

City Council of Monday, February 04, 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

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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 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

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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, February 04, 2013 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP13-0084 A proclamation acknowledging Thursday, February 7, 2013 as PJ Day 2013 in the City and County of Denver, a day to help the homeless. Councilmembers Brooks, Robb, Susman, Montero, Shepherd, Lehmann, Ortega, Herndon, and Kniech.

Resolutions

Health, Safety, Education & Services

CR13-0021 A resolution approving the Mayor's reappointments and appointment to the Denver Asian Pacific-American Commission.

Approves the Mayoral reappointments of Ferooza Eswaran, Peggy Lore, Pam Sweetser, Jinny Kim, Lynn Sargent, Chuong Le, Erin Yoshimura, and the appointment of Sylvia Smith-Brown to the Denver Asian Pacific-American Commission for terms effective immediately and expiring on January 22, 2015 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 1-24-13.

Land Use, Transportation & Infrastructure

CR13-0035 A resolution setting a public hearing on the approval of the Service Plans for the Aviation Station area metropolitan districts including Aviation Station North Metropolitan District No. 1, Aviation Station North Metropolitan District No. 2, Aviation Station North Metropolitan District No.

3, Aviation Station North Metropolitan District No. 4, Aviation Station North Metropolitan District No. 5, Aviation Station North Metropolitan District No. 6, Smith Metropolitan District No. 1, Smith Metropolitan District No. 2, Smith Metropolitan District No. 3 and Smith Metropolitan District No. 4. Sets a public hearing date of February 25, 2013, per State law, on the service plan and the creation of ten Title 32 metropolitan districts entitled, "Aviation Station Metropolitan Districts." The Committee approved filing this resolution by consent on 1-24-13.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0957 A bill for an ordinance approving a proposed First Amendment to Support Facilities Lease Agreement between the City and County of Denver and Swissport Cargo Services, LP concerning leased space at Denver International Airport.

Approves a support facilities lease agreement with Swissport Cargo Services, LP, a cargo handler that provides services to commercial flights (AR 15004 (1)). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing the bill at its meeting on 1-23-13.

CB13-0023 A bill for an ordinance approving a proposed First Amendment to Contract between the City and County of Denver and John Rohrer Contracting Company, Inc. related to on-call construction services at Denver International Airport.

Approves a one-year, no cost extension (to a total of three years) of the \$12,000,000 contract with John Rohrer Construction Company for terminal roadway moisture protection and repairs at Denver International Airport (DIA) (PLANE-201102006). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0024 A bill for an ordinance approving a proposed Non-Disturbance, Attornment and Concession Agreement between the City and County of Denver and Skyport Development Company, LLC for a concession at Denver International Airport.

Approves a non-disturbance, attornment and concession agreement with Skyport Development Company, LLC and Denver International Airport (DIA) Steakhouse, LLC (PLANE-201208478) to allow the sublease to become a direct lease when the agreement with Skyport Development Company, LLC (AC69004) expires on October 31, 2017. The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing the bill at its meeting on 1-23-13.

CB13-0025 A bill for an ordinance approving a proposed Non-Disturbance,

Attornment and Concession Agreement between the City and County of Denver and Skyport Development Company, LLC for a concession at Denver International Airport.

Approves a non-disturbance, attornment, and concession agreement with Skyport Development Company, LLC and FM Wok, LLC (PLANE-201208465) to allow the sublease to become a direct lease with the City and County of Denver when the agreement with Skyport Development Company, LLC (AC69004) expires on October 31, 2017. The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing the bill at its meeting on 1-23-13.

CB13-0026 A bill for an ordinance approving 19 proposed Airport Use and Lease Agreements between the City and County of Denver and certain airlines related to operations and leased space at Denver International Airport.

Executes airport use and lease agreements with 19 commercial airlines that provide commercial flight service at the airport. The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing the bill at its meeting on 1-23-13.

CB13-0027 A bill for an ordinance approving a proposed Agreement for On-Call Environmental Design Services between the City and County of Denver and Brown & Caldwell, Inc. related to on-call environmental services at Denver International Airport.

