

## City Council of Monday, April 18, 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  
Vacant..... 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**

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### **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, April 18, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, April 11, 2011**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP11-0286 A proclamation recognizing Daniel P. Lutz, PhD, Founder and Director of the Denver Center for International Studies on its 25th Anniversary and his retirement.**

**Sponsored by Councilmembers Johnson, Brown, Linkhart, Lehmann, Boigon and Sandoval.**

## **Resolutions**

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

**CR11-0239 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Evans Ave., located at the intersection of S. Broadway and S. Lincoln St. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates existing portions of Evans Ave. right-of-way at its intersection with S. Broadway and with S. Lincoln in Council District 7. The Committee approved filing this resolution by consent on 4-7-11.

**CR11-0264 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Five Thousand Eight Hundred Fifty Dollars (\$5,850.00) payable to Paige F. Ortmeier, and the sum of Eighteen Thousand Five Hundred Dollars (\$18,500.00) payable to Judith Ortmeier and Addison Avenue Federal Credit Union, in full payment and satisfaction of all claims in Claim No. 1006-003887. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Settles a claim involving the Public Works Department. This resolution was approved for filing at the Mayor-Council meeting on 4-12-11.

## **Bills for Introduction**

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

**CB11-0228 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 of America concerning the "Neighborhood Stabilization Program 3" program and the funding therefor. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a grant agreement between the City and County of Denver and the United States Department of Housing and Urban Development (HUD) to allow the City to accept a Neighborhood Stabilization Program 3 (NSP3) grant in the amount of \$2,700,279. The last regularly scheduled Council meeting within the 30-day review period is on 5-9-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0233 A bill for an ordinance approving a proposed First Amendment to Airline Support Facilities Lease Agreement between the City and County of Denver and Delta Air Lines, Inc., related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the Airport Support Facilities Lease agreement between Delta Air Lines Inc. and the City for a term extension through December 31, 2011, and for space changes in the building/cargo areas (AR 56030-1). The last regularly scheduled Council meeting within the 30-day review period is on 5-9-11. The Committee approved filing this bill by consent on 4-7-11.

**CB11-0234 A bill for an ordinance approving a proposed First Amendment to Airline Support Facilities Lease Agreement between the City and County of Denver and Frontier Airlines, Inc., related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the Airline Support Facilities Lease agreement between Frontier Airlines, Inc. and the City for a term extension through December 31, 2011, and changes in the leased space in the cargo building (AR 56031-1). The last regularly scheduled Council meeting within the 30-day review period is on 5-9-11. The Committee approved filing this bill by consent on 4-7-11.

**CB11-0235 A bill for an ordinance approving a proposed Second Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Delta Air Lines, Inc., concerning a lease at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a contract amendment to the Airport Use and Facilities Lease agreement between Delta Air Lines Inc. and the City for a term extension through December 31, 2011, and for space revisions to the ticket counter, holding room, etc. (AR

56006-2). The last regularly scheduled Council meeting within the 30-day review period is on 5-9-11. The Committee approved filing this bill by consent on 4-7-11.

**CB11-0236 A bill for an ordinance approving a proposed Standard Consumer Services Concession Agreement between the City and County of Denver and World Wide Insurance & Business Services, Inc., concerning consumer services concessions at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a Standard Consumer Services Concession agreement with World Wide Insurance & Business Services, Inc. for money exchange services in the Terminal and on Concourses A and B (PLANE-201100034-00) . The last regularly scheduled Council meeting within the 30-day review period is on 5-9-11. The Committee approved filing this bill by consent on 4-7-11.

**Health, Safety, Education & Services**

**CB11-0006 A bill for an ordinance approving a proposed Revival and Sixth Amendatory Agreement between the City and County of Denver and School District No. 1 for partial support for 15 Denver Police School resource officers in Denver Public Schools. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts \$600,000 from School District No. 1 in partial support for 15 Denver Police school resource officers in the Denver Public Schools and amends the existing agreement accordingly. The last regularly scheduled Council meeting within the 30-day review period is on 5-9-11. The Committee approved filing this bill at its meeting on 1-18-11.

