


CITY COUNCIL		
City and County of Denver		
Carol Boigon..... At Large Doug Linkhart..... At Large Paula E. Sandoval..... District 1 Jeanne Faatz..... District 2 Paul López..... District 3 Peggy Lehmann..... District 4 Marcia Johnson..... District 5 Charlie Brown..... District 6		Chris Nevitt..... District 7 Carla Madison..... District 8 Judy H. Montero..... District 9 Jeanne Robb..... District 10 Michael B. Hancock..... District 11 Lauri Dannemiller..... Director Kelly Velez..... Council Secretary
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WEB ACCESS Live broadcast and audio and video archives can be accessed at http://www.denvergov.org/citycouncil	**REMINDER** As a courtesy to those in attendance, please turn off your cell phones and pagers.
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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.

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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, October 25, 2010 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, October 18, 2010

Council Announcements

Presentations

Communications

Proclamations

CP10-0941 A proclamation in recognition of American Planning Association naming LoDo as one of top ten "Great Neighborhoods for 2010".

Sponsored by Councilmembers Montero, Johnson, Linkhart, Robb, Brown, Madison, Lehmann, López, Sandoval, and Boigon.

Resolutions

Health, Safety, Education & Services

CR10-0911 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of One Hundred and Thirty-Six Thousand Dollars (\$136,000.00) payable to Renae Raymond and Richard L. Ott, P.C., in full payment and satisfaction of all claims in Claim No. 2008.0406. (HEALTH, SAFETY, EDUCATION & SERVICES)

Settles a claim involving the Police Department. This resolution was approved for filing at the Mayor-Council meeting of 10-19-10.

Land Use, Transportation & Infrastructure

CR10-0888 A resolution granting a revocable permit to Broadway Viaduct Pedestrian Mall Maintenance District (BVLMD) to encroach into the right-of-way with four art structures along Broadway between 24th and 25th Streets. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Grants a revocable permit to Broadway Viaduct Local Maintenance District to encroach into the right-of-way with four art structures on Broadway between 24th and 25th streets in Council District 9. The Committee approved filing this resolution by consent on 10-14-10.

CR10-0889 A resolution laying out, opening and establishing as part of the city street system certain parcels of land as W. 8th Ave. between Mariposa and Navajo Streets, W. 8th Ave. between Decatur St. and Federal Blvd., and W. 8th Ave between Winona Ct. and Xavier St. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates eight parcels of existing City owned land as part of the right-of-way of W. 8th Ave. between Mariposa and Navajo and between Decatur and Federal in Council District 9; and between Winona and Xavier in Council District 1. The Committee approved filing this resolution by consent on 10-14-10.

CR10-0890 A resolution laying out, opening and establishing as part of the city street system certain parcels of land as S. Monaco St. Parkway from north of Center Ave. to Leetsdale Dr. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates existing City owned land as part of the right-of-way of S. Monaco Street Parkway from north of Center Ave. to Leetsdale Dr. in Council District 5. The Committee approved filing this resolution by consent on 10-14-10.

Bills for Introduction-Held in Committee

CB10-0724 A bill for an ordinance amending section 55 of Chapter 8 of the Revised Municipal Code to allow for the affirmative defense that a pit bull is a service animal within the Americans with Disabilities Act and deleting obsolete language. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the Revised Municipal Code to exempt pit bulls that are service animals under the Americans with Disabilities Act from Denver's ban on the breed to comply with federal regulations. Also deletes language regarding transport of pit bulls that was invalidated by the court. The Committee approved filing this bill at its meeting on 8-24-10.

Bills for Introduction

Business, Workforce & Sustainability

CB10-0765 A bill for an ordinance approving a proposed Donation and Waiver Agreement between the City and County of Denver and Frank Bingham and J. Landis Martin providing for the acceptance of donated artwork, "Connections" by artist Robert Pietruszewski for the southwest corner of Skyline Park. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the acceptance of donated artwork, "Connections" by artist Robert Pietruszewski for the southwest corner of Skyline Park. The Committee approved filing this bill by consent on 9-6-10.

