

City Council of Monday, September 24, 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****

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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, September 24, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP12-0695 A proclamation declaring Monday, September 24, 2012 as Denver Preschool Program Day. Councilmembers Brooks, Brown, Montero, Robb, Susman, Herndon, Kniech, Lehmann, López, and Shepherd.

CP12-0703 A proclamation observing September 15 through October 15 as National Hispanic Heritage Month in the City & County of Denver. Sponsored by Councilmembers Montero and Herndon.

Resolutions

Government & Finance

CR12-0698 A resolution amending Rule 11 of the Denver City Council Rules of Procedure in regard to expenditures and donations.

Provides rules for handling donations to City Council Special Revenue Funds. The Committee approved filing this resolution at its meeting on 8-15-12.

Health, Safety, Education & Services

CR12-0729 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Eight Thousand Three Hundred Fifty and 00/100 Dollars (\$8,350.00), payable to Killmer, Lane & Newman, LLP, and Eleven Thousand Six Hundred Fifty and 00/100 Dollars (\$11,650.00), payable to

Afshin Shariati, in full payment and satisfaction of all claims by the City and County of Denver in Civil Action No. 12-cv-02024-REB-KLM, in the United States District Court for the District of Colorado.

Settles a claim involving the Denver Sheriff Department. This resolution was approved for filing at the Mayor-Council meeting on 9-18-12.

Land Use, Transportation & Infrastructure

CR12-0665 A resolution laying out, opening and establishing as part of the city street system a parcel of land as W. 52nd Avenue near its intersection with Federal Boulevard.

Dedicates a parcel of land as part of the public right-of-way of W. 52nd Ave. near its intersection with Federal Blvd. as part of a redevelopment project in Council District 1. The Committee approved filing this resolution by consent on 9-13-12.

CR12-0667 A resolution granting a revocable permit to Denver Bike Sharing to encroach into the right-of-way with a bicycle docking stations at 1505 Curtis Street, 1780 Broadway Street, 2301 Clay Street, 3199 Julian Street, 910 Bayaud Avenue and 1509 Steele Street.

Grants a revocable permit to Denver Bike Sharing to encroach into the right-of-way with bicycle docking stations at 6 locations: 1505 Curtis St, 1780 Broadway St, 2301 Clay St, 3199 Julian St, 910 E Bayaud, and 1509 Steele St. The Committee approved filing this resolution by consent on 9-13-12.

Bills for Introduction

Business, Workforce & Sustainability

CB12-0625 A bill for an Ordinance approving a proposed Professional Services Agreement and User Agreement between the City and County of Denver and Ballet Nouveau Colorado to perform Carry On live performance at the Ellie Caulkins Opera House.

Approves a revenue agreement with Ballet Nouveau Colorado to manage performers for the Carry On Live Performance at the Ellie Caulkins Opera House for 70% of ticket sales with the City receiving the remaining 30% (THTRS-201207018). The last regularly scheduled Council meeting within the 30-day review date is on 10-15-12. The Committee approved filing this bill at its meeting on 8-29-12.

CB12-0629 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2012A" in the maximum aggregate principal amount of \$600,000,000 for the purposes of paying the costs of the Series 2012A Improvement Project in the maximum amount of \$250,000,000 and paying the costs of the Series 2012A Refunding Project in the maximum amount of \$350,000,000, and the "City

and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2012B" in the maximum aggregate principal amount of \$750,000,000 for the purposes of paying the costs of the Series 2012B Improvement Project in the maximum amount of \$400,000,000 and paying the costs of the Series 2012B Refunding Project in the maximum amount of \$350,000,000, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.

Authorizes the Manager of Finance to issue Airport Revenue Bonds, Series 2012A-B in an amount not to exceed \$1.35 billion for the purpose of funding Airport capital improvements, refunding outstanding Airport Revenue bonds, and paying costs of issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill at its meeting on 8-29-12.

CB12-0630 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; authorizing the issuance of the "City and County of Denver, Colorado, for and on behalf of its Department of Aviation, Airport System Revenue Bonds, Series 2012C" in the maximum aggregate principal amount of \$600,000,000 for the purposes of paying the costs of the Series 2012C Improvement Project in the maximum amount of \$250,000,000 and paying the costs of the Series 2012C Refunding Project in the maximum amount of \$350,000,000, and providing other details in connection therewith; providing the amount, terms and other details of such bonds; authorizing the execution of certain related agreements; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.

