

City Council of Monday, January 30, 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

ROOM 451
CITY & COUNTY BUILDING
DENVER COLORADO
80202
720-337-2000
FAX: 720-865-9540
EMAIL: dencc@denvergov.org

****WEB ACCESS****

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accessed at**

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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 720-865-9534.

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, January 30, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, January 23, 2012

Council Announcements

Councilman Herndon

Presentations

Communications

Proclamations

Resolutions

Land Use, Transportation & Infrastructure

CR12-0045 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Morrison Road, located at the intersection of Morrison Road and Mile High Stadium West Circle. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates a parcel of land as public right-of-way for Morrison Road at its intersection with Mile High Stadium West Circle as part of the West Corridor FasTracks project in Council District 9. The Committee approved filing this resolution by consent on 1-19-12.

CR12-0046 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as W. Howard Place, located at the intersection of W. Howard Place and Morrison Road. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Dedicates a parcel of land as public right-of-way for West Howard Place at its intersection with Morrison Road as part of the West Colfax FasTracks project in Council District 9. The Committee approved filing this resolution by consent on 1-19-12.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0013 A bill for an ordinance approving a proposed amendment of the HUD Section 108 agreement between the City and County of Denver and U.S. Department of Housing and Urban Development (HUD), to amend and modify the existing contract scope of services and repayment schedule for the Taxi III project. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves an amendment to the Department of Housing and Urban Development (HUD) agreement regarding Taxi Drive to change use of HUD funds, service scope, and repayment schedule. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill at its meeting on 1-11-12.

CB12-0050 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Elite Line Services, LLC for operation, maintenance, and management services for terminal baggage systems at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Adds six months and \$2.5 million to the contract with Elite Line Services for baggage handling system operations and maintenance (for a maximum contract amount of \$19,500,000) while the City and airlines review a proposed new agreement to be awarded through competitive request for proposals prior to August 31, 2012. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill by consent on 1-19-12.

CB12-0051 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Parsons Transportation Group Inc. related to terminal and landside area redevelopment at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Reduces the existing contract with Parsons Transportation Group, Inc. for the South Terminal and Landside Redevelopment Program by \$60,000,000 to reflect the reduced program management and design scope for the hotel and public transit center. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill at its meeting on 1-18-12.

CB12-0054 A bill for an ordinance approving a proposed Design Services Agreement between the City and County of Denver and M. Arthur Gensler, Jr. and Associates, Inc. for architecture and engineering design services for the South Terminal Redevelopment Program at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a \$35,000,000 six-year contract with Gensler and Associates for architectural and engineering services for the South Terminal Redevelopment

Program. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill at its meeting on 1-18-12.

Government & Finance

CB12-0047 A bill for an ordinance approving a proposed Fourth Amendatory Agreement by and between the City and County of Denver and Kone, Inc. (GOVERNMENT & FINANCE)

Adds \$260,000 to the existing contract with Kone, Inc. through 2013 for elevator maintenance services at additional locations bringing the total contract to \$1,012,000. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill by consent on 1-19-12.

CB12-0049 A bill for an ordinance establishing a "Wildland Firefighting Reimbursement and Other Fee-Based Programs Fund" in the Safety Special Revenue Fund and the means for authorizing expenditures from such fund. (GOVERNMENT & FINANCE)

Establishes a new "Wildland Firefighting Reimbursement and Other Fee-Based Programs Fund" special revenue fund in the Public Safety Special Revenue Fund to collect revenue, including fees and donations, and handle other financial transactions related to fire service assistance programs. The Committee approved filing this bill by consent on 1-19-12.

Health, Safety, Education & Services

CB11-0948 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and Mental Health Center of Denver, to increase the compensation to the contractor and extend the term for a comprehensive service system to chronic homeless individuals. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the Mental Health Center of Denver contract to add an additional \$849,992, and to extend the contract terms through December 31, 2012, to serve 75 homeless individuals with housing and treatment services for co-occurring mental health, and substance abuse disorders. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill by consent on 12-22-11.

CB12-0048 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 United States of America, concerning the "Assistance to Fire Fighter Grant—Personal Protective Equipment " program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Authorizes the City and County of Denver Fire Department to accept a grant of \$1,399,877 from the Federal Emergency Management Agency (FEMA) and the

Department of Homeland Security (DHS) for personal protective equipment (fire bunking gear) for a contract period through December 22, 2012. The required 20 percent City match is \$349,969. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill by consent on 1-19-12.

Land Use, Transportation & Infrastructure

CB11-0924 A bill for an ordinance authorizing and approving an amendment to the South Broadway/Montgomery Ward Urban Renewal Plan. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the South Broadway/Montgomery Ward Urban Renewal Plan to fund the W. Dakota Storm Water Outfall project to fulfill the objectives of the original Plan, and to specifically allow tax increment revenue to be expended outside the boundaries of the urban renewal area as allowed by statute. A PUBLIC HEARING WILL BE HELD AT LEAST ONE WEEK AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 1-17-12.

