

City Council of Tuesday, February 22, 2011

City and County of Denver

Carol Boigon..... At Large
Doug Linkhart..... At Large
Paula E. Sandoval..... District 1
Jeanne Faatz..... District 2
Paul López..... District 3
Peggy Lehmann..... District 4
Marcia Johnson..... District 5
Charlie Brown..... District 6



Chris Nevitt..... District 7
Carla Madison..... District 8
Judy H. Montero..... District 9
Jeanne Robb..... District 10
Michael B. Hancock..... District 11
Lauri Dannemiller..... Director
Kelly Velez..... Council Secretary

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

****WEB ACCESS****

**Live broadcast and audio and video
archives can be accessed at**

<http://www.denvergov.org/citycouncil>

****REMINDER****

As a courtesy to those in attendance,
please
**turn off your cell phones and
pagers.**

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

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: Tuesday, February 22, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, February 14, 2011

Council Announcements

Presentations

Communications

Proclamations

CP11-0144 A proclamation proclaiming February 23, 2011 as Rotary International End Polio Now Day.

Sponsored by Councilmembers Johnson, Montero, Linkhart, López, Sandoval, and Faatz.

Resolutions

Land Use, Transportation & Infrastructure

CR11-0083 A resolution laying out, opening and establishing as part of the city street system, as part of the streets listed below, certain real property in Lowry Filing No. 5. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates 12 tracts of land located general between Quebec, Unita Way, 4th Ave. and Academy Blvd. as public rights-of-way in Lowry Filing No. 5 in Council District 5. The Committee approved filing this resolution by consent on 2-10-11.

CR11-0084 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as W. 2nd Ave., located at the intersection of W. 2nd Ave. and Kalamath St. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates a parcel of land as part of the public right-of-way of W. 2nd Ave. west of its intersection with Kalamath in Council District 9. The Committee approved filing this resolution by consent on 2-10-11.

CR11-0085 A resolution amending Resolution No. 167, Series of 2010, to amend the items contained in the revocable permit issued to School District No. 1 in the City and County of Denver to encroach into the right-of-way with non-potable water taps at East High School, along 17th Ave. at York St., and Josephine St., and across City Park Esplanade between 16th and 17th Streets. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Corrects a typographical error in Section 1 of Resolution No.167, Series of 2010, granting a revocable permit to Denver Public Schools to encroach into the public right-of-way with non-potable water tap at East High School, along 17th Ave. between York and Josephine and across City Park Esplanade between 16th and 17th avenues in Council District 8. The Committee approved filing this resolution by consent on 2-10-11.

CR11-0086 A resolution amending Resolution No. 161, Series of 2010, to amend the items contained in the revocable permit issued to Focus Property Group, LLC, to encroach into the right-of-way with a 2,500 gallon grease trap in the Northeast corner of the alley behind 2148 Larimer Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Corrects Section 1 of Resolution No. 161, of Series of 2010, granting a revocable permit to Focus Property Group to encroach into the public right-of-way with a 2,500 gallon grease trap, not with a parking garage sign, in the northeast corner of the alley behind 2148 Larimer in Council District 9. The Committee approved filing this resolution by consent on 2-10-11.

CR11-0087 A resolution laying out, opening and establishing as part of the city street system, as part of the streets listed below, certain real property in Lowry Filing No. 6. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates five tracts generally located between Syracuse, Uinta Way, 6th Ave. and 5th Ave. as public rights-of-way in Lowry Filing No. 6 in Council District 5. The Committee approved filing this resolution by consent on 2-10-11.

Bills for Introduction

Business, Workforce & Sustainability

CB11-0074 A bill for an ordinance approving a proposed Non-Disturbance and Attornment Agreement between the City and County of Denver, Skyport Development Company, LLC and Sunglass Hut Trading LLC concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Non-Disturbance, Attornment, and Concession Agreement with Sunglass Hut Trading, LLC at Denver International Airport (AR7A020) that outlines rights and obligations in the event of a default by Skyport Development Company. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

CB11-0075 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Service America Corporation, dba Centerplate, relating to concession services at the Colorado Convention Center and the Denver Performing Arts Complex. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a sixth amendment to the existing contract with Service America Corporation doing business as Centerplate, to provide that payments owed to the City shall be made in care of SMG, the management company retained by the City to manage the Convention Center Complex (RC9X011-6). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

CB11-0076 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and SMG, relating to management services at the Colorado Convention Center. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves an amendment to the existing contract with SMG to pay, on behalf of the City (electricity, solar power, etc.), all approved budget operating expenses for the Convention Center Complex (CE93003-1). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

CB11-0092 A bill for an ordinance approving a proposed purchase order by the City and County of Denver for two Refuse Barrel Loaders for Solid Waste. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a purchase order in the amount \$569,006 for two Refuse Barrel Loaders for Solid Waste. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

General Government & Finance

CB11-0016 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Independent Stationers, Inc., for various office supplies with the option of four yearly extensions. (GOVERNMENT AFFAIRS & FINANCE)

Approves a one-year Master Purchase Order between the City and Independent Stationers for various office supplies with the option of four yearly extensions. It is anticipated that the City will spend \$1.5 million annually (5595U0111). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 1-20-11.

