

## City Council of Monday, July 18, 2011

# City and County of Denver

Carol Boigon..... At Large  
Doug Linkhart..... At Large  
Vacant..... 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  
Vacant..... District 8  
Judy H. Montero..... District 9  
Jeanne Robb..... District 10  
Michael B. Hancock..... 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)

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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, July 18, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Election of Council President and President Pro Tem**

### **From Council Rules of Procedure (Rule 8)**

**8.1 Election of Officers. At the third meeting of the Council in the month of July of each year, except when a Council seat is vacant, the order of business shall be:**

**(a) Election of a President as provided in section 3.3.1 of the Charter, who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.**

**(b) Election of a president pro tempore who shall serve without additional compensation and who shall hold office until the third Monday of July of the ensuing year, or until a successor is duly elected, whichever is later.**

**(c) The election of Council officers shall be conducted as follows:**

**1. Candidates for the office of President of Council, and of President Pro Tempore, shall be nominated from the floor, separately, before the election for each office.**

**2. No second to a nomination shall be required.**

**3. The nominations shall be closed by a declaration by the presiding officer after the presiding officer asks for further nominations and receives no reply.**

**4. The election for each office shall be in the form of a roll call election in which each member of Council, when called upon, declares his or her vote for a candidate.**

**5. An eligible person receiving a vote for an office need not have been nominated.**

**6. No nominee shall be removed from consideration unless he or she withdraws.**

**7. The candidate receiving at least seven votes for each office will be declared elected to that office by the presiding officer, after the verification by the Council Secretary of the votes cast.**

**(d) If a Council seat is vacant at the time of the regularly scheduled election, the election for President and President Pro Tempore shall take place at the first regular Council meeting after every seat on the Council is filled.**

## **Approval of Minutes of Monday, July 18, 2011**

## **Council Announcements**

### **Presentations**

### **Communications**

### **Proclamations**

**CP11-0539 A proclamation in recognition of Brothers Redevelopment Paint-A-Thon Day in the City and County of Denver, July 23, 2011. Sponsored by Councilmembers López, Montero, Faatz, Brown, and Lehmann.**

### **Resolutions**

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

**CR11-0521 A resolution appointing and re-appointing members of the Human Services Citizen Review Panel. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Appoints Lori S. Grohskopf and reappoints Rita B. Contreras and Dana Montano to the Human Services Citizen Review Panel all for terms ending January 31, 2013. The Committee approved filing this resolution by consent on 7-14-11.

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

**CR11-0492 A resolution amending Resolution No. 87, Series of 2011, to amend the items in the revocable permit issued to University of Colorado at 1475 Lawrence. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends Resolution No. 87, Series of 2011, granting a revocable permit to the Univ. of Colorado at 1472 Lawrence, correcting the number of conduits under the sidewalk to two rather than one, in Council District 8. The Committee approved filing this resolution by consent on 7-7-11.

### **Bills for Introduction**

#### **Business, Workforce & Sustainability**

**CB11-0501 A bill for an ordinance approving a proposed Fourth Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Southwest Airlines Co., related to leased space at Denver International Airport. (BUSINESS, WORKFORCE &**

## **SUSTAINABILITY)**

Approves an amendment to the Airport Use and Facilities Lease Agreement with Southwest Airlines to extend the term through December 31, 2011 and for space changes which will require a reimbursement of \$4.1 million to Southwest Airlines (AR 65001). The last regularly scheduled Council meeting within the 30-day review period is on 8-8-11. The Committee approved filing this bill by consent on 7-7-11.

### **CB11-0503 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Interstate Highway Construction, Inc. related to runway pavement rehabilitation and improvements at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a contract with Interstate Highway Construction, Inc. for the Runway 8-26 Complex Pavement Rehabilitation and ADG V Improvements project at DIA in the amount of \$19,152,540.47 (CE 10041). The last regularly scheduled Council meeting within the 30-day review period is on 8-8-11. The Committee approved filing this bill by consent on 7-7-11.

