

City Council of Monday, March 14, 2011

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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****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.

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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, March 14, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, March 7, 2011

Council Announcements

Presentations

Communications

Proclamations

CP11-0201 A proclamation recognizing the 37th Annual Denver March Pow Wow.

Sponsored by Councilmembers Montero, Brown, Lehmann, Linkhart, Robb, Faatz, Hancock, López, Johnson, and Boigon.

Resolutions

Land Use, Transportation & Infrastructure

CR11-0149 A resolution granting a revocable permit to Colfax Associates, LLC to encroach into the right-of-way with various items at 2205 E. Colfax Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Grants a revocable permit to Colfax Associates to encroach into the public right-of-way with a variety of encumbrances, including landings, ramps, steps, canopies, patio and railing, on the south and west sides of the building at 2205 E. Colfax Avenue in Council District 8. The Committee approved filing this resolution by consent on 3-3-11.

Bills for Introduction-Held or Postponed

CB11-0152 A bill for an ordinance setting the salaries of elected Charter officers for terms beginning July 18, 2011. (GENERAL GOVERNMENT & FINANCE)

Approves elected officer's salaries for terms July 18, 2011 to July 20, 2015. This bill was approved for filing by Council President Nevitt.

Bills for Introduction

Business, Workforce & Sustainability

CB11-0122 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MFP CO II, LLC, to assign an existing solar lease agreement to a new contractor at Roslyn Building C, 5440 Roslyn Street. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment for an existing solar lease agreement to a new contractor named MFP CO II (RC0A011-1) for 5440 Roslyn Street through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0123 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Denver Police Department District 1, 1311 West 46th Avenue. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor - MSP Master Tenant I (RC0A003-1) for 1311 W. 46th Avenue through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0132 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MFP CO II, LLC, to assign an existing solar lease agreement to a new contractor at Arie P. Taylor Municipal Center, 4685 Peoria Street. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor - MFP CO II (RC0A012-1) through June 30, 2031 for 4685 Peoria Street . The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0133 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Denver Office of Information, 10 Galapago. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A004-1) for 10 Galapago Street through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0134 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Parks and Recreation Maintenance at Huron Street, 945 South Huron Street. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A005-1) for 945 S. Huron Street through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0135 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Stapleton Recreation Center, 5090 Broadway. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A006-1) for 5090 Broadway through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0136 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at City Surplus Warehouse, 671 South Jason Street. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A008-1) for 671 S. Jason Street through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0137 A bill for an ordinance approving a proposed Assignment and Second Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Rude Recreation Center, 2855 West Holden Place. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract amendment to assign an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A007-2) for 2855 W. Holden Place through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0138 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Park Avenue Warehouse, 3375 Park Avenue. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A009-1) for 3375 Park Avenue through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0139 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Parks and Recreation Maintenance, 4495 Jason Street. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A010-1) for 4495 S. Jason Street through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0140 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Central Platte Valley Campus, 1271 Bayaud Avenue. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A013-1) for 1271 W. Bayaud Avenue through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0141 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Wastewater Management Building, 2000 West 3rd Avenue. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment to an existing solar lease agreement to a new contractor MSP Master Tenant I (RC0A014-1) for 2000 W. 3rd Avenue through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

CB11-0142 A bill for an ordinance approving a proposed Assignment and Amendatory Agreement between the City and County of Denver and MSP Master Tenant I, LLC, to assign an existing solar lease agreement to a new contractor at Hiawatha Davis Recreation Center, 3334 Holly Street. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a contract assignment for an existing solar lease agreement to a new contractor MSP Master Tenant I (RC1A000-1) for 3334 Holly Street through June 30, 2031. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-2-11.

General Government & Finance

CB11-0117 A bill for an ordinance approving a proposed Donation of surplus City property from the City and County of Denver to Denver Inner City Parish, for use in the former College View Recreation Center located at 2525 S. Decatur Street in District 7. (GENERAL GOVERNMENT & FINANCE)

Approves the donation of City property and surplus to the Denver Inner City Parish for use in the former College View Recreation Center located at 2525 S. Decatur Street in District 7. The last regularly scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill by consent on 2-24-11.

