

City Council of Monday, October 15, 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: dencc@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, October 15, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Mayor's Proposed 2013 Budget and Public Hearing Notice

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP12-0766 A proclamation recognizing the Denver Women's Commission's Day of Action on October 15, 2012 Urging Denver Women to Vote. Sponsored by Councilmembers Montero, Brooks, Kniech, Shepherd, Lehmann, and López.

Resolutions

Health, Safety, Education & Services

CR11-0971 A resolution approving the appointment of Matthew Spengler to the Civil Service Commission.

Approves the joint Mayoral and City Council appointment of Matthew Spengler to the Civil Service Commission for a term ending December 31, 2012. The Committee approved filing this resolution by consent on 12-22-11.

Land Use, Transportation & Infrastructure

CR12-0738 A resolution accepting and approving the plat of Stapleton Filing No. 36.

Approves Stapleton Filing No. 36, which is a Subdivision Plat, located at Northfield Blvd. and Verbena St. in Council District 11. The Committee approved filing this resolution by consent on 10-4-12.

CR12-0739 A resolution accepting and approving the plat of Stapleton Filing No. 37.

Approves Stapleton Filing No. 37, which is a Subdivision Plat, located at Northfield Blvd. and Xenia St. in Council District 11. The Committee approved filing this resolution by consent on 10-4-12.

CR12-0783 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Eight Thousand Forty-Three Dollars (\$8,043.00), payable to FINANCIAL CLAIMS INCORPORATED AS SUBROGEE FOR AMERICAN FAMILY INSURANCE AS SUBROGEE OF MANDY MANU & ERICK FENNUKU in the amount of Five Thousand Thirty Dollars (\$5,030.00), and payable to ERICK FENNUKU AND THE SAWAYA LAW FIRM in the amount of Three Thousand Thirteen Dollars (\$3,013.00), in full payment and satisfaction of all claims in Claim No. 1004-002689.

Settles a claim involving the Street Maintenance Division of the Public Works Department. This resolution was approved for filing at the Mayor-Council meeting on 10-9-12.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0709 A bill for an ordinance approving a proposed Towing Services Agreement between the City and County of Denver and Drawbaugh Enterprises, Inc. concerning towing services at Denver International Airport.

Approves a three-year \$2,500,000 contract with Drawbaugh Enterprises Inc. for towing services at the airport beginning November 1, 2012. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-12. The Committee approved filing this bill by consent on 9-27-12.

Government & Finance

CB12-0732 A bill for an ordinance making an appropriation from the Arts and Venues Denver Special Revenue Fund.

Approves a \$2,500,000 increase in the 2012 expenditure appropriation for the Arts and Venues Denver Special Revenue Fund for operating funds due to an increased number of events over original expectations with spending offset by increased revenue totaling \$7,155,340 from the additional programming. The Committee approved filing this bill by consent on 10-4-12.

CB12-0741 A bill for an ordinance approving a proposed extension to a Master Purchase Order between the City and County of Denver and Faris Machinery Company to add additional funds for OEM Elgin™ Street

Sweeper parts and components.

Adds \$2,050,000 to the master purchase order with Faris Machinery Company, Inc. for OEM Elgin™ Street Sweeper parts and components to accommodate anticipated spending through September 30, 2017. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-12. The Committee approved filing this bill by consent on 9-27-12.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a required public hearing on CB12-0587 changing the zoning classification for property located at 4401 Sherman Street, and a required public hearing on CB12-0626 changing the zoning classification for 1850 Platte Street. Anyone wishing to speak on either matter must see the Council Secretary to sign up during the recess of Council.

Recess

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

CB12-0587 A bill for an ordinance changing the zoning classification for property located at 4401 Sherman Street.

Changes the zoning classification of 4401 Sherman from OS-A (Open Space, Public Parks District) to E-SU-B (Urban Edge context, Single Unit) 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 9-4-12.

CB12-0626 A bill for an ordinance changing the zoning classification for 1850 Platte Street.

Changes the zoning classification of 1850 Platte Street from R-MU-20 (former code designation for Residential Mixed Use, medium density) to C-MX-5 (Commercial Mixed Use, maximum 5 stories) 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 9-4-12.

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0700 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Aramark Sports and Entertainment Services, LLC, to provide facility services as needed to various City venues and facilities.

Approves a three-year \$8,400,000 agreement (beginning November 1, 2012) with Aramark Sports and Entertainment Services for facility services including housekeeping, security, minor repair and maintenance, and other facility-related services at Red Rocks Amphitheatre and Visitor Center, the Denver Coliseum, and the Denver Performing Arts Complex (THTRS-201207615). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 9-27-12.

CB12-0701 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Argus Event Staffing LLC, to provide Event Staffing Services for various Arts and venues.

Approves a no-cost revision to the contract with Argus Event Staffing, LLC, to add in-house ticketing to the scope of services provided by the contractor (CE03107(1)). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 9-27-12.

CB12-0704 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and AEG Live – Rocky Mountains, LLC (“AEG Live”), to provide AEG Live with an incentive to promote and book concerts and live events at the City’s venues.