CB11-0925 A bill for an ordinance approving a proposed Project Funding Agreement between the City and County of Denver, BMP Metropolitan District No. 1, and the Denver Urban Renewal Authority for the West Dakota Avenue Storm Water Outfall and Street Improvement Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the Project Funding Agreement between the City, Denver Urban Renewal Authority, and BMP Metropolitan District No. 1 for the West Dakota Storm Water Outfall Project. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill at its meeting on 1-17-12.

CB11-0926 A bill for an ordinance amending Ordinance 256, Series 2011 and authorizing expenditures in the Capital Grants/Other Projects Fund for the W. Dakota Avenue Storm Water Outfall and Street Improvement Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Appropriates an additional \$12 million for the West Dakota Storm Water Outfall Project in Council District 7. The Committee approved filing this bill at its meeting on 1-17-12.

CB11-0938 A bill for an ordinance approving a proposed South Broadway/Montgomery Ward Urban Redevelopment Area Cooperation Agreement between the City and County of Denver and the Denver Urban Renewal Authority. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the Cooperation Agreement between the City and Denver Urban Renewal Authority for tax increment financing of the West Dakota Storm Water Outfall Project. The last regularly scheduled Council meeting within the 30-day review period is on 2-21-12. The Committee approved filing this bill at its meeting on 1-17-12.

CB12-0041 A bill for an ordinance designating 1475 Elizabeth Street, The Bonfils Memorial Theater/Lowenstein Theater, as a structure for preservation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Designates 1475 Elizabeth Street, the Bonfils Memorial Theatre/Lowenstein Theater, as an individual structure for historical preservation located in Council District 10. A PUBLIC HEARING WILL BE HELD AT LEAST ONE WEEK AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 1-17-12.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a public hearing on CB11-0908, approving the Marycrest Urban Redevelopment Plan for the former Marycrest site, and on CB11-0975, changing the zoning classification of 1532 and 1540 Monroe Street and 1551 Garfield Street. Anyone wishing to speak on either 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

	<p>CB11-0908 A bill for an ordinance approving the Marycrest Urban Redevelopment Plan for the former Marycrest site. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Approves the Marycrest Urban Redevelopment Plan authorizing the creation of a property and sales tax increment area at 2851 W. 52nd Ave. in Council District 1. A PUBLIC HEARING WILL BE HELD ON JANUARY 30, 2012. The Committee approved filing this bill at its meeting on 1-10-12.</p>
<p>YES</p>	<p>CB11-0975 A bill for an ordinance changing the zoning classification of 1532 and 1540 Monroe Street and 1551 Garfield Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Changes zoning from U-TU-B (Urban 2-unit, min. 4500 sq. ft. lot) to U-MX-2x (Urban Main Street Neighborhood Serving Business, 2 story, x=tailored provisions) for property at 1532 and 1540 Monroe and 1551 Garfield in Council District 8. Petitions of protest were filed with</p>

	<p>the Council Secretary. Community Planning & Development has determined that the requirement for a legal protest (signatures of the owners of at least 20% of the land area within 200 feet of the site) has been met (petition signatures represent 22.5%), requiring 10 affirmative votes (rather than the usual 7) to adopt the proposed zoning. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 12-20-11.</p>
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Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0025 A bill for an ordinance approving a proposed Standard Agreement between the City and County of Denver and DIA Steak House, LLC for the operation of a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a ten-year concession agreement with DIA Steak House, LLC dba Elway’s with a \$606,900 annual revenue minimum to provide a food and beverage casual dining bar-steak and seafood restaurant on Concourse B at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-11-12.

CB12-0026 A bill for an ordinance approving a proposed Standard Agreement between the City and County of Denver and Host International, Inc., for the operation of a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a seven-year concession agreement with Host International, Inc dba Crú-A Wine Bar for \$203,932 minimum annual revenues for a food and beverage wine bar on Concourse B at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-11-12.

CB12-0027 A bill for an ordinance approving a proposed Standard Agreement between the City and County of Denver and XpresSpa Denver Airport, LLC for the operation of a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a five-year concession agreement with XpresSpa Denver Airport, LLC dba XpresSpa for \$95,200 minimum annual revenues to provide massage and related spa services on Concourse C at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-11-12.

CB12-0028 A bill for an ordinance approving a proposed Standard Agreement between the City and County of Denver and Tugals LLC for the

operation of a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a five-year concession agreement with Tugals, LLC dba TULEH RUCHE for \$100,300 in minimum annual revenues for specialty retail women's fashions and accessories on Concourse B at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-11-12.

CB12-0029 A bill for an ordinance approving a proposed Standard Agreement between the City and County of Denver and DIA Wine Bar Partnership for the operation of a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a seven-year concession agreement with DIA Wine Bar Partnership dba Vino Volo for \$110,819 in minimum annual revenues for wine and small plate food items on Concourse C at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-11-12.