Health, Safety, Education & Services

CB11-0050 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver. (HEALTH, SAFETY, EDUCATION & SERVICES)

Adds \$737,743 and extends the contract with Mental Health Center of Denver, in collaboration with Colorado Coalition for the Homeless, to provide housing and treatment services for 55 chronically homeless people in Denver. The last regularly-scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 1-25-11.

Land Use, Transportation & Infrastructure

CB11-0146 A bill for an ordinance approving a proposed Purchase and Sale Agreement among the City and County of Denver and RTD and Union Station Land Company, LLC for the City's purchase and subsequent sale of the Market Street Station property. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves an agreement stating the terms of the City's purchase of the Market Street Station site from the Regional Transportation District (RTD) for \$11.436 million in reserve funds; RTD's continued possession and operation of the site; and the City's sale of the property to Union Station Neighborhood Company at a future date, anticipated to be 2014 or later when stated stipulations are met, for the City's purchase price plus 5% per year, or approximately \$14.5 million. The last regularly-scheduled Council meeting within the 30-day review period is on 4-4-11. The Committee approved filing this bill at its meeting on 3-1-11.

CB11-0148 A bill for an ordinance relinquishing all easements, with the exception of Tract B, established in the Terrace Club Estates Filing No. 1, Book 58, pages 018 and 019, recorded in Reception No. 2007170163. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Relinquishes all the easements, with the exception of Tract B, established in the subdivision Plat Map of Terrace Club Estates Filing No. 1, Reception No. 2007170163, Book 58 pages 018 and 019. The Committee approved filing this bill by consent on 3-3-11.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Bills for Final Consideration

Business, Workforce & Sustainability

CB11-0095 A bill for an ordinance approving a proposed Agreement Revenue Advising Services between the City and County of Denver and MXD Development Strategists, Ltd. for professional consulting services related to optimizing non-airline revenue sources at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Revenue Advising Services Agreement with MXD Development Strategists Ltd. in the amount of \$975,000 to identify and define the range of potential land uses and possible development throughout Denver International Airport (CE03086). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0108 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and J & B AVIATION SERVICES, INC. for pre-conditioned air flat ducts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Master Purchase Order that will exceed \$500,000 with J&B Aviation for pre-conditioned air flat ducts and associated parts for jetbridges (MPO 0145A0109). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0109 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and The Colorado Coalition For The Homeless to provide funds to be utilized for the Tenant Based Rental Assistance (TBRA) program for rental assistance and security deposits. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Accepts an additional \$850,000 from the HUD HOME Program and extends the term for the 2011 Tenant-Based Rental Assistance program for the Colorado Coalition for the Homeless (GE11102). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0124 A bill for an ordinance approving a proposed Hotel Management Agreement between the City and County of Denver and Westin DIA Operator, LLC related to a hotel at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a 15-year Hotel Management Agreement between Westin DIA Operator, LLC and Denver International Airport for a total contract cost of \$21,239,400 over the 15-year term. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0125 A bill for an ordinance approving a proposed Westin Denver International Airport Development Consulting Services Agreement between the City and County of Denver and Westin DIA Operator, LLC related to development of an airport hotel at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Development Consulting Services Agreement between Westin DIA Operator, LLC and Denver International Airport effective after the opening date of the hotel. Westin/Starwood DIA Operator will be paid a fee of \$320,000 and may be reimbursed for eligible expenses up to \$75,000 and may be paid additional fees of up to \$60,000 if the hotel construction is delayed. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0126 A bill for an ordinance approving a proposed Pre-Opening Services Agreement between the City and County of Denver and Westin DIA Operator, LLC related to a hotel at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Pre-Opening Services Agreement between Westin DIA Operator, LLC and Denver International Airport to provide services during the pre-opening phase of the hotel construction process in the amount of \$150,000 for management fees, \$3,460,401 for pre-opening expenses, and a possible contingency of \$25,000. Services include hiring and training employees as well as installation, testing, and certification of hotel-specific systems. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-23-11.

