

City Council of Monday, March 05, 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.....Council Secretary

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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 720-865-9534.

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: Monday, March 05, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, February 27, 2012

Council Announcements

Presentations

Communications

Proclamations

CP12-0185 A proclamation in support of Native Peoples HIV/AIDS Awareness Day.

Sponsored by Councilmembers López, Herndon, Ortega, Brooks, and Kniech.

Resolutions

Health, Safety, Education & Services

CR12-0135 A resolution approving the Mayor's reappointment and appointment to the Denver American Indian Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral reappointment of Richard Martel and the appointment of Stella Carrasco to the Denver American Indian Commission for terms effective immediately and expiring on January 11, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-23-12.

CR12-0136 A resolution approving the Mayor's reappointments to the Denver Asian Pacific American Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral appointments of Hyun "Sun" Coates, Ronald Abo, Frances Campbell, Mary Lee Chin, Rodger Hara, Jerico Javier, Khoa Nguyen, and Whei Wong to the Denver Asian Pacific American Commission for terms effective immediately and expiring on January 22, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-23-12.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0141 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Recycled Materials Company, Inc., related to operation and maintenance of asphalt and concrete recycle facilities at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a 5-year, up to \$7 million contract with Recycled Materials Company to operate and manage asphalt and concrete recycle facilities at DIA saving the airport hauling and tipping fees while it receives 5% of sale revenues for excess product. The last regularly scheduled Council meeting within the 30-day review period is on 3-27-12. The Committee approved filing this bill by consent on 2-23-12.

Health, Safety, Education & Services

CB12-0137 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Keefe Commissary Network, LLC. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the Keefe Commissary Network, LLC contract to add one additional year through December 31, 2012 at no cost for inmate commissary services at the Denver Sheriff Department. The last regularly scheduled Council meeting within the 30-day review period is on 3-27-12. The Committee approved filing this bill by consent on 2-23-12.

Land Use, Transportation & Infrastructure

CB12-0014 A bill for an ordinance approving an amendatory agreement between Felsburg, Holt & Ullevig, Inc. and the City & County of Denver for general design services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the contract with Felsburg, Holt & Ullevig to extend the term four years to Dec. 31, 2015, and increase the contract amount by \$1,568,753.23, for a maximum contract total of \$4,218,687.01, to provide professional engineering services necessary to complete the Broadway reconstruction from Arizona to Exposition and the I-25 Interchange in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 3-27-12. The Committee approved filing this bill by consent on 12-29-11.

CB12-0081 A bill for an ordinance changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit Development District General (PUD-G). (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves rezoning the block bounded by 1st and 2nd avenues and Fillmore and Detroit from PUD #607 (Planned Unit Development) to PUD-G to allow for an additional story for residential uses along 2nd Ave. in Council District 10. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 2-7-12.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a public hearing on CB12-0055 amending the Denver Zoning Code to mitigate the effect of certain governmental actions on zone lots and uses. 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

Bills for Final Consideration - Public Hearings

YES	CB12-0055 A bill for an ordinance amending the Denver Zoning Code to mitigate the effect of certain governmental actions on zone lots and uses. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Approves Zoning Code Text Amendment #10 to mitigate the effect of governmental actions, such as right-of-way widening or narrowing, on zone lots and uses. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 1-24-12.
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Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0130 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Icelandair for Advertising, Marketing and Promotional Services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a two-year professional services agreement to reimburse Icelandair up to \$1,500,000 for certain promotional, marketing, and advertising costs specific to the new regular passenger service between Rekjavik and Denver and for use of DIA

facilities. The last regularly scheduled Council meeting within the 30-day period is on 3-19-12. The Committee approved filing this bill at its meeting on 2-15-12.

CB12-0131 A bill for an Ordinance approving a proposed Agreement between the City and County of Denver and Icelandair for Landing Fee Incentives at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a two-year incentive agreement with Icelandair to credit the airline for certain landing and other fees specific to the Denver-Reykjavik route up to \$500,000. The last regularly scheduled Council meeting within the 30-day period is on 3-19-12. The Committee approved filing this bill at its meeting on 2-15-12.

Government & Finance

CB12-0084 A bill for an ordinance establishing a "Public Works Alternative Fuel Vehicles Donation" fund in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund. (GOVERNMENT & FINANCE)

Creates a Public Works Donations special revenue fund to accept revenue from private donations, partnerships, or contributions to Denver's Public Works Department. The Committee approved filing this bill at its meeting on 2-15-12.

CB12-0120 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Harris Corporation. (GOVERNMENT & FINANCE)

Approves an up to \$6,000,000 two-year master purchase order with Harris Corporation for parts that are compatible with the City's 800 MHz radio communications system for first responders from multiple agencies including: Police, Fire, Sheriff, DIA, and Emergency Response units. The last regularly scheduled Council meeting within the 30-day review period is on 3-19-12. The Committee approved filing this bill by consent on 2-16-12.

