#### CITY COUNCIL

City and County of Denver

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Doug Linkhart	At Large
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**ROOM 451** CITY & COUNTY BUILDING **DENVER COLORADO** 80202 720-865-9534

FAX: 720-865-9540

EMAIL: dencc@denvergov.org

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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, August 02, 2010 5:30 PM

**Pledge of Allegiance** 

**Roll Call** 

Approval of Minutes of Thursday, July 29, 2010

**Council Announcements** 

**Presentations** 

**Communications** 

**Proclamations** 

Resolutions

**Neighborhood, Community & Business Revitalization** 

CR10-0624 A resolution approving the Mayor's Reappointments and Appointments to the Denver Women's Commission. (NEIGHBORHOOD COMMUNITY & BUSINESS REVITALIZATION)

Approves the mayoral reappointments of Mayra Rosa, Dafna Michaelson, and Ursla Null; and the appointments of Walt Armijo, Jane Frances Echeozo, Eric Gonzales, Marcia Helfant, Kathy Maloney, Christy Morris, Caitlin Quander, and Brandi Shigley to the Denver Women's Commission for terms effective immediately and expiring on June 30, 2012. The Committee approved filing this bill by consent on 7-22-10.

#### **Public Works**

CR10-0638 A resolution laying out, opening and establishing a certain parcel of land for right-of-way purposes as S. Birch St., located at the intersection of S. Birch St. and E. Mississippi Ave. (PUBLIC WORKS)

Dedicates a parcel of land as part of the public right-of-way at a location in Council District 6. This resolution was approved for filing at the Mayor-Council meeting on 7-27-10.

CR10-0640 A resolution granting a revocable permit to School District No. 1 in the City and County of Denver to encroach into the right-of-way with non-potable water taps at East High School, along 17th Ave. at York St., and Josephine St., and across City Park Esplanade between 16th and 17th Streets. (PUBLIC WORKS)

Grants a revocable permit to Denver Public Schools to encroach into the right-ofway in Council District 8. This resolution was approved for filing at the Mayor-Council meeting on 7-27-10.

CR10-0641 A resolution laying out, opening and establishing as part of the city street system, as part of the streets listed below, certain real property in Stapleton Filing No. 15. (PUBLIC WORKS)

Dedicates as part of the public right-of-way in Council District 11. This resolution was approved for filing at the Mayor-Council meeting on 7-27-10.

CR10-0650 A resolution laying out, opening and establishing as part of the city street system a parcel of land as a public alley located at the intersection of Pearl St. and Interstate 70. (PUBLIC WORKS)

Dedicates as part of the public right-of-way of a parcel of land located in Council District 9. This resolution was approved for filing at the Mayor-Council meeting on 7-27-10.

#### **Bills for Introduction**

#### **Bond Implementation**

CB10-0631 A bill for an ordinance approving a proposed Contract between the City and County of Denver and Kiewit Building Group, Inc., for the construction of the new Eastside Human Services facility. (BOND IMPLEMENTATION)

Approves a contract with Kiewit Building Group in the amount of \$10,873,892.55 for construction of the new Eastside Human Services facility located in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 8-23-10. The Committee approved this bill at its meeting on 7-26-10.

#### **Economic Development**

### CB10-0563 A bill for an ordinance approving a proposed Purchase Agreement between the City and County of Denver and Constellation Solar V, LLC related to a new solar plant at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves an up to \$16,000,000 agreement with Constellation Solar V, LLC to purchase power from its 4.5MWDC photovoltaic (PV) solar electricity generating system at DIA for up to 25 years at a rate of \$0.036/kWh or 80% of current rates with an option for the airport to buy the system at the beginning of the 7th year. The last regularly-scheduled Council meeting within the 30-day period is on 8-23-10. The Committee approved filing this bill at its meeting on 7-21-10.

## CB10-0564 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and Constellation Solar V, LLC related to a new solar plant at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a \$7,500,000 loan agreement (at a rate of 5.5% for a term of 20 years) with Constellation Solar V, LLC to offset some costs of developing a 4.5MWDC photovoltaic (PV) solar electricity system to generate power for the airport on a long-term basis. The last regularly-scheduled Council meeting within the 30-day period is on 8-23-10. The Committee approved filing this bill at its meeting on 7-21-10.