CB11-0127 A bill for an ordinance approving a proposed Second Amendment to Aircraft Deicing System Maintenance, Operation and Management Services Agreement between the City and County of Denver and Inland Technologies International Limited for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Amends the Operation and Management Services Agreement with Inland Technologies International Limited for aircraft deicing system maintenance services (CE 45008-2). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0128 A bill for an ordinance approving a proposed Second Amendatory Airport Use and Facilities Lease Agreement between the City and County of Denver and Great Lakes Aviation, LTD., concerning a lease at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a one-year term extension through December 31, 2011 and a space change between Great Lakes Aviation LTD and the City (AR 49008-2). The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

General Government & Finance

CB11-0104 A bill for an ordinance establishing an "Energy Conservation Capital Projects" fund in the Grant/Other Capital Projects Fund and the means for authorizing expenditures therefor. (GENERAL GOVERNMENT & FINANCE)

Creates a capital grant fund to accept and expend revenue associated with energy conservation projects in City buildings. The Committee approved filing this bill by consent on 2-24-11.

CB11-0116 A bill for an ordinance creating a Fund Number in the Grant/Other Capital Projects Fund for the "Lowry Economic Redevelopment Authority (LRA) Supplemental Funding" project, and the funding therefor. (GENERAL GOVERNMENT & FINANCE)

Creates a capital grant fund and appropriates funding in the amount of \$3,000,000 to accompany the 2010 Lowry Supplemental Project Funding Agreement for the Kelly Road Wetland System and the Yosemite Extension Open Space projects (agreement), as approved by City Council in January 2011 (XC04052). The Committee approved filing this bill by consent on 2-24-11.

Land Use, Transportation & Infrastructure

CB11-0101 A bill for an ordinance approving an amendatory on call agreement between Diamond Hills Services, Inc. and the City & County of Denver that will provide general construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Increases the maximum work order amount in the on-call contract with Diamond Hills Services from \$75,000 to \$150,000 with no change in the term of 6-1-09 to 5-31-13 or the maximum contract amount of \$1.5 million. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0110 A bill for an ordinance approving an agreement between Silva Construction, Inc. and the City & County of Denver for 2011 Citywide Curb Ramp And Concrete Repair, Phase I. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$702,576 contract with Silva Construction for 2011 Citywide Curb Ramp & Concrete Repairs, part of the annual work programs for Public Works. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill by consent on 2-24-11.

CB11-0111 A bill for an ordinance approving an agreement between Fasick Concrete, Inc. and the City & County of Denver for a 2011 Citywide Curb, Gutter and Concrete Repair Project, Phase 2. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a \$1,016,111.35 construction contract with Fasick Concrete for the 2011 Citywide Curb, Gutter, Concrete, and Crossspan Repair program. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill be consent on 2-24-11.

CB11-0112 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 State Board of the Great Outdoors Colorado Trust Fund concerning the "River North Greenway Land Acquisition" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a grant agreement with Great Outdoors Colorado (GOCO) for up to \$1 million for acquisition of a 2.1-acre parcel in the River North area for a park, implementing part of the River North Greenway Master Plan. The Committee approved filing this bill at its meeting on 2-22-11.

CB11-0113 A bill for an ordinance making rescissions and appropriations within the Winter Parks and Recreation Capital Fund and the State Conservation Projects Trust Fund. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Rescinds \$420,000 from the Cranmer Park Sundial Plaza Restoration project in Council District 5 and reappropriates this amount to the River North Greenway Land Acquisition in Council District 9, to be restored to Cranmer Park in 2012. The Committee approved filing this bill at its meeting on 2-22-11.

CB11-0114 A bill for an ordinance approving a Disposition Agreement with The Trust for Public Land (TPL) for the transfer of property located at 3400 Arkins Court from TPL to the City of Denver. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a Disposition Agreement with the Trust for Public Land (TPL) for the transfer of property from TPL to Denver for the River North Park Acquisition. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-22-11.

CB11-0115 A bill for an ordinance approving a Lease Agreement with Interstate Shippers Service, Inc., as part of the land acquisition of 3400 Arkins Court. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a lease agreement between the City and Interstate Shippers Service to lease the building back to ISS, the current occupant, for up to one year to allow for relocation of the business after the City acquires the property as part of Denver's River North park land acquisition. The last regularly scheduled Council meeting within the 30-day review period is on 3-29-11. The Committee approved filing this bill at its meeting on 2-22-11.

Adjourn