## **General Government & Finance**

### **CB11-0500 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and GoRed, LLC for various technology projects through the City. (GENERAL GOVERNMENT & FINANCE)**

Approves an amendment to the contract with goRed LLC to extend the contract through December 31, 2012 and to add \$350,000 to provide on-call professional services. The last regularly scheduled Council meeting within the 30-day review period is on 8-8-11. The Committee approved filing this bill by consent on 7-7-11.

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

### **CB11-0462 A bill for an ordinance approving a proposed Seventh Amendatory Agreement between the City and County of Denver and BI Incorporated, for equipment and services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Amends the contract with BI. Inc to extend the term to 5/31/13 and adds \$200,000 in funds to provide electronic monitoring services and equipment necessary to monitor offenders under supervision with the Electronic Monitoring Program. The last regularly scheduled Council meeting within the 30-day period is on 8-8-11. The Committee approved filing this bill by consent on 6-23-11.

### **CB11-0489 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 concerning the "Community Corrections FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION &**

## **SERVICES)**

Accepts \$14,403,905.71 from the State of Colorado to fund the FY11-12 Community Corrections program. The last regularly scheduled Council meeting within the 30-day review period is on 8-8-11. The Committee approved filing this bill by consent on 6-10-11.

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

### **CB11-0481 A bill for an ordinance approving an agreement between Castle Rock Construction Company of Colorado, LLC and the City & County of Denver for the Reconstruction Project of South Broadway from Iowa to Wesley. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$12,760,924.24 contract with Castle Rock Construction for reconstruction of S. Broadway between Iowa and Wesley, a Better Denver Bond project in Council District 7. The last regularly scheduled Council meeting within the 30-day review period is on 8-8-11. The Committee approved filing this bill by consent on 6-30-11.

### **CB11-0494 A bill for an ordinance approving the third amendatory on call agreement between URS Corporation and the City & County of Denver to provide traffic and transportation engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the on-call engineering services contract with URS Corporation to add \$500,000, for a new total of \$2M, and to extend the contract one year to Aug. 31, 2012. The last regularly scheduled Council meeting within the 30-day review period is on 8-8-11. The Committee approved filing this bill by consent on 7-7-11.

### **CB11-0496 A bill for an ordinance approving the third amendatory on call agreement between Centennial Engineering, Inc. and the City & County of Denver to provide traffic and transportation engineering services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the on-call engineering services contract with Centennial Engineering to add \$500,000, for a new total of \$2M, and to extend the contract one year to Aug. 31, 2012. The last regularly scheduled Council meeting within the 30-day review period is on 8-8-11. The Committee approved filing this bill by consent on 7-7-11.

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

### **Pre-Recess Announcement**

**Tonight there will be a public hearing on Council Bill 428, changing the zoning classification of 4175 E. Warren Avenue. Anyone wishing to speak on this matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.**

## Recess

## Council Reconvenes and Resumes its Regular Session

### Bills for Final Consideration - Public Hearings

YES	<b>CB11-0428 A bill for an ordinance changing the zoning classification of 4175 E. Warren Avenue. (LAND USE TRANSPORTATION &amp; INFRASTRUCTURE)</b> <b>Changes the zoning classification of property located at 4175 E. Warren Ave. from B-4 with waivers &amp; conditions to C-MX-5 in Council District 6.PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION.The Committee approved filing this bill at its meeting on 6-7-11.</b>
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### Bills for Final Consideration

#### Business, Workforce & Sustainability

**CB11-0325 A bill for an ordinance amending Sections 28-83 and 28-234 of the Revised Municipal Code to extend the enactment of, respectively, Division 3 of Article III of Chapter 28 (the Minority and Women Business Enterprise (MBE/WBE) Ordinance) and Article VII of Chapter 28 (the Small Business Enterprise (SBE) Ordinance) for an additional eighteen (18) months. (BUSINESS WORKFORCE AND SUSTAINABILITY)**

Approves an amendment to Sections 28-83 and 28-234 of the Revised Municipal Code to extend the Minority Women and Business Enterprise (MWBE) and Small Business Enterprise (SBE) ordinance for an additional eighteen (18) months through June 30, 2013 to conduct and complete a disparity study and review the M/WBE and SBE programs. The Committee approved filing this bill at its meeting on 5-18-11.