Approves a three-year, \$1,050,000 on-call environmental services contract with Brown and Caldwell, Inc., for environmental services at Denver International Airport and the former Stapleton Airport (201208638). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0028 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Waste Management of Colorado, Inc. related to special waste disposal services for Denver International Airport and the former Stapleton International Airport.

Approves a four year, \$3,000,000 special waste disposal contract with Waste Management Co., Inc. for disposal of special airport waste at the Denver Arapahoe Disposal Site. The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing the bill at its meeting on 1-23-13.

CB13-0029 A bill for an ordinance approving a proposed Contract between the City and County of Denver and FCI Constructors, Inc. related to on-call construction services at Denver International Airport.

Approves a three-year, \$15,000,000 on-call construction contract with FCI Constructors, Inc. (201208782). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

Government & Finance

CB13-0034 A bill for an ordinance establishing a "Metro Mortgage Assistance Plus Program" fund in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund.

Establishes a new "Metro Mortgage Assistance Program" special revenue fund in the General Government Special Revenue Fund. The Committee approved filing this bill by consent on 1-24-13.

CB13-0068 A bill for an ordinance rescinding budget, transferring cash and making appropriations in the General Fund, General Government, Culture and Recreation, and Public Safety Special Revenue Funds and Capital Improvements and Capital Maintenance Fund of moneys designated by City Council for various projects.

Approves the City Council 2012 year-end close out budget reconciliation by transferring \$189,900 of City Council budget savings to City Council Special Revenue Funds, transferring \$47,500 of City Council budget savings to other city funds, and expending \$41,420 from City Council Special Revenue Funds on a variety of City projects. City Council is giving back \$62,338.19 of 2012 budget savings to the 2013 General Fund. The Committee approved filing this bill by consent on 1-31-13.

Health, Safety, Education & Services

CB12-0902 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver to provide services to chronically homeless persons.

Amends the Mental Health Center of Denver contract to add \$850,292, for a total contract of \$3,368,412.38, to provide housing and treatment services to 75 chronically homeless individuals (SOCSV-CE01060-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 11-29-12.

CB12-0976 A bill for an ordinance authorizing the Mayor and other proper officials of the City and County of Denver to enter into a Collective Bargaining Agreement with the Denver Police Protective Association for the years 2013 and 2014.

Approves the Collective Bargaining Agreement with the Denver Police Protective Association for the years 2013 and 2014. The Committee approved filing this bill at its meeting on 1-22-13.

CB12-0977 A bill for an ordinance authorizing the Mayor and other proper officials of the City and County of Denver to enter into a Collective Bargaining Agreement with the Fraternal Order of Police, Denver Sheriff Lodge 27 for the years 2013 and 2014.

Approves the Collective Bargaining Agreement with the Fraternal Order of Police,

Denver Sheriff Lodge 27 for the years 2013 and 2014. The Committee approved filing this bill at its meeting on 1-22-13.

CB12-0988 A bill for an ordinance establishing the Denver Immigrant and Refugee Commission within the Agency of Human Rights and Community Partnerships.

Amends the Agency for Human Rights & Community Partnerships ordinance to create a new commission to be called the Denver Immigrant and Refugee Commission. The Committee approved filing this bill at its meeting on 1-8-13.

CB13-0031 A bill for an ordinance approving an Amendatory Agreement with Integral Recoveries, Inc. to extend the term through February 2014 providing debt collection services to Denver County Court.

Amends the contract with Integral Recoveries, Inc., to extend the term through February 2014 to provide services for Denver County Court related to collecting delinquent fines and fees (201204950). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0032 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Senter Goldfarb & Rice, LLC, to provide professional legal services in matters assigned by the City Attorney.

Amends the contract with Senter Goldfarb & Rice to increase the contract amount by \$350,000 for a total contract cost of \$1,150,000 to provide legal services (CE13018). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0033 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Ingram Library Services, Inc., to extend the term through December 31, 2013 and increase the maximum amount of the agreement to \$5,945,000.