Authorizes the Manager of Finance to issue Airport Revenue Bonds, Series 2012C in an amount not to exceed \$600 million to fund Airport capital improvements, refund outstanding Airport Revenue bonds, and pay issuance expenses. The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill at its meeting on 8-29-12.

CB12-0653 A bill for an ordinance approving a proposed First Amendment to the Standard RMU Program Asset Manager License Agreement between the City and County of Denver and Provenzano Resources, LLC concerning the management of a retail mobile unit program at Denver International Airport.

Changes the Minimum Annual Guarantee (MAG) and approves corresponding agreement concessions from Provenzano Resources for a retail mobile unit program at Denver International Airport. The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill at its meeting on 9-12-12.

CB12-0654 A bill for an ordinance authorizing the purchase of capital equipment items from the Denver International Airport Capital Equipment

and Improvements Fund.

Approves the purchase of capital equipment using current appropriation for Data Management Software, Storage Area Network Software and Storage hard drive units for Denver International Airport. The Committee approved filing this bill by consent on 9-13-12.

CB12-0663 A bill for an Ordinance approving a proposed Sponsorship Agreement between the City and County of Denver, Proxy Partners, LLC and Bottling Group, LLC to obtain certain sponsorship opportunities in connection with the City venues.

Approves a \$1,272,750, 5-year sponsorship revenue contract with Bottling Group, LLC / The Pepsi Beverages Company for beverage advertising rights for Red Rocks Amphitheatre, the Denver Coliseum, Boettcher Concert Hall, the Buell Theatre, the Newton Auditorium/Ellie Caulkins Opera House and the Colorado Convention Center (THTRS-201206007). The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill by consent on 9-13-12.

CB12-0680 A bill for an ordinance concerning the Airport Facilities of the City and County of Denver; providing for the administration of certain passenger facility charges; ratifying action previously taken; providing for other related matters; and providing the effective date of this ordinance.

Authorizes the extension of the DIA Passenger Facility Charges (PFC) collection period to 2018 while continuing the current amount charged and revenue uses as approved by the Federal Aviation Administration. The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill at its meeting on 9-19-12.

Government & Finance

CB12-0603 A bill for an ordinance approving a proposed Amendatory Agreement by and between the City and County of Denver and The Active Network, Inc., to extend the term of the agreement to increase the scope of work, and to add additional funds.

Adds \$1,472,520 and three years to the Active Network professional services and license contract - providing secured point of sale and online payments, standardizing receipting and cash handling functions and supporting Payment Card Industry Data Security Standard compliance (CE05035). The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill at its meeting on 8-15-12.

CB12-0628 A bill for an ordinance approving a proposed Amended Equipment Lease Purchase Agreement between the City and County of Denver and All American Investment Group, LLC, to recognize that All American has assigned the lease to SunTrust Equipment Finance and Leasing Corp.

Amends a previously-approved capital lease with All American Investment Group to recognize that All American has assigned the lease to SunTrust Equipment Finance and Leasing Corp (FINAN 201206714). The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill by consent on 8-30-12.

CB12-0673 A bill for an Ordinance approving a proposed purchase by the City and County of Denver of insurance coverage from: Kaiser Permanente Health Plan of Colorado; United Healthcare; Denver Health Medical Plan, Inc.; Delta Dental of Colorado, Standard Insurance Company of Colorado, Inc., and; Anthem Blue Cross and Blue Shield.

Approves the City's purchase of insurance coverage from: Kaiser Permanente Health Plan of Colorado; United Healthcare; Denver Health Medical Plan, Inc.; Delta Dental of Colorado, Standard Insurance Company of Colorado, Inc., and; Anthem Blue Cross and Blue Shield for 2013 employee benefits. The Committee approved filing this bill at its meeting on 9-12-12.

Land Use, Transportation & Infrastructure

CB12-0496 A bill for an ordinance approving an amendatory agreement between Reilly Johnson Architecture and the City & County of Denver that will extend the term of the contract and add additional funds for design services for the Denver County Jail New Housing Units.

