

## City Council of Monday, July 21, 2014

# 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 [lorrie.kosinski@denvergov.org](mailto:lorrie.kosinski@denvergov.org) 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

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### 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 21, 2014 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Election of Council President and President Pro Tem**

### **From Council Rules of Procedure (Rule 8)**

**8.1 Election of Officers. At the third meeting of the Council in the month of July of each year, except when a Council seat is vacant, the order of business shall be:**

**(a) Election of a President as provided in section 3.3.1 of the Charter, who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.**

**(b) Election of a president pro tempore who shall serve without additional compensation and who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.**

**(c) The election of Council officers shall be conducted as follows:**

**1. Candidates for the office of President of Council, and of President Pro Tempore, shall be nominated from the floor, separately, before the election for each office.**

**2. No second to a nomination shall be required.**

**3. The nominations shall be closed by a declaration by the presiding officer after the presiding officer asks for further nominations and receives no reply.**

**4. The election for each office shall be in the form of a roll call election in which each member of Council, when called upon, declares his or her vote for a candidate.**

**5. An eligible person receiving a vote for an office need not have been nominated.**

**6. No nominee shall be removed from consideration unless he or she withdraws.**

**7. The candidate receiving at least seven votes for each office will be declared elected to that office by the presiding officer, after the verification by the Council Secretary of the votes cast.**

**(d) If a Council seat is vacant at the time of the regularly scheduled election, the election for President and President Pro Tempore shall take place at the first regular Council meeting after every seat on the Council is filled.**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

## **Resolutions**

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

**CR14-0604 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Thirty-Three Thousand Dollars (\$33,000.00), payable to VERONICA ATENCIO and THE SAWAYA LAW FIRM, in full payment and satisfaction of all claims in Case No. 13-cv-34354, in the Denver District Court, City and County of Denver, Colorado.**

Settles a claim involving the Denver Fire Department. This resolution was approved for filing at the Mayor-Council meeting on 7-15-14.

## **Bills for Introduction**

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

**CB14-0557 A bill for an ordinance approving and providing for the execution of proposed grant agreements between the City and County of Denver and the United States of America concerning the "Community Development Block Grant FY14" program and the funding therefor.**

Executes a performance grant agreement with the U.S. Department of Housing and Urban Development (HUD) for an allocation of \$6,859,983 for fiscal year 2014 Community Development Block Grant (CDBG) (201416483). The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-19-14.

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

**CB14-0452 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement by and among the City and County of Denver and the City of Lakewood and the Denver Urban**

**Renewal Authority concerning the Colfax Mainstreet Coalition IGA (the Coalition) and the funding therefor.**

Amends an existing intergovernmental agreement with the City of Lakewood, City of Denver, and Denver Urban Renewal Authority (DURA) to add \$351,000 for a total contract amount of \$850,000 through 4-16-16 in distribution of United States Environmental Protection Agency Brownfields Assessment Grant funds along the Colfax corridor. The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 5-29-14.

**CB14-0535 A bill for an ordinance amending Chapter 14, D.R.M.C. to create the Denver County Court Municipal Public Defender's Commission and the Office of Municipal Public Defender.**

Amends Chapter 14 of the Denver Revised Municipal Code to create the Denver County Court Municipal Public Defender's Commission and the Office of the Municipal Public Defender to provide legal representation to indigent defendants charged with municipal offenses. The Committee approved filing this bill at its meeting on 7-1-14.

**CB14-0549 A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and the State of Colorado concerning the "Community Corrections FY14-15" program and the funding therefor.**

Accepts \$16,958,888.22 from the State of Colorado's Division of Criminal Justice and Department of Corrections to fund the fiscal year 2014-2015 Community Corrections program through 6-30-15 (2014-15217-01; 2014-16569-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-10-14.

**CB14-0551 A bill for an ordinance approving an Agreement between the City and County of Denver and RRK Enterprises, Inc., d/b/a Independence House, Inc. to provide community corrections services.**

Approves a \$2,829,995 contract with RRK Enterprises to provide community corrections services through 6-30-15 (2014-16273). The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-10-14.

**CB14-0553 A bill for an ordinance approving an Agreement between the City and County of Denver and Correctional Management, Inc. to provide community corrections services.**

Approves a \$5,635,303 contract with Correctional Management, Inc. for community corrections services through 6-30-15 (2014-16269). The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-10-14.

