

## City Council of Monday, April 15, 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\*\*

**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, April 15, 2013 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP13-0246 A proclamation designating the Week of April 14-20, 2013 in Denver as NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK. Sponsored by Councilmembers Brooks, Lehmann, Brown, Herndon, López, and Faatz.**

## **Resolutions**

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

**CR13-0204 A resolution approving the Mayor's appointment to the Denver Asian Pacific-American Commission.**

Approves the Mayoral appointment of Peter (Seung-Woo) Lee to the Denver Asian Pacific-American Commission for a term effective immediately and expiring January 22, 2015, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 4-4-13.

**CR13-0205 A resolution approving the Mayor's reappointments and appointments to the Denver Office of Strategic Partnerships Commission.**

Approves the Mayoral re-appointments of Ariel Cisneros, Sonya Garcia Ulibarri, Kristy Judd, Renny Fagan, Christine Soto, and the appointments of Nita Henry, Rob Smith, Eddie Koen, Tameka Montgomery, and Julia Alvarez to the Denver Office of Strategic Partnerships Commission for terms effective immediately and expiring on April 20, 2015, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 4-4-13.

## Land Use, Transportation & Infrastructure

### **CR13-0260 A resolution accepting and approving the plat of Runyan's Subdivision Filing No. 2.**

Approves the final plat of Runyan's Subdivision Filing No. 2, a 3.48-acre site for a Regional Transportation District rail station parking structure at Sheridan and W. 10th Ave. on the West Line in Council District 3. This resolution was filed by Councilman López.

## Bills for Introduction

### Business, Workforce & Sustainability

### **CB13-0207 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and SMG, for stagehand staffing and payroll services.**

Amends the agreement with SMG for payroll services and stagehand staffing at city venues to update the payroll tax rates related to the Federal Insurance Contributions Act (FICA) requirements (CE93004). The last regularly scheduled Council meeting within the 30-day review period is on 5-6-13. The Committee approved filing this bill by consent on 4-4-13.

### **CB13-0209 A bill for an ordinance approving a proposed First Amendment to Agreement OCIP Insurance Brokerage Services between the City and County of Denver and Arthur J. Gallagher Risk Management Services, Inc. to serve as Owner Controlled Insurance Program Broker and Administration Services for the South Terminal Redevelopment Project at Denver International Airport.**

Adds \$8,054,610 for broker fees and estimated premiums to the contract with Arthur J. Gallagher Risk Management Services for the Owner Controlled Insurance Program (OCIP) to include the marketing and administration of the program which consolidates and facilitates insurance coverage for contractors and subcontractors for selected Capital Improvement Projects at the airport through 2018 (201100685). The last regularly scheduled Council meeting within the 30-day review period is on 5-6-13. The Committee approved filing this bill at its meeting on 4-3-13.

### **CB13-0210 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and xMatters, Inc related to the Emergency Notification System at Denver International Airport.**

Adds \$835,000 to the contract with xMatters to move the incident and emergency notification proprietary software system at the airport to the version fully hosted and managed by the contractor through 12-10-15. The last regularly scheduled Council meeting within the 30-day review period is on 5-6-13. The Committee

approved filing this bill at its meeting on 4-3-13.

**CB13-0211 A bill for an ordinance approving a proposed Purchase Order between the City and Cyber Country Systems, LLC related to the Security Access Control System at Denver International Airport.**

Approves a \$1,283,366 purchase order with Cyber Country Systems, LLC, for security access control panels and associated hardware to improve the airport's Access Control System per the Transportation Security Administration's performance levels. The last regularly scheduled Council meeting within the 30-day review period is on 5-6-13. The Committee approved filing this bill by consent on 4-4-13.

**Government & Finance**

**CB13-0214 A bill for an ordinance approving a proposed Sublease Agreement between the City and County of Denver and Liquid Enterprises Corp., to sublease property located at 3821 Steele Street for warehouse and office use.**

Approves a \$143,433.12, 5-year lease with Liquid Enterprises Corporation for 12,298 square feet of City-owned warehouse property at 3821 Steele Street (2011208736-00). The last regularly scheduled Council meeting within the 30-day review period is on 5-6-13. The Committee approved filing this bill by consent on 4-4-13.