**CB11-0424 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Housing Authority for the purpose of constructing a community facility for senior public housing at the 10th & Osage Light-Rail Station. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a \$3,000,000 loan from Skyline and Community Development Block Grant funds to Denver Housing Authority for the purpose of constructing senior public housing at the 10th and Osage Light-Rail Station, known as 1099 Osage Apartments. The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-9-11.

**CB11-0425 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Housing Authority for the purpose of constructing 89 units of rental housing as part of Phase 9 of the HOPE VI development along Park Avenue. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a loan in the amount of \$900,000 from HOME funds to Denver Housing Authority for the purpose of constructing 89 units of rental housing as part of Phase 9 of the HOPE VI development along Park Avenue. The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-9-11.

**CB11-0473 A bill for an ordinance approving a proposed Second Amendment to Agreement between the City and County of Denver and Jung J. Kim, concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a second amendment to Section 4.03 HOLDING OVER of the agreement with Jung J. Kim, doing business as Airport Baggage Center (T), to allow the airport to waive additional rent equal to 150% of monthly rent, and to allow the concessionaire, upon expiration of its term, to continue providing service to the public at 100% of rental rate until a request for proposal is issued (AC 35002- 02). The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-30-11.

**CB11-0474 A bill for an ordinance approving a proposed Sixth Amendment to Agreement between the City and County of Denver and Ayala's, Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a sixth amendment to Section 4.03 HOLDING OVER of the agreement with Ayala's Inc., doing business as the Candy Shoppe (B), to allow the airport to waive additional rent equal to 150% of monthly rent, and to allow the concessionaire, upon expiration of its term, to continue providing services to the public at 100% of rental rate until a request for proposal is issued (AC35032-06). The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-30-11.

**CB11-0476 A bill for an ordinance approving a proposed Seventh Amendment to Agreement between the City and County of Denver and Mission Yogurt, Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a seventh amendment to Section 4.03 HOLDING OVER of the agreement with Mission Yogurt, Inc., doing business as Dannon Colombo/Sara Lee, to allow the airport to waive additional rent equal to 150% of monthly rent, and to allow the concessionaire, upon expiration of its term, to continue providing service to the public at 100% of rental rate until a request for proposal is issued (AC36004-07). The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-30-11.

**CB11-0477 A bill for an ordinance approving a proposed DIA Sustainability Management Plan Agreement between the City and County of Denver and Ricondo & Associates Inc., concerning professional services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a contract with Ricondo & Associates in the amount of \$800,000 to prepare a Sustainability Management Plan for Denver International Airport. An FAA grant will cover 75% of total contract amount (CE 14002). The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-30-11.

**CB11-0486 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Jewish Family Service of Colorado Inc., dba Shalom Denver, to provide TANF employment services in the amount of \$638,394, for program year 2011-2012. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a contract with Jewish Family Service of Colorado Inc., doing business as Shalom of Denver, in the amount of \$638,394, for program year 2011-2012, to provide TANF employment services. The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-30-11.

**General Government & Finance**

**CB11-0438 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and JVA Consulting, LLC, to assist City agencies and non-profits with grant research, management and writing services. (GENERAL GOVERNMENT & FINANCE)**

Approves a contract with JVA Consulting, LLC in the amount of \$279,898 per year through June 30, 2012 with four additional one-year renewals to assist City agencies and non-profits with grant research, management and writing services. The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-16-11.

**CB11-0457 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Chandler Asset Management, to procure investment consulting and investment management services. (GENERAL GOVERNMENT & FINANCE)**

Approves a second amendment to the contract with Chandler Asset Management to extend the term through December 31, 2011 with the option to extend two additional years with a total contract cost of \$1,140,000 for consulting and investment management services (CE90484). The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill at its meeting on 6-29-11.