# CB10-0565 A bill for an ordinance approving a proposed Ground Lease Agreement between City and County of Denver and Constellation Solar V, LLC related to leased space for a new solar plant at Denver International Airport. (ECONOMIC DEVELOPMENT)

Part of a three-agreement arrangement to facilitate the construction of a solar plant providing long-term, below-market electricity for the airport, this agreement approves a ground lease for Constellation Solar V, LLC to use 35 acres of DIA land to construct the plant. The last regularly-scheduled Council meeting within the 30-day period is on 8-23-10. The Committee approved filing this bill at its meeting on 7-21-10.

## CB10-0598 A bill for an ordinance approving a proposed Concession Agreement between the City and County of Denver and Continental Airlines, Inc., related to a food and beverage concession at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a concession agreement for sale of food and beverages prepared in the Continental Airlines flight kitchen that provides revenue to the airport based on a percentage of sales. The last regularly scheduled Council meeting within the 30-day period is on 8-23-10. The Committee approved filing this bill by consent on 7-22-10.

CB10-0599 A bill for an ordinance approving a proposed Agreement DIA Enabling Construction Projects South Terminal Redevelopment Program Construction Manager/General Contractor (CM/GC) between the City and County of Denver and Kiewit Building Group, Inc. related to construction services at Denver International Airport. (ECONOMIC DEVELOPMENT) Approves a \$50,000,000 contract with Kiewit Building Group for Construction Management/General Contractor services on the South Terminal Redevelopment Program with minority/women enterprise participation goals of 20%. The last regularly-scheduled Council meeting within the 30-day period is on 8-23-10. The Committee approved filing this bill at its meeting on 7-21-10.

CB10-0612 A bill for an ordinance adding a new Division 5 to Chapter 20, Article IV, D.R.M.C., requiring certain city contractors to confirm the lawful employment status of their employees. (ECONOMIC DEVELOPMENT)

Requires additional city contractors to confirm the lawful employment status of their employees, and provides local procedures for enforcing this requirement. The Committee approved filing this bill at its meeting on 7-21-10.

CB10-0628 A bill for an ordinance approving a Fourth Amendment to Cooperative Service Agreement 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. (ECONOMIC DEVELOPMENT)

Adds six months and \$186,024 to the agreement with United States Department of Agriculture, Animal and Plant Inspection Service, Wildlife Services to implement the airport's Wildlife Hazard Management Plan. The last regularly-scheduled Council meeting within the 30-day period is on 8-23-10. The Committee approved filing this bill by consent on 7-22-10.

#### **Finance**

CB10-0617 A bill for an ordinance amending Ordinance No. 329, Series of 2010, concerning the "Community Development Block Grant FY10" program, the "HOME FY10" program and the "HOPWA FY10" Program. (FINANCE)

Approves amending the grant project numbers in Ordinance No. 329, Series 2010 to appropriately account for grant agreements associated with the CDBG FY10, HOME FY10, and HOPWA FY10 programs. The Committee approved filing this bill by consent on 7-22-10.

### CB10-0625 A bill for an ordinance making rescissions of budget balances to close out grants, and transferring grant cash balances to the General Fund. (FINANCE)

Approves zeroing out agency grant budgets totaling \$158,215.45 representing completed projects and transferring cash balances totaling \$3,731.85 to the General Fund. The Committee approved filing this bill by consent on 7-22-10.

#### **General Government**

CB10-0429 A bill for an ordinance approving a proposed Amendatory Agreement with West Publishing Corporation d/b/a Thomson West, to revise on-line legal research services. (GENERAL GOVERNMENT)

Amends the contract with West Publishing Corporation, d/b/a Thomson West, CE85004, to revise the online legal research access schedule and the print material discount schedule and increase the contract cap amount by \$50,000 for a total of \$700,000 for the five-year term. (Filed as BR10-0513) The last regularly scheduled Council meeting within the 30-day review period is on 8-23-10. The Committee approved filing this bill by consent on 5-27-10.

#### Greenprint

CB10-0621 A bill for an ordinance approving a proposed Extension to Lease Agreement among the City and County of Denver, Recycled Materials Company, Inc., and Waste Management of Colorado, Inc., to extend the lease term and increase payment rates for use of the Denver Arapahoe Disposal Site for recycling operations. (GREENPRINT)

Extends the current contract with Recycled Materials Company and Waste Management of Colorado to 2011 and increases payment rates for use of the Denver Arapahoe Disposal Site for their recycling operations. The last regularly-scheduled Council meeting within the 30-day review period is on 8-23-10. The Committee approved filing this bill by consent on 7-22-10.