Adds \$400,000 to the two-year contract (through December 2012) with AEG Live Inc. to promote and book live concerts and events at Arts and Venues Denver facilities through a rental incentive that increases overall revenues from ticket sales and concessions (CE01006(2)). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 9-27-12.

Government & Finance

Land Use, Transportation & Infrastructure

CB12-0687 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Norkoli Construction, Inc. (NCI), to increase the maximum contract amount.

Amends the On-Call Agreement with Norkoli Construction, Inc., a Small Business Enterprise (SBE) general contractor, to increase maximum contract capacity from \$2,250,000 to \$3,000,000 with no change to term through Aug. 3, 2013 (OC94020-3). The last regularly scheduled Council meeting within the 30-day

review period is on 10-29-12. The Committee approved filing this bill by consent on 9-20-12.

CB12-0688 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Wilderness Construction Co., to increase the maximum contract amount.

Amends the On-Call Agreement with Wilderness Construction, Inc., a Small Business Enterprise (SBE) general contractor, to increase maximum contract capacity from \$2,250,000 to \$3,000,000 with no change to term through June 15, 20136 (OC94016-3). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 9-20-12.

CB12-0689 A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and Dennis E. Moldenhauer relating to dead animal pickup and disposal from and within the City.

Extends the current 5-year contract with Dennis Moldenhauer for pickup and disposal of animal carcasses for 6 months, to March 31, 2013, at \$8,700 per month; the City will then bring the operation in-house or re-bid the work (CE76016). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 9-27-12.

CB12-0716 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and The Regents of the University of Colorado, a body corporate, for and on behalf of the University of Colorado, Denver, to provide student interns on an on-call basis for work in the Public Works Department – Engineering Division.

Approves an agreement with the University of Colorado-Denver to provide student interns on an on-call basis for work in the Public Works Engineering Division (OC91217). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 9-27-12.

CB12-0717 A bill for an ordinance approving a contract between Jacobs Investment LLC dba Colorado Boring Co. and the City & County of Denver for Denver traffic improvements.

Approves a \$675,020 contract with Jacobs Investments doing business as Colorado Boring Co. to furnish and install traffic signal system software and equipment on Sheridan between Quincy and I-70; on Federal between Dartmouth and 52nd; and on Alameda between Broadway and Sheridan (201206603). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 10-11-12.

CB12-0718 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and B T Construction, Inc., to construct storm sewer outfall from the Platte River and Asbury Ave. to

Delaware St. and Evans Ave.

Approves a \$3,914,562.88 contract with B T Construction to construct storm sewer outfall from the Platte River and Asbury to Delaware and Evans in Council District 7 (201205605). The last regularly scheduled Council meeting within the 30-day review period is on 10-29-12. The Committee approved filing this bill by consent on 9-27-12.

CB12-0719 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Downing Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the South Downing Street Pedestrian Mall Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

CB12-0720 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 38th Avenue Phase I Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the West 38th Avenue Phase I Pedestrian Mall Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

CB12-0721 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Golden Triangle Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the Golden Triangle Pedestrian Mall Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

CB12-0722 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the Broadway Pedestrian Mall A Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

CB12-0723 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Broadway Pedestrian Mall B Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the Broadway Pedestrian Mall B Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

CB12-0724 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Phase II Broadway Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the Phase II Broadway Pedestrian Mall Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

CB12-0725 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the South Broadway Streetscape (Arizona Avenue to Iowa Avenue) Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

CB12-0726 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson Streetscape (West 38th Avenue to West 44th Avenue) Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves the assessments for the 2013 annual costs for the Tennyson Streetscape (Portions of West 38th Avenue to West 44th Avenue) Local Maintenance District. The Committee approved filing this bill by consent on 9-27-12.

Announcement

It is the intent of City Council to convene as the Ex-Officio Board of Directors of the Gateway Village General Improvement District on Monday, October 29, 2012. At that time, a public hearing will be held on the District's proposed 2013 Work Plan and Budget and mill levy.

Adjourn

Pending

For 10-22-12

CB12-0627 A bill for an ordinance changing the zoning classification for property located at 700 W. 39th Avenue, 3860 Galapago Street and 3820 Galapago Street.

**Required Public Hearing
Final Consideration**

For 10-22-12

CB12-0671 A bill for an ordinance changing the zoning classification for properties located at 1200, 1214 and 1220 Grove Street.

**Required Public Hearing
Final Consideration**

For 10-29-12

CB12-0676 A bill for an ordinance amending the Denver Zoning Code to delete the sunset provisions on medical marijuana in Sections 11.7.1.3.C and 11.8.4.1.

**Required Public Hearing
Final Consideration**

For 10-29-12

CB12-0677 A bill for an ordinance changing the zoning classification for properties located at 61-81 S. Garfield Street.

**Required Public Hearing
Final Consideration**

For 10-29-12

CB12-0678 A bill for an ordinance changing the zoning classification of 290 S. Monaco Street to a Planned Unit Development District (PUD).

**Required Public Hearing
Final Consideration**