates \$150,000 from Parks Capital Improvement Fund, leaving an approximate balance of \$1.35M for 2012, for design and installation of lighting improvements to address critical safety needs in Commons Park in Council District 9. The Committee approved filing this bill by consent on 6-14-12.

CB12-0461 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Lakewood Fordland, Inc., to purchase 33 Police Vehicles.

Approves a master purchase order for \$945,928 with Lakewood Fordland for 33 Police Vehicles as part of the planned fleet replacement managed by Public Works (PWOPS000006154). The last regularly scheduled Council meeting within the 30-day review period is on 7-16-12. The Committee approved filing this bill by consent on 6-14-12.

Announcement

On Monday, August 13, 2012 Council will hold a public hearing on CR12-0471 to approve the Ironworks Foundry Urban Redevelopment Plan.

Adjourn

Pending

For 7-16-12

CB12-0425 A bill for an ordinance amending the Denver Zoning Code to modify the standards for termination of nonconforming signs.

**Required Public Hearing
Final Consideration**

For 7-16-12

CB12-0440 A bill for an ordinance changing the zoning classification for 1550 E. 17th Avenue and 1661 Franklin Street.

**Required Public Hearing
Final Consideration**

For 7-16-12

CB12-0441 A bill for an ordinance changing the zoning classification for 4155 Picadilly Road.

**Required Public Hearing
Final Consideration**

For 7-23-12

CB12-0462 A bill for an ordinance changing the zoning classification for property located at approximately 4800 Verbena Street and 4801 Willow Street.

**Required Public Hearing
Final Consideration**

For 7-23-12

CB12-0463 A bill for an ordinance changing the zoning classification for property located at approximately 5001 Willow Street.

**Required Public Hearing
Final Consideration**

For 8-20-12

CB12-0365 A bill for an ordinance prohibiting the advertising of medical marijuana in proximity to schools, child care centers, and parks.

**No Public Hearing
Final Consideration**