CB12-0030 A bill for an ordinance approving a proposed Standard Agreement between the City and County of Denver and Ayala's RMAC, LLC for the operation of a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a five-year concession agreement with Ayala's RMAC, LLC dba TAG Evolution for \$144,500 in minimum annual revenues to provide women's fashion jewelry, watches, optical wear, belts, handbags, totes, silk scarves, and related items on Concourse B at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-11-12.

CB12-0042 A bill for an ordinance approving a proposed Standard Agreement between the City and County of Denver and Mission Yogurt, Inc., for the operation of a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a seven-year concession agreement with Mission Yogurt, Inc. dba Udi's Café & Bar for \$552,500 in minimum annual revenues for freshly prepared hot and cold sandwiches and bar in Concourse B at Denver International Airport. The last regularly scheduled Council meeting within the 30-day period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-11-12.

Government & Finance

Health, Safety, Education & Services

CB11-0870 A bill for an ordinance approving a proposed Site Use License Agreement between the City and County of Denver and Frontier Asset Building to provide space in the Richard T. Castro Building to operate a

Volunteer Income Tax Assistance (VITA) program. (HEALTH, SAFETY, EDUCATION & SERVICES)

Authorizes a License for Site Use agreement with Denver Human Services (DHS) and Frontier Asset Building in the amount of \$10 to provide financial education, programs, and services to promote concepts of financial saving and asset building to under-served and low-income individuals which will include Volunteer Income Tax Assistance (VITA) program assistance. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-12. The Committee approved filing this bill by consent on 11-24-11.

CB11-0920 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, to extend the contract term, increase the services to be provided, and increase the total amount of compensation to be paid. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves an amendment to the Catholic Charities and Community Services of the Archdiocese of Denver agreement to extend the end term through June 30, 2012, and to increase funding in the amount of \$695,509 for a total contract amount of \$1,459,538 to assist 224 eligible children in the Head Start Program. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-12. The Committee approved filing this bill by consent on 12-15-11.

CB11-0951 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Colorado Coalition for the Homeless, to extend the term and increase funds, to provide outreach and housing placement services to homeless youth and adults. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the contract with the Colorado Coalition for the Homeless to add \$934,640 to the contract for a total contract amount of \$2,803,921 and to extend the term through December 31, 2012 for the purpose of providing outreach services to the homeless at 2111 Champa Street. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-12. The Committee approved filing this bill by consent on 12-22-11.

CB12-0032 A bill for an ordinance approving and providing for the execution of a proposed amendment to the grant agreement between the City and County of Denver and the State of Colorado concerning the "Denver Youth Healthy Connections TASC Project" grant program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a grant amendment to the agreement between the City and County of Denver Police Department and the State of Colorado Judicial Department to add \$130,000 to support the "Denver Youth Healthy Connections TASC Project" for a total grant amount of \$620,000. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-12. The Committee approved filing this bill by consent on 1-5-12.

Land Use, Transportation & Infrastructure

CB11-0907 A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority, for the Marycrest Urban Redevelopment Area. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a Cooperation Agreement with the Denver Urban Renewal Authority regarding the Marycrest Urban Redevelopment Area to establish parameters for sales and property tax increment financing for development at the northeast corner of Federal and 52nd Ave. in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-10-12.

CB11-0966 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and Denver Urban Renewal Authority, for the Marycrest Urban Redevelopment Area. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a loan agreement with Denver Urban Renewal Authority for purchase of the Marycrest Campus at 2851 West 52nd Ave. in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-12. The Committee approved filing this bill at its meeting on 1-10-12.

CB12-0018 A bill for an ordinance approving an amendatory agreement between CH2M Hill, Inc. and the City & County of Denver for the Peoria Grade Separation Project, Phase II. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the contract with CH2M Hill to extend the term nine months to Dec. 31, 2012, and increase the contract amount by \$2,034,514 for a new total of \$2,487,670 for Phase II environmental documentation and conceptual engineering services on the Peoria grade separation project. The last regularly scheduled Council meeting within the 30-day review period is on 2-13-12. The Committee approved filing this bill by consent on 1-5-12.

Announcement

Dependent upon publication there will be a public hearing on CB11-0924 authorizing and approving an amendment to the South Broadway/Montgomery Ward Urban Renewal Plan on Monday, February 6, 2012, and on CB12-0041 designating 1475 Elizabeth Street, The Bonfils Memorial Theater/Lowenstein Theater, as a structure for preservation on Monday, February 13, 2012.

Adjourn

Pending

CB11-0947 A bill for an ordinance changing the zoning classification for 4787 S. Wadsworth Way.

Bills Pending 2/13/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0947	LAND USE, TRANSPORTATION & INFRASTRUCTURE	YES	A bill for an ordinance changing the zoning classification for 4787 S. Wadsworth Way.	12/20/2011 1/3/2012 1/17/2012 1/30/2012	YES