**Land Use, Transportation & Infrastructure**

**CB13-0185 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Ash & White Construction Company d/b/a White Construction, Co. for tenant improvements.**

Approves a \$1,109,000 contract with Ash & White Construction Company doing business as White Construction Group for improvements associated with tenant improvements for two suites and the common areas at 2855 Tremont for two new tenants, the Denver Department of Motor Vehicles, and the City Council District 8 office (201209077). The last regularly scheduled Council meeting within the 30-day review period is on 5-6-13. The Committee approved filing this bill by consent on 3-21-13.

**CB13-0208 A bill for an ordinance changing the zoning classification at 2121 Children's Museum Drive.**

Changes the zoning classification from OS-A [Open Space, public park] to C-MX-5 [Urban Center, Mixed Use, max. 5 stories] of 2121 Children's Museum Drive in Council District 1. This bill was approved for filing by title only by Council President Susman. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 4-9-13.

**CB13-0223 A bill for an ordinance approving the Decatur-Federal Station 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 Decatur-Federal Station Area Plan as a supplement to Denver Comprehensive Plan 2000. The Committee approved filing this bill at its meeting on 4-2-13.

**CB13-0226 A bill for an ordinance changing the zoning classification 5042-44 North Federal Boulevard.**

Changes the zoning classification from E-CC-3x [Edge Context, Commercial Corridor, max. 3 stories, less intense uses] to E-MX-3A [Edge Context, Mixed Use, max. 3 stories] at 5042-5044 Federal in Council District 1. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 4-9-13.

**CB13-0229 A bill for an ordinance changing the zoning classification for 1683, 1685, 1687, 1691, 1693 and 1695 East Cedar Avenue.**

Changes the zoning classification from S-SU-D [Suburban Context, Single-Unit, min. 6000 sq. ft.] to PUD-G [Planning Unit Development] at 1683-1695 E. Cedar Ave. in Council District 6. This bill was approved for filing by title only by Council President Susman. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 4-9-13.

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

### **Pre-Recess Announcement**

**Tonight there will be a required public hearing on CB13-0105 changing the zoning classification for 100, 102, 114 and 128 Steele 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**

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

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

Changes the zoning classification of 102–128 Steele St. from C-CCN (Urban Center context, Cherry Creek North) to C-MX-12 (Urban Center context, mixed-use, max. 12 stories) in Council District 10 (2012I-00031). A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 3-5-13.

## **Bills for Final Consideration**

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

**CB13-0192 A bill for an ordinance approving a proposed GMP Amendment to Agreement - Hotel, Public Transit Center and Jeppesen Terminal Interface South Terminal Redevelopment Program Construction Manager/General Contractor (CM/GC), between the City and County of Denver, Mortenson/Hunt/Saunders, a Joint Venture, related to the South Terminal Redevelopment Project at Denver International Airport.**

Adds \$15,000,000 to the South Terminal Redevelopment Program Construction Management/General Contractor agreement and extends it 6 months. The last regularly scheduled Council meeting within the 30-day review period is on 4-29-13. The Committee approved filing this bill at its meeting on 3-27-13.

**CB13-0198 A bill for an ordinance approving a proposed Power Purchase Agreement between the City and County of Denver and DENVER SOLAR IV LLC, related to an energy procurement agreement at Denver International Airport.**

Approves a purchase agreement with Denver Solar IV, LLC, to purchase solar power for a term of 20 years at the greater of \$.01/kWh or 80% of the average hourly incremental cost at Denver International Airport (DIA). The last regularly scheduled Council meeting within the 30-day review period is on 4-29-13. The Committee approved filing this bill at its meeting on 4-3-13.

**CB13-0199 A bill for an ordinance approving a proposed Ground Lease Agreement between the City and County of Denver and DENVER SOLAR IV LLC, for a photovoltaic power system at Denver International Airport.**

Approves a ground lease with Denver Solar IV, LLC, for approximately 12 acres to locate a solar generation facility at Denver International Airport (DIA). The last regularly scheduled Council meeting within the 30-day review period is on 4-29-13. The Committee approved filing this bill at its meeting on 4-3-13.