CB12-0126 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Oracle America, Inc. (GOVERNMENT & FINANCE)

Approves the annual payment of \$576,857.97 to Oracle America for PeopleSoft Enterprise software maintenance and support through March 19, 2013. The last regularly scheduled Council meeting within the 30-day review period is on 3-19-12. The Committee approved filing this bill by consent on 2-16-12.

Health, Safety, Education & Services

CB12-0079 A bill for an Ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Alfred Benesch & Company to extend the existing contract for six additional months. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves an amendment to the Alfred Benesch and Company contract to extend the term six months through July 1, 2012 for a contract cap of \$1,000,000 to provide oversight services for asbestos, lead-based paint, and mold remediation activities. The last regularly scheduled Council meeting within the 30-day review period is on 3-19-12. The Committee approved filing this bill by consent on 2-2-12.

Land Use, Transportation & Infrastructure

CB12-0089 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Town Center Metropolitan District which provides funding for reimbursement costs for the construction of Green Valley Ranch Boulevard from Airport Way to Telluride Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an Intergovernmental Agreement with the Town Center Metropolitan District that provides for funding in the amount of \$2,457,526.89 for reimbursement costs in the construction of Green Valley Ranch Boulevard from Airport Way to Telluride Street in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 3-19-12. The Committee approved filing this bill by consent on 2-2-12.

CB12-0090 A bill for an ordinance approving a proposed Second Amendment to Development Agreement between the City and County of Denver, HC Development & Management Services, Inc. and Town Center Metropolitan District, for funding and construction of Green Valley Ranch Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a second amendment to the Development Agreement between Green Valley Ranch North and the Town Center Metropolitan District that provides for funding and construction of Green Valley Ranch Boulevard to reallocate \$488,098.97, as identified in the Development Agreement's funding plan, for use in reimbursing costs of roadway construction in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is 3-19-12. The Committee approved filing this bill by consent on 2-2-12.

CB12-0122 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Goodland Construction, Inc. for landscape improvement and irrigation construction. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a two-year, \$1.5 million maximum on-call landscape and irrigation contract with Goodland Construction with an option for a one-year renewal for CIP projects throughout the Parks system. The last regularly scheduled Council meeting within the 30-day review period is 3-19-12. The Committee approved filing this bill by consent on 2-16-12.

CB12-0124 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and CTM, Inc. for landscape improvement and irrigation construction. (LAND USE, TRANSPORTATION &

INFRASTRUCTURE)

Approves a two-year, \$1.5 million maximum landscape and irrigation on-call contract with CTM, Inc. with an option for a one-year renewal for CIP projects throughout the Parks system. The last regularly scheduled Council meeting within the 30-day review period is 3-19-12. The Committee approved filing this bill by consent on 2-16-12.

CB12-0127 A bill for an ordinance approving a proposed First Amendment to Purchase Agreement between the City and County of Denver and Avondale Commons, LLC, for increased infrastructure and site development costs for the Westside Library site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the purchase agreement with Avondale Commons to add \$315,000 for increased infrastructure and site development costs, for a new total of \$1,297,000, for the Westside Library site in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 3-19-12. The Committee approved filing this bill at its meeting on 2-14-12.

CB12-0128 A bill for an ordinance vacating the alley bounded by 10th Avenue, between Osage Street and Navajo Street, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Vacates the dead end alley south of 10th Ave. between Osage and Navajo for redevelopment of Denver Housing Authority property in Council District 9. The Committee approved filing this bill by consent on 2-16-12.

CB12-0129 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 Colorado Department of Transportation concerning the "South Broadway Reconstruction – Kentucky to Tennessee" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an Intergovernmental Agreement with the Colorado Department of Transportation to reimburse the City with federal funds, and establishes a capital grant fund appropriation of \$2,692,000, for reconstruction of S. Broadway from Kentucky to S. Tennessee in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is 3-19-12. The Committee approved filing this bill by consent on 2-16-12.

Announcement

There will be a public hearing on CB12-0081 changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit Development District General (PUD-G) on Monday, April 2, 2012. Any protests against CB12-0081 must be filed with the Council Offices no later than Tuesday, March 27, 2012.

Adjourn

Pending

CB12-0086 A bill for an ordinance changing the zoning classification for 3350 Brighton Boulevard.

CR12-0106 A resolution to set a public hearing relating to the approval of the Tamarac Square South Urban Redevelopment Plan.

Bills Pending 3/6/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CR12-0135	HEALTH, SAFETY, EDUCATION & SERVICES		A resolution approving the Mayor's reappointment and appointment to the Denver American Indian Commission.	2/23/2012 2/28/2012 3/5/2012	NO
CB12-0141	BUSINESS, WORKFORCE & SUSTAINABILITY		A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Recycled Materials Company, Inc., related to operation and maintenance of asphalt and concrete recycle facilities at Denver International Airport.	2/23/2012 3/5/2012	NO
CB12-0081	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit	2/7/2012 2/14/2012 3/5/2012	NO

