

## City Council of Monday, October 10, 2011

# 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  
Lauri Dannemiller..... Director  
Kelly Velez..... Council Secretary

ROOM 451  
CITY & COUNTY BUILDING  
DENVER COLORADO  
80202  
720-865-9534  
FAX: 720-865-9540  
EMAIL: [dencc@denvergov.org](mailto:dencc@denvergov.org)

**\*\*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.**

### **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, October 10, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, October 3, 2011**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP11-0698 A proclamation in support of "Better Way to Give" campaign as a critical tool towards ending homelessness.**

**Sponsored by Councilmembers Robb, Susman, Brooks, Herndon, and Kniech.**

## **Resolutions**

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

**CR11-0689 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as 43rd Ave. located at 43rd Ave. east of Sherman St. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates a parcel of land as public right-of-way for 43rd Av., east of Sherman in Council District 9. The Committee approved filing this resolution by consent on 9-29-11.

**CR11-0690 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as 44th Ave. located at 44th Ave. from Sherman St. to Pearl St. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates a parcel of land as public right-of-way for 44th Av. between Sherman and Pearl in Council District 9. The Committee approved filing this resolution by consent on 9-29-11.

**CR11-0691 A resolution laying out, opening and establishing as part of the**

**city street system a parcel of land as an alley bounded by 44th Ave. to 43rd Ave. and Sherman St. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates a parcel of land as public right-of-way for an alley bounded by 44th Av., 43rd Av. and Sherman in Council District 9. The Committee approved filing this resolution by consent on 9-29-11.

## **Bills for Introduction**

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

**CB11-0682 A bill for an ordinance approving a Second Amendatory Agreement to Express Services Inc., increasing the total amount of compensation to be paid under the Agreement. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Amends the Express Personnel Services contract (CE11077-01) with the Department of Human Services to add \$250,000 to the agreement for a new total contract amount of \$900,000; to provide temporary employment positions to process assistance applications. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-11. The Committee approved filing this bill by consent on 9-29-11.

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

**CB11-0673 A bill for an ordinance approving an Amendatory Agreement with WM Recycle America, L.L.C. to provide processing and marketing services for the recyclable materials generated through the residential recycling program. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Extends the contract with WM Recycle America to provide processing and marketing services for the City's residential recycling program through June 30, 2020. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-11. The Committee approved filing this bill by consent on 9-22-11.

**CB11-0674 A bill for an ordinance approving an Agreement with Waste Management of Colorado, Inc. for use of transfer facilities and the D.A.D.S. landfill for disposition of waste material delivered by or on behalf of the City. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves an agreement with Waste Management of Colorado setting annual maximum increases through Dec. 2014 for use of transfer facilities and the DADS landfill for disposition of waste material delivered by or on behalf of the City. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-11. The Committee approved filing this bill by consent on 9-22-11.

**CB11-0684 A bill for an ordinance vacating Fundy Street between 54th Pl. and 54th Ave., without reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Vacates public right-of-way that is Fundy St. between 54th Pl. and 54th Ave. for construction of a private cul-de-sac in Council District 11. The Committee approved filing this bill by consent on 9-29-11.

**CB11-0688 A bill for an ordinance approving an Agreement and Plan for Exclusion of Territory from the Lakehurst Water and Sanitation District and agreeing to continue providing sanitary sewer service to the excluded area. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Excludes Denver land from the Lakehurst Water and Sanitation District, which is primarily in Jefferson County, and agrees that Denver will continue to provide sanitary sewer service to the excluded area in Council District 2. The Committee approved filing this bill by consent on 9-29-11.

**CB11-0694 A bill for an ordinance approving a proposed Amendment to Cooperative Agreement between the City and County of Denver and Denver Board of Water Commissioners regarding relocation of Conduit Nos. 12 and 18, for the completion of the South Platte River Zuni/Sun Valley River Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the IGA with Denver Water regarding relocation of conduits crossing the South Platte River near 11th Av. to accommodate re-channelization, increasing Denver's obligation by \$727,700, for a new total of \$2,414,132, and approves expenditure of those funds. The last regularly scheduled Council meeting within the 30-day review period is on 10-31-11. The Committee approved filing this bill by consent on 9-29-11.