**CB14-0558 A bill for an ordinance approving and providing for the execution of proposed grant agreement between the City and County of Denver and the United States of America concerning the "HOME FY14"**

**program and the funding therefor.**

Executes a \$1,991,995 performance grant agreement from the U.S. Department of Housing and Urban Development for the fiscal year 2014 HOME Investment Partnerships program (201416906). The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-10-14.

**CB14-0559 A bill for an ordinance approving and providing for the execution of proposed grant agreements between the City and County of Denver and the United States of America concerning the "Housing Opportunities for People with AIDS (HOPWA)" FY14 program and the funding therefor.**

Executes a \$1,554,187 performance grant agreement from the U.S. Department of Housing and Urban Development for the 2014 Housing Opportunities for People with AIDS program for housing services to prevent homelessness, including services for persons with AIDS or HIV (201416845). The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-10-14.

**CB13-0568 A bill for an ordinance amending Section 24-5 of Article I of Chapter 24, Health and Sanitation by adding programs for which violators may be subject to administrative penalties, moving certain provisions relating to enforcement to a new section 24-24 (entitled failure to comply with a violation notice, order, or rules and regulations), and creating new provision regarding variance application fee.**

Approves changes to Chapter 24 (Health and Sanitation) of the Denver Revised Municipal Code (DRMC) to allow the Department of Environmental Health (DEH) to issue an administrative citation for violations of any rules enforced by the department. Currently this authority exists in only some Chapters of the DRMC that are within the purview of DEH. The Committee approved filing this bill by consent on 6-19-14.

**Land Use, Transportation & Infrastructure**

**CB14-0504 A bill for ordinance changing the zoning classification for 3300 East 1st Avenue.**

Changes the zoning from C-MX-5 (Urban Center context; Mixed Use; 5 stories max.) to C-MX-8 (Urban Center context; Mixed Use; 8 stories max.) of property at 3300 East 1st Avenue 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 6-24-14.

**CB14-0522 A bill for an ordinance changing the zoning classification for land located at the southeast corner of Monaco Parkway and East First Avenue at approximately 90 Monaco Parkway.**

Changes the zoning from O-1 (Former Code) to U-SU-A with waivers (Urban Context, Single Unit, lot size 3,000 square feet min.) of property at 6801 East First

Avenue in Council District 5. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 6-24-14.

**CB14-0523 A bill for an ordinance changing the zoning classification for land located near the southwest corner of South Quebec Street and Archer Place at approximately 7000-7300 Archer Place.**

Changes the zoning from O-1 (Former Code) to U-SU-B with waivers (Urban Context, Single Unit, lot size 3,000 square feet min.) of property at 7000-7300 proposed Archer Place located in Council District 5. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 6-24-14.

**CB14-0524 A bill for an ordinance changing the zoning classification for land located at approximately 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place.**

Changes the zoning from O-1 (Former Code) to G-RH-3 (General Urban context, Row House) with waivers of property at 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place in Council District 5. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 6-24-14.

**CB14-0536 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 State of Colorado, Department of Transportation, concerning the "RAMP Federal Boulevard - 7th Avenue to Holden Place" project and the funding therefor.**

Authorizes receipt of revenue, establishes a capital grant fund and appropriates \$23,360,000 from the Colorado Department of Transportation for improvements on Federal between 7th Avenue and Holden Place in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-3-14.

**CB14-0545 A bill for an ordinance approving a Second Amendatory agreement between Tsiouvaras Simmons Holderness and the City & County of Denver to provide professional engineering services.**

Amends a contract with Tsiouvaras Simmons Holderness to add \$1,055,766, for a revised maximum contract amount of \$2,414,886, and extends the term through 10-2016 to provide construction related engineering design services on Federal between 5th Avenue and Howard Place in Council District 9 (CE02011-02). The last regularly scheduled Council meeting within the 30-day review period is on 8-11-14. The Committee approved filing this by consent on 6-26-14.

**CB14-0556 A bill for an ordinance approving a 3-year contract with the University of Colorado at Denver for on-call student interns.**

Approves a 3-year contract with the University of Colorado at Denver for on-call student interns with an annual maximum of \$1 million and total maximum of \$3 million (201415569). The last regularly scheduled Council meeting within the 30-

day review period is on 8-11-14. The Committee approved filing this bill by consent on 7-10-14.