			Development District General (PUD-G).		
			Tonight there will be a public hearing on CB12-0055 amending the Denver Zoning Code to mitigate the effect of certain governmental actions on zone lots and uses. 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.	3/5/2012	NO
CB12-0055	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance amending the Denver Zoning Code to mitigate the effect of certain governmental actions on zone lots and uses.	1/24/2012 1/31/2012 2/6/2012 3/5/2012	YES
CB12-0131	BUSINESS, WORKFORCE & SUSTAINABILITY		A bill for an Ordinance approving a proposed Agreement between the City and County of Denver and Icelandair for Landing Fee Incentives at Denver International Airport.	2/15/2012 2/27/2012 3/5/2012	NO
CB12-0137	HEALTH, SAFETY, EDUCATION & SERVICES		A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Keefe Commissary Network, LLC.	2/23/2012 2/28/2012 3/5/2012	NO

CB12-0014	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance approving an amendatory agreement between Felsburg, Holt & Ullevig, Inc. and the City & County of Denver for general design services.	1/3/2012 3/5/2012	NO
CB12-0120	GOVERNMENT & FINANCE		A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Harris Corporation.	2/16/2012 2/27/2012 3/5/2012	NO
CB12-0079	HEALTH, SAFETY, EDUCATION & SERVICES		A bill for an Ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Alfred Benesch & Company to extend the existing contract for six additional months.	2/2/2012 2/7/2012 2/27/2012 3/5/2012	NO
CB12-0122	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Goodland Construction, Inc. for landscape improvement and irrigation construction.	2/13/2012 2/16/2012 2/21/2012 2/27/2012 3/5/2012	NO
CB12-0128	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance vacating the alley bounded by 10th Avenue, between	2/16/2012 2/21/2012 2/27/2012 3/5/2012	NO

			Osage Street and Navajo Street, with reservations.		
CB12-0129	LAND USE, TRANSPORTATION & INFRASTRUCTURE		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 Colorado Department of Transportation concerning the "South Broadway Reconstruction – Kentucky to Tennessee" project and the funding therefor.	2/16/2012 2/21/2012 2/27/2012 3/5/2012	NO
			There will be a public hearing on CB12-0081 changing the zoning classification of the block bounded by 1st Avenue, 2nd Avenue, Fillmore Street and Detroit Street to a Planned Unit Development District General (PUD-G) on Monday, April 2, 2012. Any protests against CB12-0081 must be filed with the Council Offices no later than Tuesday, March 27, 2012.	3/5/2012	NO
CR12-0136	HEALTH, SAFETY, EDUCATION & SERVICES		A resolution approving the Mayor's reappointments to the Denver Asian Pacific	2/23/2012 2/28/2012 3/5/2012	NO

			American Commission.		
CB12-0130	BUSINESS, WORKFORCE & SUSTAINABILITY		A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Icelandair for Advertising, Marketing and Promotional Services at Denver International Airport.	2/15/2012 2/27/2012 3/5/2012	NO
CP12-0185			A proclamation in support of Native Peoples HIV/AIDS Awareness Day.	3/5/2012	NO
CB12-0084	GOVERNMENT & FINANCE		A bill for an ordinance establishing a "Public Works Alternative Fuel Vehicles Donation" fund in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund.	2/15/2012 2/27/2012 3/5/2012	NO
CB12-0126	GOVERNMENT & FINANCE		A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Oracle America, Inc.	2/16/2012 2/27/2012 3/5/2012	NO
CB12-0089	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Town Center Metropolitan	2/2/2012 2/7/2012 2/27/2012 3/5/2012	NO

			District which provides funding for reimbursement costs for the construction of Green Valley Ranch Boulevard from Airport Way to Telluride Street.		
CB12-0090	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance approving a proposed Second Amendment to Development Agreement between the City and County of Denver, HC Development & Management Services, Inc. and Town Center Metropolitan District, for funding and construction of Green Valley Ranch Boulevard.	2/2/2012 2/7/2012 2/27/2012 3/5/2012	NO
CB12-0124	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance approving a proposed Agreement between the City and County of Denver and CTM, Inc. for landscape improvement and irrigation construction.	2/16/2012 2/21/2012 2/27/2012 3/5/2012	NO
CB12-0127	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance approving a proposed First Amendment to Purchase Agreement between the City and County of Denver and Avondale Commons, LLC, for increased infrastructure and site development costs for the Westside Library	2/14/2012 2/27/2012 3/5/2012	NO

			site.		
CB12-0086	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification for 3350 Brighton Boulevard.	1/31/2012 2/7/2012 2/13/2012 3/12/2012	YES
CR12-0106	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A resolution to set a public hearing relating to the approval of the Tamarac Square South Urban Redevelopment Plan.	2/9/2012 2/21/2012 3/27/2012	YES

Bills Pending 3/12/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CB12-0086	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification for 3350 Brighton Boulevard.	1/31/2012 2/7/2012 2/13/2012 3/6/2012 3/5/2012	YES

Bills Pending 3/27/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CR12-0106	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A resolution to set a public hearing relating to the approval of the Tamarac Square South Urban Redevelopment Plan.	2/9/2012 2/21/2012 3/5/2012 3/6/2012	YES