CB10-0632 A bill for an ordinance amending Article IV of Chapter 48 of the Revised Municipal Code of the City and County of Denver regarding illegal dumping. (GREENPRINT)

Revises terms and definitions and expands authority for administrative citations related to illegal dumping. The Committee approved filing this bill at its meeting on 7-21-10.

CB10-0633 A bill for an ordinance amending Article IV of Chapter 48 of the Revised Municipal Code of the City and County of Denver regarding illegal dumping and conforming changes to Chapters 12. (GREENPRINT)

Sets administrative citation penalties for illegal dumping and provides for

abatement procedures. The Committee approved filing this bill at its meeting on 7-21-10.

#### **Neighborhood, Community & Business Revitalization**

CB10-0603 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 Department of Health and Human Services concerning the "Head Start FY10-11" program and the funding therefor. (NEIGHBORHOOD COMMUNITY & BUSINESS REVITALIZATION)

Accepts a grant in the amount of \$6,413,687 from U.S. Dept. of Health and Human Services (GC01038) for head start services to 1,083 eligible children and families. The last regularly scheduled Council meeting within the 30-day review period is on 8-23-10. The Committee approved filing this bill by consent on 7-15-10.

CB10-0614 A bill for an ordinance approving a Third Amendatory Agreement between the City and County of Denver and HS2 Group LLC fna Express Personnel Inc. and aka Express Services Inc. and Express Employment Professionals LLC, to continue providing temporary employment for positions that would not normally be provided through the City's on-call temporary employment program. (NEIGHBORHOOD COMMUNITY & BUSINESS REVITALIZATION)

Approves a contract increase in the amount of \$400,000 to the HS2 Group LLC agreement (fna Express Personnel Inc., Express Services Inc., and Express Employment Professionals LLC) to provide temporary employment personnel services at the Department of Human Services for a term ending December 31, 2010. The last regularly scheduled Council meeting within the 30-day review period is on 8-23-10. The Committee approved filing this bill by consent on 7-22-10.

#### **Public Amenities**

CB10-0547 A bill for an ordinance approving a proposed First Amendment to Sublease Agreement between the City and County of Denver and Denver Center for the Performing Arts to extend the term of the current sublease agreement regarding the use of office space located at 1245 Champa Street. (PUBLIC AMENITIES)

Extends the contract with the Denver Performing Arts Complex for five years through Sept. 30, 2015 for office space at 1245 Champa for \$545,857.94. The last regularly scheduled Council meeting within the 30-day review period is on 8-23-10. The Committee approved filing this bill at its meeting on 7-14-10.

CB10-0620 A bill for an ordinance establishing a new article XI on donations, gifts, grants, and bequests in Chapter 39 (parks and recreation) of the Denver revised municipal code, to include a new section 39-221, regarding monetary contributions, donations, bequests, beneficiary earnings, private grants, and other cash gifts or endowments, and a new section 39-222, regarding gifts of personal property and certain improvements, all in accordance with Charter section 2.4.4(E). (PUBLIC AMENITIES)

Amends Chapter 39 to allow Parks & Recreation to accept gifts, donations, grants and bequests of less than \$500,000 without an individual acceptance ordinance. The Committee approved filing this bill by consent on 7-22-10.

#### **Public Works**

CB10-0618 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Community Mediation Concepts, for mediation services which are available to all City agencies. (PUBLIC WORKS)

Approves an additional \$99,500 to complete the contract term through July 15, 2011, with Community Mediation Concepts, which is available to all City agencies. The last regularly scheduled Council meeting within the 30-day review period is on 8-23-10. The Committee approved filing this bill by consent on 7-22-10.

#### Safety

CB10-0574 A bill for an ordinance approving a proposed agreement between the City and County of Denver and Community Education Centers for residential and non-residential community corrections services. (SAFETY)

Approves a \$ 2,028,514 contract with Community Education Centers for community corrections services. The last regularly-scheduled Council meeting within the 30-day period is on 8-23-10. The Committee approved filing this bill by consent on 7-8-10.

CB10-0616 A bill for an ordinance amending Section 14-123 of Article VI of Chapter 14 of the Revised Municipal Code of the City and County of Denver to establish new sheriff fees that conform with state law changes. (SAFETY)

Approves fee increase for sheriffs' services to comply with new state law. The Committee approved filing this bill by consent on 7-22-10.