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

### **Recess**

## **Council Reconvenes and Resumes its Regular Session**

### **Bills for Final Consideration**

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

**CB14-0538 A bill for an ordinance approving a proposed Commercial Ground Transportation Concession Agreement between the City and County of Denver and Colorado Mountain Express, Inc., concerning a concession at Denver International Airport.**

Approves a three-year ground transportation concession agreement with Colorado Mountain Express, Inc. for a minimum annual guaranty of \$108,000 to provide ground transportation at Denver International Airport (PLANE-201415109-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. The Committee approved filing this bill by consent on 7-3-14.

**CB14-0539 A bill for an ordinance approving a proposed Commercial Ground Transportation Concession Agreement between the City and County and Denver of SuperShuttle International Denver, Inc., concerning a concession at Denver International Airport.**

Approves a three-year ground transportation concession agreement with SuperShuttle International Denver, Inc. for a minimum annual guaranty of \$120,600 to provide ground transportation at Denver International Airport (PLANE-201415110-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. The Committee approved filing this bill by consent on 7-3-14.

**CB14-0543 A bill for an ordinance approving a Third Amendment to Cooperative Service Agreement Reimbursable between the City and County of Denver and USDA-APHIS Wildlife Services to extend the contract for performing certain wildlife control measures at Denver International Airport.**

Adds \$392,000 to the existing agreement with the USDA/APHIS-Wildlife Services (for a new total of \$1,532,643) and extends the term through 12-31-15 to implement the Federal Aviation Administration-approved Wildlife Hazard Management Plan addressing wildlife hazards at Denver International Airport (PLANE – 201103051 – 03). The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. The Committee approved filing this bill by

consent on 7-3-14.

**CB14-0544 A bill for an ordinance approving a proposed First Amendment to Intergovernmental Agreement between the City and County of Denver and the Town of Morrison, Colorado to provide additional wastewater treatment services.**

Adds \$40,000 to the intergovernmental agreement with the Town of Morrison for additional wastewater treatment services at Red Rocks Amphitheater through 10-1-14 (CE45001(1)). The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. The Committee approved filing this bill by consent on 7-3-14.

**Government & Finance**

**CB14-0478 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Harris Corporation, to extend the contract for software support services and add additional funds.**

Adds \$117,000 to the contract with Harris Corporation (for a contract total of \$825,000) and extends the term through 12-31-18 for software support for the City & County of Denver's radio systems and radios (TECHS CE83079-03). The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. The Committee approved filing this bill by consent on 6-12-14.

**CB14-0531 A bill for an ordinance authorizing a rescission of budget balance and a transfer of cash from the Public Safety Special Revenue Fund to the General Fund to close out the "Community Corrections FY12-13" grant.**

Closes the "Community Corrections Fiscal Year 2012-2013 (FY12-13)" grant and transfers its cash balance of \$61,525.67 to the General Fund (Accounting No. 12302-3501101-S3055FY1213). The Committee approved filing this bill by consent on 6-26-14.

**CB14-0532 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and CEM Sales & Service, Inc., to increase the compensation and extend the term for one year for recreation center aquatic equipment.**

Adds \$151,000 to the cap in the current master purchase order with CEM Sales & Service (for a total of \$650,000) and extends the term for one year through 7-31-15 for recreation center aquatic equipment (0397A0112). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-26-14.

**CB14-0542 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.**



Adds Lead Youth Counselor at 616-A pay grade to the City employee Classification and Pay Plan. The Committee approved filing this bill by consent on 7-03-14.

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

### **CB14-0530 A bill for an ordinance approving the Fourth Amendatory Agreement between the City and County of Denver and Compass Group USA, Inc. to provide vending machines at the Denver County Jail and the Denver Downtown Detention Center.**

Adds one year to the existing contract with The Compass Group USA, Inc. (through 6-30-15) for food and beverage vending at the Denver County Jail and Downtown Detention Facility (RC01013). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-26-14.

### **CB14-0486 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Year One, Inc., dba Mile High Youth Corps., to provide energy efficiency services, weatherization upgrades, and resident education.**

Adds \$100,000 to the contract with Year One for a new total of \$650,000 to provide residential energy efficiency services (OEDEV-201208025-01). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-12-14.