**CB11-0459 A bill for an ordinance amending Article II of Chapter 10.5, D.R.M.C., eliminating the Office of Telecommunications and transferring authority for administration of cable television franchises to the**



**Technology Services agency of the city. (GENERAL GOVERNMENT & FINANCE)**

Amends Article II of Chapter 10.5, D.R.M.C., eliminating the Office of Telecommunications and transferring authority for administration of cable television franchises to the Technology Services agency of the City. The Committee approved filing this bill at its meeting on 6-22-11.

**CB11-0460 A bill for an ordinance authorizing a transfer of cash from the Safety Special Revenue Fund to the General Fund to close out the "Community Corrections FY09-10" grant. (GENERAL GOVERNMENT & FINANCE)**

Approves closing out the Community Corrections FY 09-10 grant in the amount of \$58,764.32 and transferring the cash balance to the General Fund. The Committee approved filing this bill by consent on 6-23-11.

**Health, Safety, Education & Services**

**CB11-0410 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado, to allocate \$733,007.36 for Head Start services through December 31, 2011. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Allocates \$733,007.36 to Denver Public Schools for Head Start services for 272 children and their families through December 31, 2011. The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 6-2-11.

**Land Use, Transportation & Infrastructure**

**CB11-0386 A bill for an ordinance approving an agreement with EZA, P.C. d/b/a Oz Architecture of Boulder, Inc. and the City & County of Denver for professional design services for the Lowry Fire Station. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$516,675.00 contract with OZ Architecture for design services for the Lowry Fire Station, a Better Denver Bond Project in Council District 5. The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill by consent on 5-26-11.

**CB11-0420 A bill for an ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings including all improvements, fixtures, licenses, permits, access points and any other rights and interests related or appurtenant to properties so designated. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves acquisition of land and easements for the bike/pedestrian bridge across I-25 near Evans Avenue in Council District 6. The last regularly scheduled Council

meeting within the 30-day review period is 8-1-11. The Committee approved filing this bill by consent on 6-9-11.

**CB11-0490 A bill for an ordinance approving an Amendment to 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)**

Amends the agreement with The Park People, which is funding rehabilitation of the James Fleming House in Platt Park in Council District 7, to allow Parks & Recreation to supplement the funding by contributing \$30,233. The last regularly scheduled Council meeting within the 30-day review period is on 8-1-11. The Committee approved filing this bill at its meeting on 6-28-11.

**Announcement**

**On July 25, 2011, City Council will sit as the Board of Equalization to hear any objections to assessments within the S. Broadway, Arizona to Iowa, Local Improvement District.**

**Adjourn**

**Pending**

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

**CB11-0470 A bill for an ordinance changing the zoning classification of 2715, 2717, 2725 and 2727 S. Colorado Blvd.**

**CB11-0471 A bill for an ordinance changing the zoning classification of 9100 East Lowry Boulevard.**

**CB11-0472 A bill for an ordinance changing the zoning classification of 377 and 389 South Lipan Street.**

Bills Pending 7/25/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CR11-0516	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A resolution approving the Mayor's reappointments and appointment to the	7/14/2011 7/19/2011	NO

			Metropolitan Wastewater Reclamation District Board of Directors.		
CR11-0515	HEALTH, SAFETY, EDUCATION & SERVICES		A resolution approving the Mayor's reappointment and appointments to the Denver Women's Commission.	7/14/2011	NO
CB11-0497	LAND USE, TRANSPORTATION & INFRASTRUCTURE		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 professional engineering services.	7/5/2011 7/7/2011 7/12/2011	NO
CB11-0498	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance approving the third amendatory on call agreement between Jacobs Engineering Group, Inc. and the City & County of Denver to provide traffic and transportation engineering services.	7/5/2011 7/7/2011 7/12/2011	NO