CB10-0893 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Denver Building Housing, Ltd. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves modifications to the terms related to the Urban Development Action Grant (UDAG) loan (\$1,860,434) to Denver Building Housing Ltd. (DBH) for the property located at 700 16th Street (The Denver Dry Goods Building). The last regularly scheduled Council meeting within the 30-day review period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

Government Affairs & Finance

CB10-0853 A bill for an ordinance amending Article III of Chapter 15 of the Revised Municipal Code concerning campaign finances. (GOVERNMENT AFFAIRS & FINANCE)

Amends Article III of Chapter 15 of the Revised Municipal Code concerning campaign finances to clean up several inconsistencies and to clarify the authority of the Clerk and Recorder to perform responsibilities assigned under Charter. The Committee approved filing this bill at its meeting on 10-13-10.

CB10-0854 A bill for an ordinance amending Article I of Chapter 15 of the Revised Municipal Code concerning the conduct and administration of city and county elections. (GOVERNMENT AFFAIRS & FINANCE)

Amends Article I of Chapter 15 of the Revised Municipal Code concerning the conduct and administration of city and county elections for minor changes to deadlines following a municipal election to conform to changes in state and federal law. The Committee approved filing this bill at its meeting on 10-13-10.

CB10-0873 A bill for an ordinance approving a proposed Assignment and Assumption of Contract and Contract Rights and Second Amendatory Agreement between the City and County of Denver, Sequoia Voting Systems, Inc., as Assignor, and Dominion Voting Systems, Inc., as Assignee, to memorialize agreements concerning the assignment and assumption of the Purchase Agreement from Sequoia to Dominion. (GOVERNMENT AFFAIRS & FINANCE)

Amends the contract with Sequoia Voting Systems Inc., as assignor, and Dominion Voting Systems Inc., as assignee, to assign city-owned assets to the new voting systems vendor - Dominion Voting Systems Inc. - for maintenance and service obligations. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-10. The Committee approved filing this bill at its meeting on 10-13-10.

CB10-0886 A bill for an ordinance approving a proposed ECO Pass Agreement between the City and County of Denver and Regional Transportation District for the RTD ECO pass program for the City and County of Denver employees. (GOVERNMENT AFFAIRS & FINANCE)

Approves a contract between the City and County of Denver and the Regional Transportation District (RTD) for the 2011 Eco Pass Program for a contract amount not to exceed \$1,448,622. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

Health, Safety, Education & Services

CB10-0670 A bill for an ordinance approving an agreement between the City and County of Denver and Walsh Environmental Engineering, LLC to add \$200,000 for abatement of asbestos, lead based paint, and mold remediation for City projects. (HEALTH, SAFETY, EDUCATION & SERVICES)

Adds \$200,000 to the contract with Walsh Environmental for abatement of asbestos, lead based paint, and mold remediation for City projects. The last regularly-scheduled Council meeting within the 30 day period is on 11-15-10. The Committee approved filing this bill by consent on 8-5-10.

CB10-0845 A bill for an ordinance relating to Chapter 23 (Food and Food Handlers), of the Denver Revised Municipal Code, as amended. (HEALTH, SAFETY, EDUCATION & SERVICES)

Changes City Code food safety regulations to require public posting at food establishments for the most serious – instead of all - infractions, establish a continuum structure for administrative fines based on seriousness and recurrence of infractions, and to make related changes. The Committee approved filing this bill at its meeting on 10-12-10.

CB10-0881 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Evergreen Fire Protection District to procure interoperable communications equipment. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves an intergovernmental agreement between Denver and the Evergreen Fire Protection District (FPD) to procure interoperable communications equipment for FPD for \$900,000 (\$711,000 in Urban Area Security Initiative Grant Funds and \$189,000 from Evergreen FPD) as part of the approved projects through the FY09 Urban Area Security Initiative grant. The last regularly-scheduled Council meeting within the 30-day period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

CB10-0885 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 U.S. Department of Labor concerning the "Homeless Veterans Reintegration PY10" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Accepts \$299,691 of the 2010-2011 Homeless Veterans Reintegration Program funds for year 2 of a 3-year grant. The last regularly-scheduled Council meeting within the 30-day period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

Land Use, Transportation & Infrastructure

CB10-0882 A bill for an ordinance approving an amendatory on call agreement between Rhinotrax Construction, Inc. and the City & County of Denver that will provide general construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the on-call contract with Rhinotrax Construction to increase the maximum work order amount from \$75,000 to \$150,000 without changing the term of 7-21-09 to 7-20-13 or until the maximum amount of \$1.5 million is met. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