Amends the contract with Ingram Library Services, Inc., to extend the agreement through December 31, 2013 and to add \$3,045,000 for a total contract of \$5,945,000 for book purchases and cataloging services for the Denver Public Library (201103203-02). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0037 A bill for an ordinance approving a proposed Eleventh Amendatory Agreement between the City and County of Denver and the Jefferson County Sheriff's Department for law enforcement services in the Denver Mountain Parks System.

Approves an eleventh amendment to the Jefferson County Sheriff's Department contract to add three years through December 31, 2015 for a total contract amount of \$579,213 for law enforcement services in the Denver mountain parks system (POLIC CE-31245-11). The last regularly scheduled Council meeting within the 30-

day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0040 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 Colorado Health Foundation concerning the "SNAP Into Health" program and the funding therefor.

Accepts \$845,062 from The Colorado Health Foundation to initiate the Snap Into Health Nutrition based program which is designed to improve access to health care and nutrition for Denver's underserved populations (SOCSV-2012-08965). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

Land Use, Transportation & Infrastructure

CB12-0951 A bill for an ordinance approving a Long-Term License (56th Avenue Pond, Pipelines and Channel) from the City and County of Denver to the Park Creek Metropolitan District.

Approves a license agreement with the Park Creek Metropolitan District and Forest City Stapleton that provides access to city-owned property south of 56th Ave. and west of Dallas St. to construct drainage improvements (the area will eventually become a City park) related to future construction of the Stapleton High School in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 12-20-12.

CB13-0019 A bill for an Ordinance amending Ordinance Number 426, Series of 2007, as amended by Ordinance Number 335, Series of 2009, Ordinance Number 148, Series of 2010, Ordinance Number 11, Series of 2011, Ordinance Number 258, Series of 2011, and Ordinance Number 630, Series of 2011 designating the project to be undertaken and funded with the proceeds of the Better Denver bonds.

Amends Ordinance Number 426, Series of 2007, as amended, designating the projects funded through Better Denver bonds, to amend allocations regarding cultural facilities, including nine new bond projects. The Committee approved filing this bill at its meeting on 1-15-13.

CB13-0042 A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and HNTB Corporation for the Colorado Center Bicycle/Pedestrian Bridge over I-25.

Amends the contract with HNTB Corporation for the Colorado Center Bicycle/Pedestrian Bridge over I-25 to extend the term from July 1, 2013, to December 31, 2015, and add \$321,968, for a new maximum of \$1,831,600, for additional professional design services (CE92032-02). The last regularly scheduled Council meeting within the 30-day review period is on 2-25-13. The Committee approved filing this bill by consent on 1-24-13.

CB13-0043 A bill for an ordinance revoking the revocable permit granted by Ordinance No. 743, Series 2005 to the United States Government to encroach into the right-a-way with various items at the Bryan Rogers Courthouse and Federal Building located at 1861 Stout Street.

Revokes Ordinance No. 743, Series of 2005, which granted a revocable permit to the U.S. Government to encroach into the public right-of-way with various items at the Bryan Rogers Courthouse and Federal Building at 1861 Stout St. in Council District 9. The Committee approved filing this bill by consent on 1-24-13.

CB13-0044 A bill for an ordinance vacating the East/West alley adjacent to 2727 West 33rd Avenue, with reservations.

Vacates the east/west alley adjacent to 2727 West 33rd Avenue for redevelopment in Council District 9. The Committee approved filing this bill by consent on 1-24-13.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0965 A bill for an ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Pericle Communications Company concerning engineering services in the area of wireless communications at Denver International Airport.

Adds one year (through December 2013) and \$2,951,787 to the contract with Pericle Communications Company for consulting on airport radio frequency (RF) communication systems bringing the contract total to \$3,431,786.58 (CE-12067). The last regularly scheduled Council meeting within the 30-day review period is on 2-19-13. The Committee approved filing this bill by consent on 1-17-13.

