

## City Council of Monday, June 18, 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..... Clerk

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**\*\*WEB ACCESS\*\***

**Live video and archives may be  
accessed at**

**<http://www.denvergov.org/citycouncil>**

**\*\*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 720-337-2000.

### **AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS**

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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, June 18, 2012 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP12-0464 A proclamation in honor of the 50th anniversary of Windsor Gardens.**

**Susman, Robb, Montero, López, Herndon, Brooks, Ortega, Faatz, Lehmann, Shepherd, and Brown.**

**CP12-0484 A proclamation officially welcoming the 2012 "Sea to Shining Sea" cross-country bike ride of wounded warriors to Denver.**

**Councilmembers Brown, Herndon, Brooks, Robb, Montero, Lehmann, Susman, López, and Faatz.**

**CP12-0487 A proclamation commemorating Justice for Janitors Week June 25th through July 2nd in Denver.**

**Sponsored by Councilmembers López, Montero, Ortega, Kniech, Brooks, and Shepherd.**

## **Resolutions**

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

**CR12-0438 A resolution approving the Mayor's appointment to the Denver Asian Pacific American Commission.**

Approves the Mayoral appointment of Katherine Agathon to the Denver Asian Pacific American Commission for a term effective immediately and expiring on January 1, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 6-7-12.

**CR12-0439 A resolution approving the Mayor’s reappointments and appointments to the Denver GLBT Commission.**

Approves the Mayoral re-appointments of Courtney Law, Cristina Aguilar, Sam Cole, Robert Dorshimer, John Kelly, Deryk Sanchez Standing, and Catherine Shea to the Denver GLBT Commission for terms effective immediately and expiring on May 1, 2014; approves the Mayoral appointments of Jeffrey Hoyle and Sonja Semion for terms effective immediately and expiring May 1, 2013; and approves the Mayoral appointments of Wade Frisbie and Cris Sandoval for terms effectively immediately and expiring on May 1, 2014. The Committee approved filing this resolution by consent on 6-7-12.

**CR12-0483 A resolution authorizing and approving the expenditure and payment from the appropriation account designated “liability claims,” the sum of Four Hundred Thirty-Seven Thousand, Five Hundred Dollars (\$437,500.00), payable to THE LAW OFFICES OF WILL AITCHISON, pursuant to the court-approved settlement agreement in Civil Action No. 07-cv-00541-RPM, in the United States District Court for the District of Colorado.**

Settles a claim involving the Police Department. This resolution was approved for filing at the Mayor-Council meeting on 6-12-12.

**Land Use, Transportation & Infrastructure**

**CR12-0450 A resolution accepting and approving the plat of Stapleton Central Park Blvd. Filing No. 1.**

Approves Stapleton Central Park Blvd. Filing No. 1 for the 23-acre area encompassing part of the I-70 interchange, Zenia and 40th Ave. to dedicate the public right-of-way in Council District 11. The Committee approved filing this resolution by consent on 6-7-12.

**CR12-0451 A resolution granting a revocable permit to 31st Street Investments, LLC, to encroach into the right-of-way with private sewer components near 2555 31st Street.**

Grants a revocable permit to 31st Street Investments to encroach into the public right-of-way with private sanitary sewer components at 2555 31st St. in Council District 9. The Committee approved filing this resolution by consent on 6-7-12.

**CR12-0452 A resolution granting a revocable permit to the Denver Housing Authority, to encroach into the right-of-way with various items along W. 10th Avenue between Navajo Street and Osage Street.**

Grants a revocable permit to Denver Housing Authority to encroach into the public right-of-way with concrete seat walls, oval planters and seat benches along 10th Ave. at Navajo St. in Council District 9. The Committee approved filing this resolution by consent on 6-7-12.

## **Bills for Introduction**

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

**CB12-0365 A bill for an ordinance prohibiting the advertising of medical marijuana in proximity to schools, child care centers, and parks.**

Prohibits advertising of medical marijuana in proximity to schools, child care centers, and parks. A COURTESY PUBLIC HEARING WILL BE HELD TONIGHT ON THIS BILL FOLLOWING THE REQUIRED PUBLIC HEARING ON CB12-0327. The Committee approved filing this bill at its meeting on 6-6-12.

**CB12-0390 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Spector Development, LLC, to modify the terms and conditions.**

Amends the federal HOME funded contract with Spector Development for the mixed-use development located at 910 Santa Fe Drive in Council District 9 to reduce three for sale units to rentals with stipulations (GE3A040). The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill at its meeting on 6-6-12.

**CB12-0412 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and International Business Machines Corporation to provide adult incumbent workers with technical training using H-1B Technical Skills Training grant monies.**

Approves a one-year \$500,000 contract through July 2013 with International Business Machines for training a minimum of 385 incumbent workers using Colorado's Highly Skilled Workforce: H-1B Technical Skills Training Grant monies (OEDEV-201205714). The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 5-24-12.

**CB12-0445 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Interstate Highway Construction, Inc. for the 2012 Annual Pavement Rehabilitation Program at Denver International Airport.**

Approves a \$7,300,000 contract with Interstate Highway Construction for the 2012 Annual Airfield Pavement Rehabilitation Program (201204726). The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 6-7-12.