CB11-0065 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Sylvester Tally regarding a coffee kiosk at the City and County Building. (GENERAL GOVERNMENT & FINANCE)

Amends the income lease agreement with Sylvester Tally (vendor) to reduce rent at the City and County Building for a period of six months with a three-month option (RC35008). The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-3-11.

CB11-0107 A bill for an ordinance creating a Fund Number in the Grant Projects Fund and creating a Fund Number in the Community Development Special Revenue Fund for the "City of Denver Community Challenge Planning Grant Program – Denver TOD Strategic Implementation Program". (GENERAL GOVERNMENT & FINANCE)

Approves the creation of a new capital grant fund and special revenue fund - "Housing Development Assistance Fund - in the Office of Economic Development to administer Denver's Community Challenge Planning Grant Program – "Denver TOD Strategic Implementation Program". The Committee approved filing this bill by consent on 2-17-11.

CB11-0143 A bill for an ordinance approving a proposed Purchase Agreement between the City and County of Denver and 513, LLC for the purchase of a building located at 4640 Lipan Street for the Denver Fire Line Shop. (GENERAL GOVERNMENT & FINANCE)

Approves the purchase of a building located at 4640 Lipan Street for \$925,000 for the Denver Fire Department's Line Shop. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. This bill was approved for filing by Councilmembers Boigon and Sandoval. The Committee approved filing this bill by consent on 2-24-11.

Health, Safety, Education & Services

CB11-0064 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Energy Outreach Colorado to provide weatherization and energy efficiency education services to low-income residents living in multi-family affordable housing units within the City and County of Denver. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a \$500,000 agreement with Energy Outreach Colorado to provide weatherization and energy efficiency education services to low-income residents living in multi-family affordable housing units within the City and County of Denver. The last regularly-scheduled Council meeting within the 30-day period is on 3-14-11. The Committee approved filing this bill by consent on 2-3-11.

CB11-0073 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 "Shelter Plus Care Women's FY10-11" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Accepts \$358,176 in 2010-2011 funding from the U.S. Dept. of Housing and Urban Development for Shelter Plus Care to provide 41 units of sponsor based rental assistance for the Women's Project to help chronically homeless women with mental illnesses obtain and remain in housing. The Committee approved filing this bill by consent on 2-10-11.

Land Use, Transportation & Infrastructure

CB11-0077 A bill for an ordinance approving an agreement between Concrete Works of Colorado, Inc. and the City & County of Denver to reconstruct S. Broadway from Yale to Wesley Avenues. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$5,744,766.46 construction contract with Concrete Works to widen and reconstruct S. Broadway between Yale and Wesley, including storm sewer and water service line replacement, a Better Denver Bond project in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 3-14-11. The Committee approved filing this bill by consent on 2-10-11.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

General Government & Finance

CB10-0732 A bill for an ordinance replacing Section 18-175 to Chapter 18, of the Revised Municipal Code, changing the City contribution for the dental plan from a flat dollar amount to a percentage of the monthly premiums. (GOVERNMENT AFFAIRS & FINANCE)

Amends Chapter 18, Section 18-175, of the Revised Municipal Code, to change the City contribution for the dental plan from a flat dollar amount to a percentage of the monthly premiums. The Committee approved filing this bill at its meeting on 9-1-10.

CB11-0052 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Manatron, Incorporated for the purchase of software licenses and installation of the new property tax system software financed by Bank of America. (GENERAL GOVERNMENT & FINANCE)

Approves purchase of software licensing and installation for a new property tax system from Manatron, financed through a capital lease purchase with Bank of America. This is a companion to CB11-0053 and CB11-0054. The last regularly scheduled Council meeting within the 30-day review period is on 3-7-11. The Committee approved filing this bill at its meeting on 2-2-11.

CB11-0053 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Manatron, Incorporated for software maintenance and support product for the new property tax system. (GENERAL GOVERNMENT & FINANCE)

Approves purchase of maintenance and support for a new property tax system purchased from Manatron and financed by Bank of America for a three-year term and contract total of \$693,666. This is a companion to CB11-0052 and CB11-0054. The last regularly scheduled Council meeting within the 30-day review period is on 3-7-11. The Committee approved filing this bill at its meeting on 2-2-11.

CB11-0054 A bill for an ordinance approving a proposed Equipment Lease Purchase Agreement between the City and County of Denver and Banc of America Public Capital Corp, on behalf of Technology Services to acquire and implement a new property tax collection system. (GENERAL GOVERNMENT & FINANCE)

Approves a 5-year capital lease purchase transaction with Banc America Public Capital Corp. for purchase of a property tax collection system and associated equipment from Manatron Inc. for a total cost of approximately \$4,650,000. This is a companion to CB11-0052 and CB11-0053. The last regularly scheduled Council meeting within the 30-day review period is on 3-7-11. The Committee approved filing this bill at its meeting on 2-2-11.