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

### **Pre-Recess Announcement**

**Tonight there will be public hearings on Council Bill 605, changing the zoning classification of 3155 East First Avenue from PUD No. 151 to C-CCN, and Council Bill 606, changing the zoning classification of 75 Adams Street from PUD No. 304 to C-MX-8.**

**Council will sit as the Board of Equalization to hear any protests of assessment from the South Broadway (Arizona to Iowa) Local Improvement District.**

**No protests were filed in the South Broadway (Arizona to Iowa) Local Maintenance District. No hearing is required and the assessment is approved.**

**Anyone wishing to speak on any of these matters 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	<b>CB11-0605 A bill for an ordinance changing the zoning classification of 3155 East First Avenue from PUD No. 151 to C-CCN. (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE)</b> <b>Amends the Zoning Map to rezone property at 3155 E 1st Ave. from PUD #151 to C-CCN in Council District 10.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 8-23-11.</b>
YES	<b>CB11-0606 A bill for an ordinance changing the zoning classification of 75 Adams Street from PUD No. 304 to C-MX-8. (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE)</b> <b>Amends the Zoning Map to rezone property at 75 Adams Street from PUD #304 to C-MX-8 in Council District 10.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 8-23-11.</b>

### Board of Equalization Local Improvement District - Public Hearing

South Broadway (Arizona to Iowa)

### Bills for Final Consideration

#### Business, Workforce & Sustainability

**CB11-0640 A bill for an ordinance approving a proposed Purchase order between BATTs, Inc. and the City and County of Denver, related to the purchase of three BATTs Deicer Trucks at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a \$909,900.00 purchase order to Batts Inc. for 3 Batts Deicer trucks for use in snow removal operations at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 10-24-11. The Committee approved filing this bill by consent on 9-8-11.

**CB11-0641 A bill for an ordinance authorizing execution of a Permanent Easement to the Clyfford Still Museum relating to City land generally located at 13th Avenue and Bannock Street for the purpose of detention and drainage, landscaping and related improvements, and ingress and egress. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Grants an easement to the Clyfford Still Museum of City Parcels adjacent to the Still Museum and the Hamilton Building at the corner of 13th and Bannock for detention and drainage, landscaping and related improvements, and ingress and egress. The last regularly scheduled Council meeting within the 30-day review period is on 10-24-11. The Committee approved filing this bill by consent on 9-8-11.

**CB11-0652 A bill for an ordinance approving an agreement between New Design Construction Company and the City & County of Denver for the Red Rocks Visitor's Center Access Road Project. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a \$1,518,272.15 contract with New Design Construction Company to build an access service road leading to a new loading dock at the Red Rocks Visitor's Center. The last regularly scheduled Council meeting within the 30-day review period is on 10-24-11. This bill was approved for filing by Council President Nevitt.

**CB11-0665 A bill for an ordinance authorizing the purchase of capital equipment items from the Denver International Airport Capital Equipment and Improvements Fund. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Authorizes the purchase of the following capital equipment items funded from the Denver International Airport Capital Equipment and Improvements Fund for \$4,626,600.00: 2 deicers; 4 snow equipment, 1 lift, 8 trucks, 1 trailer, 1 fire equipment, and 2 paint equipment. The Committee approved filing this bill by consent on 9-22-11.

**Government & Finance**

**Health, Safety, Education & Services**

**CB11-0580 A bill for an ordinance approving a proposed purchase order by the City and County of Denver and Lenco Industries, Inc., for the purchase of two tactical vehicles on behalf of Douglas and Boulder counties. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves a \$549,990 contract with Lenco Armored Vehicles for two tactical vehicles approved for purchase from the FY10 Urban Security Initiative grant program on behalf of Douglas and Boulder counties. The last regularly scheduled Council meeting within the 30-day review period is on 10-24-11. The Committee approved filing this bill by consent on 8-18-11.