CB10-0883 A bill for an ordinance approving an amendatory on call agreement between Boden Construction Group, LLC and the City & County of Denver that will provide general construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the on-call contract with Boden Construction Group to increase the maximum work order amount from \$75,000 to \$150,000 without changing the term of 5-25-10 to 5-24-13 or until the maximum amount at \$1.5 million is met. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

CB10-0884 A bill for an ordinance approving an amendatory on call agreement between Norkoli Construction, Inc. and the City & County of Denver that will provide general construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the on-call contract with Norkoli Construction to increase the maximum work order amount from \$75,000 to \$150,000 without changing the term of 8-14-09 to 5-24-13 or until the maximum amount of \$1.5 million is met. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

CB10-0891 A bill for an ordinance approving an on call agreement between Munchiando Excavating, Inc. and the City & County of Denver for the 2010 Citywide On Call Structural and Safety Repairs Project, Phase I. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$699,972 on-call contract with Munchiando Excavating for phase I structural and safety repairs citywide for 18 months following execution. The last regularly scheduled Council meeting within the 30-day review period is on 11-15-10. The Committee approved filing this bill by consent on 10-14-10.

Recess

Council Reconvenes and Resumes its Regular Session

Gateway Village General Improvement Board of Directors

REQUIRED	<p>CR10-0887 A resolution by the Council of the City and County of Denver, sitting ex officio as the Board of Directors of the Gateway Village General Improvement District, approving a Work Plan, adopting a Budget and making appropriations for the Budget Year 2011 and approving a mill levy. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)</p> <p>Approves the Gateway Village General Improvement District's 2011 work plan, budget, appropriations and mill levy. The Committee approved filing this resolution by consent on 10-14-10.</p>
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Bills for Final Consideration - Public Hearings

REQUIRED	Mayor's Proposed 2011 Budget. Following the public hearing, Councilmembers may offer amendments to the proposed budget. The last regularly scheduled Council meeting at which members may offer amendments is Monday, November 1, 2010.
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REQUIRED	CB10-0607 A bill for an ordinance relating to the Denver Zoning Code, restricting growing of medical marijuana in residential districts and uses. (SPECIAL ISSUES) Limits medical marijuana growing by medical marijuana card holders to 12 plants per residence in residential areas and specifies other restrictions. The Committee approved filing this bill at its meeting on 9-29-10.
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Bills for Final Consideration

Business, Workforce & Sustainability

CB10-0869 A bill for an ordinance approving a proposed First Amendatory Contract between the City and County of Denver and Avaya, Inc. concerning maintenance and upgrade services for the communications manager voice system at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Adds \$1,483,073.50 to the contract with Avaya, Inc for the upgrade to the current Communications Manager Voice System at Denver International Airport. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill by consent on 10-7-10.

CB10-0875 A bill for an ordinance authorizing the execution of a first amendment to Tax Regulatory Agreement relating to the Chamber Building Apartments. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes a first amendment to the Tax Regulatory Agreement related to the Chambers Apartments. The revisions will reflect changes to the refinancing of the first mortgage which include the new mortgage amount and the name of the new mortgage note holder. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill by consent on 10-7-10.

CB10-0876 A bill for an ordinance authorizing the execution of a First Amendment to Tax Regulatory Agreement relating to the Buerger Brothers Lofts Apartments and the Fire Clay Lofts Apartments. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Authorizes a first amendment to the Tax Regulatory Agreement related to the Buerger Apartments. The revisions will reflect changes to the refinancing of the first mortgage which include the new mortgage amount and the name of the new mortgage note holder. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill by consent on 10-7-10.

CB10-0879 A bill for an ordinance approving a proposed fourth amendment and modification agreement between the City and County of Denver and Chamber Apartments, L.P. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves an amendment to the Chamber Apartments LP HOME loan agreement to change the following terms and conditions for the \$548,997 owed to the City: a) \$248,500 at 1% with 40 year term; and b) \$300,497 will remain as surplus cash note at 3% for 40 years. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill by consent on 10-7-10.

Government Affairs & Finance

CB10-0830 A bill for an Ordinance approving an Amendment of an on-call professional services agreement by and between the City and County of Denver and Cedar Crestone, Inc. (GOVERNMENT AFFAIRS & FINANCE)

Approves an amendment to the on-call professional services contract with Cedar Crestone to extend the contract date to June 30, 2011 for professional technology services. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill by consent on 10-7-10.