Approves a second amendment to the contract with Reilly Johnson for design services for Denver County Jail, a Justice Center Bond project, to extend the term from Dec. 31, 2012, to June 2013, and add \$115,805, for a new total of \$2,292,610, to cover design scope for a camera replacement program and remodel of staff services area (CE84011(2)). The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill by consent on 6-28-12.

CB12-0627 A bill for an ordinance changing the zoning classification for property located at 700 W. 39th Avenue, 3860 Galapago Street and 3820 Galapago Street.

Changes the zoning classification of 700 W. 39th Ave. and 3860 and 3820 Galapago from I-A, UO-2 (Light industrial, billboards allowed overlay) to C-MS-12 (Commercial Main Street, max. 12 stories) to permit mixed-use, pedestrian-oriented development near the future 41st and Fox commuter rail station 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 9-11-12.

CB12-0634 A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the State of Colorado Department of Transportation relating to the Denver B-cycle Downtown Core and Neighborhood Expansion project.

Accepts a grant of state and federal funding, establishes a grant fund and appropriates \$1,104,351 for the Denver B-Cycle Downtown Core and Neighborhood

Expansion project, which will purchase and install 27 new Denver B-Cycle stations. The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill at its meeting on 9-18-12.

CB12-0635 A bill for an ordinance approving a contract between Golden Triangle Construction and the City & County of Denver for the Police Command Vehicle Garage.

Approves a \$1,186,100 contract with Golden Triangle Construction for the Police Command Vehicle Garage, a Better Denver Bond Project. The last regularly scheduled Council meeting within the 30-day review period is on 10-15-12. The Committee approved filing this bill by consent on 8-30-12.

CB12-0669 A bill for an ordinance modifying Chapter 30, Landmark Preservation, relating to the Lower Downtown Historic District and the Lower Downtown Design Review Board.

Amends Chapter 30 of the Denver Revised Municipal Code regarding the Lower Downtown Design Review Board. The Committee approved filing this bill at its meeting on 9-11-12.

CB12-0671 A bill for an ordinance changing the zoning classification for properties located at 1200, 1214 and 1220 Grove Street.

Changes the zoning classification from OS-A [open space, City-owned] to E-TU-B [Urban Edge context, two-unit] for 1200-1220 Grove in Council District 3. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 9-11-12.

Recap of Bills to be Called Out

Recess

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Final Consideration

Land Use, Transportation & Infrastructure

CB12-0662 A bill for an ordinance approving the Central Park Station Area Plan, which plan shall become a part of the Comprehensive Plan for the City and County of Denver pursuant to the provisions of Section 12-61 of the Denver Revised Municipal Code.

Adopts the Central Park Station Area Plan, which encompasses area around the future RTD rail transit facility at Uinta and Smith Road, as a supplement to the Denver Comprehensive Plan. The Committee approved filing this bill at its meeting on 9-4-12.

Bills for Final Consideration

Business, Workforce & Sustainability

CB12-0651 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and SAIC Energy, Environment & Infrastructure, LLC related to technology systems support services for EMS and related equipment at Denver International Airport.

Approves a 3-year \$3,779,000 contract with Science Applications International Corporation (SAIC) for assessment and an Event Management System which is a technology to integrate with other mostly manual systems to synchronize and consolidate information related to emergency incidences at Denver International Airport (201102264). The last regularly scheduled Council meeting within the 30-day period is on 10-8-12. The Committee approved filing this bill by consent on 9-6-12.

CB12-0652 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and Transportation Security Administration (TSA) related to construction of a kennel facility for bomb sniffing dogs at Denver International Airport.

Approves a contract with the Transportation Security Administration (TSA) to construct a kennel facility for bomb sniffing dogs with TSA picking up costs for construction, operations, and the enhanced security system as well as paying ground rent (201206160-00). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-12. The Committee approved filing this bill by consent on 9-6-12.

Government & Finance

CB12-0655 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Aramark Uniform & Career Apparel, LLC to provide rental uniforms to DIA and the Public Works Fleet Department.