**Land Use, Transportation & Infrastructure**

**CB11-0627 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and The Abo Group, Inc. for on-call architectural and engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the on-call agreement with The Abo Group for architectural and engineering services to increase the maximum contract from \$480,000 to \$960,000 and add two years to extend the term to March 31, 2014. The last regularly scheduled Council meeting within the 30-day review period is on 10-24-11. The Committee approved filing this bill by consent on 9-1-11.

**CB11-0653 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves the assessments based on the 2012 budget for the East 13th Avenue local maintenance district. Council sat as the Board of Equalization on Sept. 26, 2011. The Committee approved filing this bill at its meeting on 9-13-11.

**CB11-0654 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Tennyson II Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves the assessments based on the 2012 budget for the Tennyson Street II local maintenance district. Council sat as the Board of Equalization on Sept. 26, 2011. The Committee approved filing this bill at its meeting on 9-13-11.

**CB11-0655 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Expanded Greektown Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves the assessments based on the 2012 budget for the Expanded Greektown local maintenance district. Council sat as the Board of Equalization Sept. 26, 2011. The Committee approved filing this bill at its meeting on 9-13-11.

**CB11-0656 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Golden Triangle Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves the assessments based on the 2012 budget for the Golden Triangle local maintenance district. Council sat as the Board of Equalization on Sept. 26, 2011. The Committee approved filing this bill at its meeting on 9-13-11.

**CB11-0657 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the**

**Phase II West 38th Avenue Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves the assessments based on the 2012 budget for the Phase II West 38th Avenue local maintenance district. Council sat as the Board of Equalization on Sept. 26, 2011. The Committee approved filing this bill at its meeting on 9-13-11.

**CB11-0658 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 32nd and Lowell Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves the assessments based on the 2012 budget for the 32nd and Lowell local maintenance district. Council sat as the Board of Equalization on Sept. 26, 2011. The Committee approved filing this bill at its meeting on 9-13-11.

**CB11-0670 A bill for an ordinance relinquishing portions of certain easements where they lie within Denargo Market Subdivision Filing No. 1. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Relinquishes portions of easements lying within Denargo Market Filing No. 1 while maintaining the portions not included within that final plat in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 10-24-11. The Committee approved filing this bill by consent on 9-22-11.

**CB11-0671 A bill for an ordinance authorizing execution of the First Amendment to Permanent Easement to Denargo Market Subdivision Filing No. 1 amending a storm drainage Permanent Easement recorded at Reception No. 2008146409. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends an existing storm drainage easement within Denargo Market Filing No. to relinquish a small portion of the easement and extend the easement in other areas in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 10-24-11. The Committee approved filing this bill by consent on 9-22-11.

## **Announcement**

**It is the intent of Council to convene as the Ex-officio Board of Directors of the Gateway Village General Improvement District and also as the Ex-officio Board of Directors of the 14th Street General Improvement District to consider the districts' proposed 2012 Work Plans and Budgets and to make appropriations and approve a mill levy for the Budget Year 2012 for these two districts on October 17, 2011. A public hearing will also be held for the Gateway Village General Improvement District on October 17.**

## **Adjourn**



## Pending

**CB11-0283 A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations.**

**CB11-0546 A bill for an ordinance changing the zoning classification of 7995 E. Hampden Ave. 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave.**

Bills Pending 10/24/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0546	LAND USE TRANSPORTATION AND INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 7995 E. Hampden Ave. 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave.	7/26/2011 8/2/2011 8/9/2011 9/26/2011	YES

Bills Pending 11/7/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0283	LAND USE, TRANSPORTATION & INFRASTRUCTURE	1st Reading - Held in Committee	A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations.	6/16/2011 6/21/2011 6/27/2011 8/1/2011 10/3/2011	YES