CB10-0622 A bill for an ordinance amending Ordinance No. 42, Series of 2008, concerning the "Secure Our Schools" Program. (SAFETY)

Approves an ordinance to correct the stated match for the Federal Secure Our Schools grant by adding \$250. The Committee approved filing this bill by consent on 7-22-10.

#### **Pre-Recess Announcements**

Tonight Council will hold a required public hearing on Council Bill 604, designating the Allen M. Ghost Historic District as a district for preservation. 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

REQUIRED	CB10-0604 A bill for an ordinance designating the Allen M. Ghost Historic District, located generally between the alley between 31st and 32nd Avenues on the north, Lowell Boulevard on the west, 29th Avenue on the south and Irving Street on the east as a district for preservation. (BLUEPRINT DENVER)  Designates an area generally bounded by Lowell, Irving, W. 29th Ave. and W. 32nd Ave. as the Ghost Historic District. The Committee approved filing this bill
	at its meeting on 7-14-10

#### **Bills for Final Consideration**

CB10-0652 A bill for an ordinance setting fees for hearings before the Board of Adjustment for zoning appeals. (BLUEPRINT DENVER) Establishes a fee schedule for the Board of Adjustment for Zoning. This bill replaces CB10-0570. The Committee approved filing this bill at its meeting on 7-14-10.

CB10-0560 A bill for an ordinance authorizing the transfer of cash from the Surplus and Deficiency Fund and the Local Improvement District Assessment Fund to the Local Improvement Construction Revolving Fund effective for calendar year 2010 and making an appropriation to the Broadway Streetscape Project. (FINANCE)

Approves transferring the current cash balance of \$425,912 from the Surplus and Deficiency Fund (49000) and the cash balance of \$359,190 from the Local Improvement Assessment Revolving Fund to the Local Improvement Revolving Construction Fund (38081) for the Broadway Streetscape (Iowa to Wesley) project. The funds will be repaid to the City when assessments from the property owners are paid to the revolving account. The Committee approved filing this bill by consent on 7-1-10.

CB10-0545 A bill for an ordinance rescinding unspent budget from completed 1998 Neighborhood Bond projects and making an appropriation in the 1998 Bond Projects for the Vanderbilt Park Development Project and the Yale/Syracuse Intersection Renovation Project. (FINANCE)
Approves rescinding unspent budgets from completed 1998 Neighborhood Bond Projects and transferring the remaining budgets to two other 1998 bond projects, Vanderbilt Park renovation and Yale/Syracuse Intersection renovation. The Committee approved filing this bill by consent on 7-1-10.

CB10-0587 A bill for an ordinance making rescissions of budget balances to close out grants, and transferring grant cash balances to the General Fund. (FINANCE)

Approves closing out several old grant budgets/fund accounts from completed projects. The Committee approved filing this bill by consent on 7-8-10.

CB10-0600 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, Inc., for the 2010-2011 Temporary Assistance for Needy Families (TANF) program year. (NEIGHBORHOOD COMMUNITY & BUSINESS REVITALIZATION)

Approves a contract with Catholic Charities for the 2010-2011 Temporary Assistance for Needy Families (TANF) program year in the amount of \$672,230. The contract term is July 1, 2010 through June 30, 2011. The last regularly scheduled Council meeting within the 30-day review period is on 8-16-10. The Committee approved filing this bill by consent on 7-15-10.

## CB10-0506 A bill for an ordinance approving an amendatory on-call agreement between Consolidated Divisions, Inc. and the City & County of Denver for landscape improvements and irrigation construction services. (PUBLIC AMENITIES)

Corrects the on-call contract with Consolidated Divisions to reflect M/WBE goals of 10% rather than 18%. The last regularly scheduled Council meeting within the 30-day review period is on 8-16-10. The Committee approved filing this bill by consent on 6-17-10.

## CB10-0510 A bill for an ordinance approving an amendatory on-call agreement between CTM, Inc. d/b/a Colorado Total Maintenance and the City & County of Denver for landscape improvements and irrigation construction services. (PUBLIC AMENITIES)

Corrects the on-call contract with CTM to reflect M/WBE goals of 10% rather than 18%. The last regularly scheduled Council meeting within the 30-day review period is on 8-16-10. The Committee approved filing this bill by consent on 6-17-10.