Approves a \$750,000 master purchase order with Aramark Uniform Services providing rental uniforms, including outer wear and indoor uniforms, storage lockers and laundry services for the airport and the Public Works Fleet Department (CLOTHING_UNIFORMS0036A0112). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-12. The Committee approved filing this bill by consent on 9-6-12.

CB12-0656 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and McCandless Truck Company to add additional funds for OEM International™ truck parts and components.

Adds \$350,000 to the master purchase order (now totaling \$550,000) with McCandless Truck Center to procure OEM International™ truck parts and

components (0667A0108). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-12. The Committee approved filing this bill by consent on 9-6-12.

CB12-0657 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Rush Truck Centers of Co., Inc. dba Rush Peterbilt Truck Center to add additional funds for OEM Peterbilt™ truck parts and components.

Adds \$135,000 to the master purchase order (now totaling \$625,000) with Rush Peterbilt Truck Center to procure OEM Peterbilt™ truck parts and components (0667A0308). The last regularly scheduled Council meeting within the 30-day review period is on 10-8-12. The Committee approved filing this bill by consent on 9-6-12.

Land Use, Transportation & Infrastructure

CB12-0639 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 15th Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$26,684.62) for the 15th Street Pedestrian Mall local maintenance district in Council District 9 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0640 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 20th Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$5,400) for the 20th Street Pedestrian Mall local maintenance district in Council District 9 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0641 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Consolidated Larimer Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$27,120) for the Consolidated Larimer Street Pedestrian Mall local maintenance district in Council District 9 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0642 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall A Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$28,140) for the Santa Fe Drive Pedestrian Mall A local maintenance district in Council District 9 and for which no

protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0643 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall B Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$33,437) for the Santa Fe Drive Pedestrian Mall B local maintenance district in Council District 9 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0644 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Santa Fe Drive Pedestrian Mall C Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$1,901) for the Santa Fe Drive Pedestrian Mall C local maintenance district in Council District 9 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0645 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the East 13th Avenue Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$28,774) for the East 13th Avenue Pedestrian Mall local maintenance district in Council District 10 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0646 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 44th Avenue and Eliot Street Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$8,000) for the West 44th Avenue and Eliot Street Pedestrian Mall local maintenance district in Council District 1 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0647 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the Expanded Greektown Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$20,000) for the Expanded Greektown Pedestrian Mall local maintenance district in Council Districts 8 and 10 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0648 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the West 32nd Avenue Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$4,655) for the West 32nd Avenue Pedestrian Mall local maintenance district in Council District 1 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

CB12-0649 A bill for an ordinance assessing the annual costs of the continuing care, operation, repair, maintenance and replacement of the 32nd and Lowell Pedestrian Mall Local Maintenance District upon the real property, exclusive of improvements thereon, benefited.

Approves assessments based on the 2013 budget (\$49,000) for the 32nd and Lowell Pedestrian Mall local maintenance district in Council District 1 and for which no protests were filed. The Committee approved filing this bill by consent on 9-6-12.

Announcement

Dependent upon publication on Monday, October 22, 2012, Council will hold a required public hearing on CB12-0627, changing the zoning classification for property located at 700 W. 39th Avenue, 3860 Galapago Street and 3820 Galapago Street, and a required public hearing on CB12-0671, changing the zoning classification for properties located at 1200, 1214, and 1220 Grove Street. Any protests against CB12-0627 or CB12-0671 must be filed with the Council Offices no later than Monday, October 15, 2012.

Also, on Monday, October 1, Council will sit as the Board of Equalization if required to hear any timely, written protests of assessment filed with the Manager of Public Works from property owners within any of the following districts: South Downing Street Pedestrian Mall, West 38th Avenue I Pedestrian Mall, Golden Triangle Pedestrian Mall, Broadway Pedestrian Mall A, Broadway Pedestrian Mall B, Phase II Broadway Pedestrian Mall, South Broadway (Arizona to Iowa) Local Maintenance District, and the Tennyson (38th to 44th) Local Maintenance District.

Adjourn

Pending

For 10-15-12

CB12-0587 A bill for an ordinance changing the zoning classification for property located at 4401 Sherman Street.

**Required Public Hearing
Final Consideration**

For 10-15-12

**CB12-0626 A bill for an ordinance changing the zoning classification for
1850 Platte Street.**

**Required Public Hearing
Final Consideration**