CB12-0966 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Ascent Technology, Inc. related to software maintenance and support at Denver International Airport.

Adds one year and \$160,000 (through December 2013) to the software maintenance agreement with Ascent Technology, Inc., for software maintenance and support services for the gate management system at Denver International Airport (DIA) bringing the total contract to \$635,232 (CE-95011). The last regularly scheduled Council meeting within the 30-day review period is on 2-19-13. The Committee approved filing this bill by consent on 1-17-13.

Government & Finance

CB13-0011 A bill for an ordinance making rescissions and appropriations in the General Government Special Revenue Fund.

Corrects the accounting number for the Convention Center Hotel special revenue fund by rescinding and re-appropriating it from Treasury to the Department of Finance for the year 2013. The Committee approved filing this bill by consent on 1-17-13.

CB13-0012 A bill for an ordinance making an appropriation from the Developmental Disabilities Special Revenue Fund.

Approves a supplemental request in the amount of \$741,304 from the fund balance in the Developmental Disabilities Special Revenue Fund 13304 for increased expenditures resulting from additional revenue. The Committee approved filing this bill by consent on 1-17-13.

CB13-0013 A bill for an ordinance approving a proposed Agreement for Purchase and Sale between the City and County of Denver and MCRT Investments, LLC for property located at 2100 Wewatta Street, Denver, Colorado.

Approves an agreement with MCRT Investments, LLC, for the purchase and sale of the property located at 2100 Wewatta for \$77,608 in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 2-19-13. The Committee approved filing this bill by consent on 1-17-13.

Health, Safety, Education & Services

CB12-0901 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Denver Health And Hospital Authority to provide transitional residential treatment and case management services to chronically homeless individuals who have a history of detoxification use in Denver.

Amends the Denver Health & Hospital Authority contract to add \$225,000, for a total contract amount of \$900,000, to provide transitional residential treatment and case management services to 25 chronically homeless individuals through the Comprehensive Housing & Residential Services (CHARTS) program at Denver Cares (SOCSV-CE01069-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-19-13. The Committee approved filing this bill by consent on 11-29-12.

CB12-0967 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Options Inc., to provide services and support to individuals with developmental disabilities.

Approves the 2013 contract with Denver Options, Inc., doing business as Rocky Mountain Human Services in the amount of \$10,989,504 to be paid from the

dedicated mill levy revenues for the purpose of providing services to Denver residents with developmental disabilities (SOCSV 201209022). The last regularly scheduled Council meeting within the 30-day review period is on 2-19-13. The Committee approved filing this bill by consent on 12-27-12.

CB13-0010 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Volunteers of America Colorado Branch to provide services for Denver's homeless populations.

Amends the Volunteers of America contract to add \$146,386 from the Human Services mill levy for a total contract amount of \$516,685 to provide case management services and emergency shelter assistance for up to 600 women and their family members at the Brandon House (SOCSV-CE01127-03). The last regularly scheduled Council meeting within the 30-day review period is on 2-19-13. The Committee approved filing this bill at its meeting on 1-17-13.

Land Use, Transportation & Infrastructure

CB13-0017 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, Department of Transportation, concerning the "Denver TIP 2013-Signal System" project and the funding therefor.

Approves an Intergovernmental Agreement with the Colorado Department of Transportation to allow the City to receive and expend \$1,340,000 in federal funds as part of the Traffic Improvement Program (TIP); establishes a capital grant fund; and appropriates the funds for traffic signal improvements in Council Districts 1, 6, 7, 9 and 10 (201209002). The last regularly scheduled Council meeting within the 30-day review period is on 2-19-13. The Committee approved filing this bill by consent on 1-17-13.

Adjourn

Pending

For 2-11-13

CB12-0953 A bill for an ordinance changing the zoning classification for 1239 Bruce Randolph Avenue.

**Required Public Hearing
Final Consideration**

For 2-19-13

CB12-0807 A bill for an ordinance changing the zoning classification for 245 Columbine Street, with a reasonable condition.

**Required Public Hearing
Final Consideration**