# CB10-0509 A bill for an ordinance approving an amendatory on-call agreement between Goodland Construction, Inc. and the City & County of Denver for landscape improvements and irrigation construction services. (PUBLIC AMENITIES)

Corrects the on-call contract with Goodland Construction to reflect M/WBE goals of 10% rather than 18%. The last regularly scheduled Council meeting within the 30-day review period is on 8-16-10. The Committee approved filing this bill by consent on 6-17-10.

## CB10-0508 A bill for an ordinance approving an amendatory on-call agreement between Richdell Construction, Inc. and the City & County of Denver for landscape improvements and irrigation construction services. (PUBLIC AMENITIES)

Corrects the on-call contract with Richdell Construction to reflect M/WBE goals of 10% rather than 18%. The last regularly scheduled Council meeting within the 30-day review period is on 8-16-10. The Committee approved filing this bill by consent on 6-17-10.

# CB10-0601 A bill for an ordinance approving a program to reimburse the Denver County Court for alcohol evaluation services rendered by the Denver County Court Probation Department between the City and County of Denver and State of Colorado Judicial Department. (SAFETY)

Outlines the agreement by which Colorado Judicial Department reimburses Denver County Court \$ 504,000 for alcohol evaluation services provided by the Denver County Court Probation Department. The last regularly-scheduled Council meeting within the 30-day review period is on 8-16-10. The Committee approved filing this bill by consent on 7-15-10.

CB10-0556 A bill for an Ordinance amending the Old Hire Firefighters Pension Plan to allow members whose status was active on October 2, 1998, to receive pension credit for their additional months of service. (SAFETY)

Approves an amendment to the Denver Old Hire Fire Pension plan to allow for the new calculation of benefits for individuals included in the settlement agreement, Al Sundgren, v. the City and County of Denver. The Committee approved filing this bill by consent on 7-8-10.

CB10-0557 A bill for an Ordinance amending the City and County of Denver Old Hire Fire Pension Plan by removing the requirement that members select a DROP distribution method within 30 days of retirement. (SAFETY) Removes the requirement in the Old Hire Fire Pension plan that certain individuals select investment options for their DROP funds within 30 days. The Committee approved filing this bill by consent on 7-8-10.

CB10-0558 A bill for an Ordinance amending the City and County of Denver Old Hire Police Pension Plan by removing the requirement that members select a DROP distribution method within 30 days of retirement. (SAFETY) Removes the requirement in the Old Hire Police Pension plan that certain individuals select investment options for their DROP funds within 30 days. The Committee approved filing this bill by consent on 7-8-10.

CB10-0581 A bill for an Ordinance approving an Intergovernmental Agreement and Lease of a fire station facility to provide fire protection services to the City of Sheridan (SAFETY)

Approves an intergovernmental agreement between Denver and the City of Sheridan under which the Denver Fire Department will provide fire protection services for Sheridan. The last regularly-scheduled Council meeting within the 30-day period is on 8-16-10. The Committee approved filing this bill at its meeting on 7-7-10.

### Adjourn

### **Pending**

### CB10-0434 A bill for an ordinance relating to the Denver Zoning Code, enacting 3 new zone districts in the Master Planned Context. (BLUEPRINT DENVER)

Language Amendment 1. Adopts three additional zoning classifications for use in the Master Planned Context. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING. The Committee approved filing this bill at its meeting on 6-23-10.

### CB10-0520 A bill for an ordinance changing the zoning classification for 4725 High Street, to a Planned Unit Development District (PUD). (BLUEPRINT DENVER)

Appl. 2009I-00042. Changes the zoning of the 0.85-acre parcel at 4725 High from PUD #250 to PUD to allow addition of housing for female veterans and their children and services in the existing Elyria School building in Council District 9. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING. The Committee approved filing this bill at its meeting on 6-23-10.

CB #	Committee	Status	Description	Continued	Hearing
			-	From	
CB10-	BLUEPRINT		A bill for an ordinance	5/26/2010	YES
0434	DENVER		relating to the Denver	6/23/2010	
			Zoning Code, enacting 3	6/29/2010	
			new zone districts in the	7/12/2010	
			Master Planned Context.	7/26/2010	
				8/2/2010	
CB10-	BLUEPRINT		A bill for an ordinance	6/23/2010	YES
0520	DENVER		changing the zoning	6/29/2010	
			classification for 4725	7/12/2010	
			High Street, to a Planned	7/26/2010	
			Unit Development District	8/2/2010	
			(PUD).		