CB10-0849 A bill for an ordinance approving a proposed Second Amendatory Agreement by and between the City and County of Denver and GoRed, LLC to increase on-call professional services by \$450,000. (GOVERNMENT AFFAIRS & FINANCE)

Approves an amendment to the on-call professional services agreement with GoRed, LLC to increase the on-call contract by \$450,000. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill by consent on 10-7-10.

CB10-0856 A bill for an ordinance making rescissions of budget balances to close out grants, and transferring grant cash balances to the General Fund. (GOVERNMENT AFFAIRS & FINANCE)

Approves closing out of various grant budgets (\$54,183.38) and cash balances (\$337.03) to be rescinded and transferred to the General Fund. The Committee approved filing this bill by consent on 10-7-10.

CB10-0880 A bill for an ordinance approving a proposed Fiscal Year 2011 Amendment to the Amended and Restated Operating Agreement between the City and County of Denver and the Denver Health and Hospital Authority providing for the amounts to be paid for services by the City and County of Denver and by the Denver Health and Hospital Authority during 2011 and amending other provisions of the Operating Agreement. (GOVERNMENT AFFAIRS & FINANCE)

Approves the 2011 Denver Health & Hospital Authority (DHHA) Operating Agreement. The contract approves City expenditures in the amount of \$51,578,140 for DHHA services for the City and the City to receive funds in the amount of \$1,443,067 for City services provided to DHHA. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill at its meeting on 10-6-10.

Health, Safety, Education & Services

CB10-0734 A bill for an ordinance amending Articles I and III of Chapter 8 of the Revised Municipal Code of the City and County of Denver regarding licensing of dogs and cats. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the City code to: delete requirement for on-site proof of vaccination to license dogs or cats; exempt microchipped cats from license display; and make providing false information a violation. The Committee approved filing this bill at its meeting on 10-5-10.

Land Use, Transportation & Infrastructure

CB10-0850 A bill for an ordinance approving the third amendatory on-call agreement between Felsburg, Holt & Ullevig, Inc. and the City & County of Denver to provide general engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an amendment to the on-call annual engineering professional services agreement with Felsburg Holt & Ullevig, for one additional year with option for one more annual renewal, with maximum annual payment of \$500,000, and total not to exceed \$2,500,000. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill by consent on 10-7-10.

CB10-0851 A bill for an ordinance approving an agreement between TC2, Inc. and the City & County of Denver for the Washington Park Boat House Improvements Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$520,161.64 contract with TC2 for Washington Park Boat House exterior improvements, a Better Denver Bond project, including ADA improvements, utility lines for electrical and plumbing systems, repair foundation, modify drainage, reconstruct upper terrace, repair exterior trim, and exterior paint. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. The Committee approved filing this bill at its meeting on 10-5-10.

CB10-0852 A bill for an ordinance approving a Compatible Usage Agreement with The Park People for the rehabilitation, renovation and use of the James A. Fleming House in Platt Park. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a Compatible Use Agreement with The Park People regarding rehabilitation and renovation of the James A. Fleming House in Platt Park, estimated at \$510,000, and use of the upper floor by The Park People for 15 years, commencing on approximately January 1, 2012; the first floor will be permitted as an Event Facility. The last regularly scheduled Council meeting within the 30-day review period is 11-8-10. The Committee approved filing this bill at its meeting on 10-5-10.

CB10-0864 A bill for an ordinance relinquishing a portion of the easement reserved in Ordinance No. 380, Series of 2009. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Relinquishes a portion of the easement reserved in Ordinance 380, Series of 2009, vacating the L-shaped alley between 33rd St., Walnut and Blake in Council District 9. The Committee approved filing this bill by consent on 10-7-10.

CB10-0865 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding final design, right-of-way acquisition and construction of drainage and flood control improvements for 40th Street Outfall, 40th Avenue to South Platte River. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the IGA with Urban Drainage & Flood Control District adding \$639,000 to the City's contribution, for a total of \$884,000, as the project moves into final design, right-of-way acquisition and construction of drainage and flood control improvements for 40th Street Outfall, 40th Ave. to S. Platte River in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 11-8-10. Committee approved filing this bill by consent on 10-7-10.

CB10-0874 A bill for an ordinance relating to the Denver Zoning Code, correcting section numbering and heading errors relating to detached accessory structures. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Corrects section reference errors in the zoning code regarding detached accessory structures in Articles 3-7 and 9. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 10-5-10.

Adjourn