**CB12-0446 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Super-Tech Filter, Inc. concerning the purchase of HVAC Filters for Denver International Airport.**

Increases a master purchase order threshold to approximately \$300,000 per year (totaling \$900,000 over the three-year term through 2014) with Super-Tech Filter for replacement HVAC filters at Denver International Airport (0156A0312). The last

regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 6-7-12.

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

### **CB12-0256 A bill for an ordinance approving a proposed Seventh Amendment to Addendum A to Master Walkaway Lease Agreement between the City and County of Denver and Enterprise Leasing Company of Denver, LLC dba Enterprise Fleet Services to extend the lease and to increase the total amount of compensation.**

Amends a contract with Enterprise Fleet Services to extend the term of the lease agreement for 24 months through June 30, 2014 and to add \$300,626, to provide leased vehicles to the Denver Police Department for undercover surveillance operations. The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 4-5-12

### **CB12-0331 A bill for an ordinance approving the Sixth Amendatory Agreement between the City and County of Denver and the Mental Health Center of Denver to provide Assertive Community Treatment (ACT) as part of the Court to Community Intervention Program.**

Approves a sixth amendatory agreement among the City, the Crime Prevention and Control Commission, and Mental Health Center of Denver (MHCD), to provide Assertive Community Treatment as part of the Court to Community intervention program in the amount of \$90,000 through December 31, 2012 ((CE-70053 (5))). The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill at its meeting on 5-15-12.

### **CB12-0370 A bill for an Ordinance approving an Amendatory Agreement with E.T. TECHNOLOGIES, INC. increasing the maximum contract amount.**

Amends the on-call contract with E. T. Technologies, Inc. to add \$1,510,000 for a total contract amount of \$2 million for continuation of services related to aboveground and underground storage tanks, including critical storage tank infrastructure (201101761). The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 5-17-12.

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

### **CB12-0425 A bill for an ordinance amending the Denver Zoning Code to modify the standards for termination of nonconforming signs.**

Approves Text Amendment No. 12 to the Denver Zoning Code allowing opportunity for correction of code violations prior to termination of non-conforming, on-premises signs. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 6-5-12.

### **CB12-0440 A bill for an ordinance changing the zoning classification for**

**1550 E. 17th Avenue and 1661 Franklin Street.**

Changes the zoning classification from B-2 with waivers (Business, low-medium intensity) to G-MS-3 (General Urban context, Main Street, 3-story max.) at 1550 E 17th Ave. and 1661 Franklin in Council District 8. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 6-5-12.

**CB12-0441 A bill for an ordinance changing the zoning classification for 4155 Picadilly Road.**

Changes the zoning classification from B-2 (Business, low-medium intensity) to S-MX-3 (Suburban context, mixed use, 3-stories) at 4155 N Picadilly in Council District 11. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 6-5-12.

**CB12-0448 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding final design, right-of-way acquisition and construction of drainage and flood control improvements along Weir Gulch at the South Platte River.**

Amends the agreement with Urban Drainage and Flood Control District regarding park development in Sun Valley, to provide for the City's conveyance of \$650,000 to the District, consisting of a \$350,000 grant from Great Outdoors Colorado and \$300,000 from the Parks and Recreation Capital Improvements Program for Gulch Park Improvements for Sun Valley Riverfront Park Phase 1 in Council District 9 (CE13015). The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 6-7-12.

**CB12-0449 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation concerning the "Confluence Bike/Ped Ramps Upgrade" project and the funding therefor.**

Accepts, establishes a capital grant fund for, and appropriates a \$2,765,000 grant from the Colorado Department of Transportation towards the design and construction of trail ramps, a new pedestrian plaza, stairway, and other trail improvement at Confluence Park in Council District 9 (201206171). The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 6-7-12.

**CB12-0453 A bill for an ordinance relinquishing easements where they lie within Green Valley Ranch Filing No. 57, Reception Number 2005129573.**

Relinquishes described easements established in Green Valley Ranch Filing No. 57 no longer required following dedication of public right-of-way in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 7-9-12. The Committee approved filing this bill by consent on 6-7-12.

**CB12-0454 A bill for an ordinance vacating a portion the East/West alley**

**and a portion of the North/South alley near the intersection of 29th Avenue and Fox Street, without reservations.**

Vacates the east-west alley and a portion of the north-south alley adjacent to 2900 Fox St. in Council District 9. The Committee approved filing this bill by consent on 6-7-12.

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

### **Pre-Recess Announcement**

**Tonight there will be a required public hearing on CB12-0327 changing the zoning classification for 3200 – 3262 Blake Street. Also, tonight there will be a one-hour courtesy public hearing on CB12-0365 prohibiting the advertising of medical marijuana in proximity to schools, child care centers, and parks. Anyone wishing to speak on either matter must see the Council Secretary to sign up during the recess of Council.**

### **Recess**

## **Council Reconvenes and Resumes its Regular Session**

### **Bills for Final Consideration - Public Hearings**

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

**CB12-0327 A bill for an ordinance changing the zoning classification for 3200 - 3262 Blake Street.**

Changes the zoning classification from R-MU-30 (Residential mixed-use, higher density) with waivers to C-MX-5 (Urban Center context, mixed-use, 5 stories max.) at 3200-3262 Blake in Council District 9. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 5-8-12.