### **CB14-0500 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Groundwork Denver, Incorporated to provide energy efficiency services, weatherization upgrades, and resident education for nonprofit facilities.**

Adds \$50,000 to the contract with Groundwork Denver (for a contract total of \$550,000) to provide residential energy efficiency services (OEDEV-201208026-01). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-19-14.

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

### **CB14-0473 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and ThyssenKrupp Elevator Corporation for installation of elevators at the Lindsey-Flanigan Courthouse.**

Approves a \$538,906 contract with ThyssenKrup Elevator Corporation for installation of a fourth elevator in the Lindsey-Flanigan Courthouse building (Contract Control # 201415648). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-5-14.

### **CB14-0484 A bill for an ordinance approving a Second Amendatory**

**Agreement between the City and County of Denver and Parsons Brinckerhoff, Inc. f/k/a PB Americas, Inc. for project management services.**

Amends a contract with Parsons Brinckerhoff to extend the contract through 7-1-15 for professional contract management services to complete the commissioning of the Lowry Fire Station #18 project in Council District 5 (CE-94011). The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. The Committee approved filing this bill by consent on 6-12-14.

**CB14-0485 A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and ECI Site Construction Management, Inc.**

Amends a contract with ECI Site Construction Management, Inc. to incorporate additional indemnity language for the Greenway Foundation based on a funding agreement for the area adjacent to and within the South Platte River from Alameda to Iliff Avenue located in Council District 7 (201414633-01). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-12-14.

**CB14-0503 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Cutler Repaving, Inc., for the 2014 City-Wide Hot-In-Place Recycling and Repaving Project.**

Approves a \$5,383,686.28 contract with Cutler Repaving, Inc. to mill and repave approximately 80 lane-miles of streets, including residential neighborhoods and high volume arterials in various locations throughout Denver (201415501). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-19-14.

**CB14-0525 A bill for an ordinance approving a contract with W.L. Contractors to upgrade traffic signals.**

Approves a \$1,626,782.84 contract with W.L. Contractors to upgrade traffic signals at Sheridan and Colfax and at Federal and Evans in Council Districts 1 and 7 (201414860). The last regularly scheduled Council meeting within the 30-day review period is on 7-28-14. The Committee approved filing this bill by consent on 6-26-14.

**CB14-0528 A bill for ordinance vacating a portion of 47th Avenue near 4696 Grove Street, with reservations.**

Vacates 14 feet of public right-of-way of West 47th Avenue along the northern property line of 4696 North Grove Street in Council District 1. The Committee approved filing this bill by consent on 6-26-14.

**CB14-0540 A bill for an ordinance approving an Intergovernmental Agreement between the City and County of Denver and the Denver Board of Water Commissioners for the City's Broadway Reconstruction Project.**

Approves an intergovernmental agreement by which Denver Water will reimburse the City \$1,145,149.82 for the design and construction of water distribution lines and relocation of a steel conduit in Broadway from Arizona to Kentucky and in

Mississippi from Logan to Acoma in Council District 7 (201416527). The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. The Committee approved filing this bill by consent on 7-3-14.

**CB14-0581 A bill for an ordinance relinquishing the entire easement reserved in Ordinance No. 282, Series of 2014.**

Relinquishes an easement no longer required in order to accommodate redevelopment at 360 South Monroe Street in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 8-4-14. This bill was filed by Councilwoman Robb.

## **Announcement**

**On Monday, August 18, 2014, Council will hold a required public hearing on CB14-0504, changing the zoning classification for 3300 East 1st Avenue; a required public hearing on CB14-0522, changing the zoning classification for land located at the southeast corner of Monaco Parkway and East First Avenue at approximately 90 Monaco Parkway; a required public hearing on CB14-0523, changing the zoning classification for land located near the southwest corner of South Quebec Street and Archer Place at approximately 7000-7300 Archer Place; and a required public hearing on CB14-0524, changing the zoning classification for land located at approximately 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place. Any protests against CB14-0504, CB14-0522, CB14-0523, or CB14-0524 must be filed with the Council Offices no later than noon on Monday, August 11, 2014.**

## **Adjourn**

## **Pending**

**For 2-23-15**

**CB13-0501 AS AMENDED, a bill for an ordinance to amend Chapter 48 (Solid Waste) of the Revised Municipal Code to add an Article IX (Disposable Bag Fees) and to make a corresponding amendment to Chapter 24.**

## **Final Consideration**