CB11-0060 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GENERAL GOVERNMENT & FINANCE)

Approves abolishing the Psychometrist classification in the City's Classification and Compensation Plan. The Committee approved filing this bill by consent on 2-3-11.

CB11-0068 A bill for an ordinance amending section 20-52(e) of the Denver Revised municipal Code to clarify closing of grants in aid. (GENERAL GOVERNMENT & FINANCE)

Amends the Denver Revised Municipal Code, Section 20-18 to allow the Department of Finance to close out grant budgets through appropriate accounting procedures without legislative action. The Committee approved filing this bill at its meeting on 2-2-11.

Health, Safety, Education & Services

CB10-1091 A bill for an ordinance approving and providing for the execution of a proposed grant agreement between the City and County of Denver and the State of Colorado concerning the "UASI FY10" program and the funding therefor, and authorizing the purchase of capital equipment items from the "UASI FY10" Special Revenue Fund budget. (HEALTH, SAFETY, EDUCATION & SERVICES)

Accepts \$5,651,296 in FY10 Urban Area Security Initiative funds and authorizes the purchase of a variety of equipment for the City and its regional partners. The Committee approved filing this bill by consent on 12-9-10.

CB10-1154 A bill for an ordinance approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless for housing placement and support services. (HEALTH, SAFETY, EDUCATION & SERVICES COMMITTEE)

Adds \$356,043 to and extends for one year the contract with Colorado Coalition for the Homeless for housing placement services to homeless individuals. The next regularly-scheduled Council meeting within the 30-day period is on 3-7-11. The Committee approved filing this bill by consent on 1-6-11.

CB11-0025 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 for the purpose of administering Tenant Based Rental Assistance (TBRA), Short Term Rent Mortgage Utility (STRMU) Assistance, Permanent Housing Placement Assistance and Supportive Services. (HEALTH, SAFETY, EDUCATION, & SERVICES)

Approves a \$1,524,288 contract with Colorado AIDS Project for the Tenant Based Rental Assistance Program, Short term Rent Mortgage Utility, and Permanent Housing Placement Assistance and Supportive Services programs. The last regularly-scheduled Council meeting within the 30-day period is on 3-7-11. The Committee approved filing this bill by consent on 1-27-11.

CB11-0049 A bill for an ordinance authorizing the Mayor and other proper officials of the City and County of Denver to enter into a "Memorandum of Understanding" with the Denver Fire Fighters – Local 858, IAFF, AFL-CIO amending the current Collective Bargaining Agreement between Local 858 and the City and County of Denver to change the effective dates of the 2010 and 2011 salary increases for fire fighters, and ratifying such Memorandum of Understanding. (HEALTH, SAFETY, EDUCATION & SERVICES)

Corrects the dates for implementing 2010 and 2011 salary raises for Denver Fire Fighters, Local 858. The Committee approved filing the bill by consent on 1-27-11.

CB11-0061 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, to provide Head Start services. (HEALTH, SAFETY, EDUCATION & SERVICES)

Adds \$825,596 and extends for one year the contract with Catholic Charities for Head Start services. The last regularly-scheduled Council meeting within the 30-day period is on 3-7-11. The Committee approved filing this bill by consent on 2-3-11.

Land Use, Transportation & Infrastructure

CB10-1036 A bill for an ordinance approving an agreement between J.E. Dunn Construction Company and the City & County of Denver for the Denver Police Crime Lab Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$26,868,810 Construction Manager/General Contractor Agreement contract with JE Dunn Construction for the Police Crime Lab, a Better Denver Bond project, southwest of the intersection of Cherokee and 14th Ave. in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 3-7-11. The Committee approved filing this bill by consent on 11-24-10.

CB11-0067 A bill for an ordinance authorizing the Lease Buyout Agreement with Public Service Company of Colorado relating to the Crime Lab Site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an agreement with Public Service Co. regarding buy-out of its lease on City property at the southwest corner of 14th Ave. and Cherokee to accommodate construction of the new crime lab, a Better Denver Bond project, for \$885,000, in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 3-7-11. The Committee approved filing this bill at its meeting on 2-1-11.

Special Issues

CB10-1003 AS AMENDED, a bill for an ordinance adopting a new Article XII of Chapter 24, Denver Revised Municipal Code, in order to establish local licensing procedures and requirements for medical marijuana centers, medical marijuana-infused products manufacturers, and optional premises cultivation licenses. (SPECIAL ISSUES)

Adopts local licensing regulations for medical marijuana centers, infused product manufacturers, and optional premises cultivation facilities. Amended 2-14-11 to add two new location restrictions on medical marijuana centers, restrictions that did not exist in the city's original dispensary licensing ordinance, and amended to address who qualifies for an optional premises cultivation license in a non-conforming location. The Committee approved filing this bill at its meeting on 1-24-11.

Adjourn