### **Bills for Final Consideration**

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

**CB12-0293 A bill for an Ordinance approving a proposed Agreement between the City and County of Denver and Touchpoint Partners, LLC to sell certain advertising inventory and procure third-party sponsors and advertisers.**

Approves a contract with Touchpoint Partners (TPP) to develop a marketing program for local sustainable businesses at a discounted rate for City inventory

(such as booth space at Red Rocks) with the City receiving 50% of additional private sponsorships that TPP obtains for the program (TPP) (THTRS-201205232). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this contract by consent on 4-19-12.

**CB12-0426 A bill for an ordinance approving a First Amendment to Cooperative Service Agreement Reimbursable between the City and County of Denver and USDA-APHIS Wildlife Services to extend the contract for performing certain wildlife control measures at Denver International Airport.**

Approves a \$378,958.00 Cooperative Service Agreement between the United States Department of Agriculture, Animal and Plant Inspection Service, Wildlife Services and Denver International Airport (DIA) to implement the Federal Aviation Administration approved Wildlife Hazard Management Plan through December 31, 2013, to mitigate wildlife hazards around DIA (PLANE-201103051-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-31-12.

## **Government & Finance**

**CB12-0431 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and FAST Enterprises, LLC, to acquire additional software components and related services necessary for the operation of the GenTax Software system and to increase the maximum contract amount.**

Adds \$550,000 to the \$4,850,000 contract with FAST Enterprises to include Taxpayer Access Point in the GenTax system, allowing small businesses to register online and pay small business taxes, alleviating manual re-entry from paper processing (TECHS-CE06001-01). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-31-12.

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

**CB11-0613 A bill for an ordinance approving a proposed Amendatory Agreement by and between the City and County of Denver and Qwest Communications Company LLC to extend the term of the agreement and to add additional funds.**

Amends the existing agreement with Qwest for installation of a new phone system at Denver 911 in the amount of \$12,436.38 funded from the 911 Trust Fund. The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. Committee approved filing this bill at its meeting on 8-23-11.

**CB12-0351 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 provide Head Start**



**programs and services for the first six months of the 2012-2013 Head Start program year.**

Approves a contract with Denver Public School District Number One in the amount of \$786,141 to provide Head Start services for 302 children from July 1, 2012 through December 31, 2012 (201205604-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-17-12.

**CB12-0364 A bill for an ordinance approving a proposed amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to extend the term and increase the funding to provide housing to chronically homeless individuals.**

Amends the contract with the Colorado Coalition for the Homeless to add \$844,080 for the purpose of providing funding for 102 units of tenant-based rental assistance to the chronically homeless at 2111 Champa Street through March 31, 2013. The contract is funded by HUD and passed through Denver Human Services (SOCSV-201100782). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-17-12.

**CB12-0376 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Clayton Family Futures, dba Clayton Educare, to increase the total amount of compensation to be paid to the contractor under the Agreement.**

Amends the agreement with Clayton Educare to add \$60,520 in supplemental funding to finish out the current contract term through June 30, 2012 to provide Head Start services to 236 children (201101360-3). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-17-12.

**CB12-0428 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 concerning the "SPC-Housing First FY12-13" program and the funding therefor. (SOCSV-201205840-00).**

Accepts the Shelter Plus Care Housing First grant award from the U.S. Department of Housing and Urban Development in the amount of \$844,080, which will be used by the Colorado Coalition on the Homeless to provide 102 units of tenant-based rental assistance for chronically homeless individuals with mental illness (SOCSV-201205840-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-31-12.

**CB12-0430 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 Wallace Foundation concerning the "Out of School Time" program and the funding therefor. (MOEAI-201206112-00).**

Accepts the Wallace Foundation grant for Out of School Time programming in the amount of \$765,000 to improve access to quality Out of School Time programs and

support to Denver's children and youth (MOEAI-201206112-00). The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-31-12.

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

### **CB12-0429 A bill for an ordinance approving a User Agreement with The Young Men's Christian Association of Metropolitan Denver to conduct Day Camps at the Recreational Facilities during Summer Break.**

Approves an agreement allowing the YMCA to operate day camps at four City recreation centers and adjoining parks (Montbello, Cook Park, Montclair and Scheitler) for Denver Public Schools students for 11 weeks this summer for a total of \$13,640. The last regularly scheduled Council meeting within the 30-day review period is on 6-25-12. The Committee approved filing this bill by consent on 5-31-12.

## **Announcement**

**On Monday, July 16, 2012 Council will hold a public hearing on CB12-0425 amending the Denver Zoning Code to modify the standards for termination of nonconforming signs, on CB12-0440 changing the zoning classification for 1550 E. 17th Avenue and 1661 Franklin Street, and on CB12-0441 changing the zoning classification for 4155 Picadilly Road. Any protests against Council Bill 440 or 441 must be filed with the Council Offices no later than Monday, July 9, 2012.**

## **Adjourn**