### **Government & Finance**

**CB13-0191 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.**

Amends the Career Service Classification and Pay Plan to comply with approved 2012 Pay Survey Recommendations by changing the pay grade for Paramedic Fleet

Supervisor and Paramedic Operations Supervisor from 807-O to 809-O.

**CB13-0221 A bill for an ordinance appointing Brian Spano to serve as a member of the Board of Ethics.**

Appoints Brian Spano to one of two City Council positions on the Board of Ethics for a four-year term beginning April 20, 2013. The Committee approved filing this bill at its meeting on 4-3-13.

**Health, Safety, Education & Services**

**CB13-0193 A bill for an Ordinance approving an Amendatory Agreement with the Colorado Nonprofit Development Center, which acts as a fiscal agent for the Ryan White Care Act Part A funding.**

Approves an amendment to add \$20,000 to the Colorado Nonprofit Development Center contract to provide services related to processing reimbursement billings for the Ryan White CARE Act Part A funds to HIV/AIDS providers (201205236-01). The Committee approved filing this bill by consent on 3-28-13.

**CB13-0197 A bill for an ordinance approving a proposed Revival and Second Amendatory Agreement between the City and County of Denver and The Coffee Mug, LLC, to extend the agreement and increase the total revenue.**

Renews the lease with Coffee Mug through December 14, 2018, for a total revenue contract in the amount of \$120,310 for a coffee shop in the Central Library (RC81053). The last regularly scheduled Council meeting within the 30-day review period is on 4-29-13. The Committee approved filing this bill by consent on 3-28-13.

**Land Use, Transportation & Infrastructure**

**CB13-0145 A bill for an ordinance vacating the alley at 250 S. Jackson Street, without reservations.**

Vacates the alley at 250 S. Jackson St., bounded by E. Cedar, S. Jackson., E. Alameda, and S. Harrison in Council District 10. The Committee approved filing this bill by consent on 3-7-13.

**CB13-0184 A bill for an ordinance approving a Temporary Construction License Agreement from the City and County of Denver to Denver Transit Constructors, LLC to accommodate Regional Transit District to construct improvements on the RTD Eagle P-3 Gold Line Project.**

Grants a temporary construction license agreement to Denver Transit Constructors, LLC, for the Park Avenue Facility for certain improvements on real property as part of the Regional Transportation District's FasTracks Eagle P-3 Gold Line construction in Council District 9 (201309992). The last regularly scheduled Council meeting within the 30-day review period is on 4-29-13. The Committee approved filing this bill by consent on 3-21-13.

**CB13-0201 A bill for an ordinance approving an Easement Agreement from the City and County of Denver to the City and County of Denver acting by and through its Board of Water Commissioners for an existing water line at the Lowry Vista Fire Station site.**

Approves an easement agreement with the Denver Water Board for an existing water line in a portion of the new Lowry Fire Station site in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 4-29-30. The Committee approved filing this bill by consent on 3-28-13.

**CB13-0202 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Colorado Designscapes, Inc., for improvements to Benedict Fountain Park.**

Approves a contract with Colorado Designscapes for \$683,344.80 for improvements to Benedict Fountain Park, including a new playground, plaza, picnic areas, landscape and irrigation system rehabilitation, with Skyline Loan funds allocated for public improvements within St. Luke's Redevelopment Area in Council District 8 (201309469). The last regularly scheduled Council meeting within the 30-day review period is on 4-29-13. The Committee approved filing this bill by consent on 3-28-13.

## **Announcement**

**Dependent upon publication on Monday, May 13, 2013, Council will hold a required public hearing on CB13-0208 changing the zoning classification at 2121 Children's Museum Drive, a required public hearing on CB13-0226 changing the zoning classification 5042-44 North Federal Boulevard, and a required public hearing on CB13-0229 changing the zoning classification for 1683, 1685, 1687, 1691, 1693 and 1695 East Cedar Avenue. Any protests against CB13-0208, CB13-0226, or CB13-0229 must be filed with the Council Offices no later than Monday, May 6, 2013.**

## **Adjourn**

## **Pending**

**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 4-29-13**

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

**Required Public Hearing  
Final Consideration**

**For 4-29-13**

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

**Required Public Hearing  
Final Consideration**

**For 4-29-13**

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

**Required Public Hearing  
Final Consideration**

**For 5-20-13**

**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**