**CB11-0186 A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and the Colorado Nonprofit Development Center to assist the Denver Office of HIV Resources in processing reimbursement bills for Ryan White CARE Act Part A funding. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Extends to 2-28-12 and adds \$20,000 to the contract with Colorado Nonprofit Development Center to assist the Denver Office of HIV Resources in processing reimbursement billings for Ryan White CARE Act Part A funding. The last regularly scheduled Council meeting within the 30-day review period is on 5-9-11. The Committee approved filing this bill by consent on 3-17-11.

**CB11-0240 A bill for an ordinance authorizing expenditures in the Human Services Special Revenue Fund based on a letter of intent from United States of America to award funding for the "Emergency Solutions Grant FY11" program. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts \$392,627 for the Emergency Solutions Grant from the U.S. Dept. of Housing and Urban Development to fund emergency services to remediate homelessness and poverty. The Committee approved filing this bill by consent on 4-7-11.

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

### **CB11-0151 A bill for an ordinance relating to the Chapters 8 (Animals) and 36 (Noise Control) of the Denver Revised Municipal Code and the Denver Zoning Code authorizing the keeping of certain food producing animals. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Adopts several amendments in Chapter 8 (Animals) and the zoning code as part of a program to allow and regulate keeping of certain types of food-producing animals. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 4-5-11.

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

### **Recess**

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

### **Bills for Final Consideration**

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

### **CB11-0205 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 of America concerning the "Lead-based Paint Hazard Control" program and the funding therefor. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a grant acceptance from HUD in the amount of \$2,026,698 with a City match of \$269,766 for the Lead Based Paint Hazard Control Program to address lead-based paint hazards in low to moderate income households in Denver over the next 3 years. The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-24-11.

### **CB11-0218 A bill for an ordinance approving a proposed Fifth Amendment to Agreement between the City and County of Denver and A Massage, Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a fifth amendment to the concession agreement between the City & County of Denver and A Massage, Inc. to provide the concessionaire with an alternative method of performance bonds through a bonding company (AC67002-05). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

### **CB11-0219 A bill for an ordinance approving a proposed Agreement**

**between the City and County of Denver and Premisys Support Group Inc. related to on-call information technology consulting services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a three-year contract with a two-year option with Premisys Support Group, Inc. for on-call technical systems support for analytic services, project management services, operations systems design and implementation, infrastructure services, and voice and data network services in the amount of \$1 million (CE15005). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0220 A bill for an ordinance approving a proposed Fifth Amendment to Agreement between the City and County of Denver and Trugoy Inc., concerning a concession at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a fifth amendment to the agreement with Trugoy, Inc. TCBY to extend the term three years, reduce hours of operation, reduce the MAG, reduce percent compensation to a sliding scale, require 1% payment to the Joint Marketing Fund, require renovations, and require 100% ACDBE participation (AC36003). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0221 A bill for an ordinance approving a proposed Supplemental Agreement between the City and County of Denver and McDonald's Corporation, concerning renovation and upgrade for the shared commons area for the food courts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a fifth amendment to the Food Court (A) Agreement with McDonald's Corporation, Inc. doing business as McDonald's outlining the obligations of the City and concessionaire concerning renovation work in the Food Court area (AC 38004-05). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0222 A bill for an ordinance approving a proposed Supplemental Agreement between the City and County of Denver and McDonald's Corporation, concerning renovation and upgrade for the shared commons area for the food courts at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a sixth amendment to the contract with McDonald's Corporation, Inc. doing business as McDonald's to the Food Court (C) Agreement outlining the obligations of the City and concessionaire concerning renovation work in the Food Court area (AC38003-06). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0223 A bill for an ordinance approving a proposed First Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and AirTran Airways, Inc., related to leased space at Denver**

**International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the airport use and facilities lease agreement between AirTran Airways, Inc. and the City for a term extension through December 31, 2011 and for space changes (AR65006-1). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0224 A bill for an ordinance approving a proposed First Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and SkyWest Airlines, Inc. related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves an amendment to the airport use and facilities lease agreement between SkyWest Airlines, Inc. and the City to extend the term through December 31, 2011 (AR 56010-1). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0225 A bill for an ordinance approving a proposed Third Amendment to an Airport Use and Facilities Lease Agreement between US Airways, Inc. and the City and County of Denver, related to leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a third amendment to the agreement between US Airways, Inc. and the City for a term extension through December 31, 2011 and a Terminal space change from October 1, 2010 to January 1, 2011 (AR 56004 -3). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**General Government & Finance**

**CB11-0103 A bill for an ordinance amending section 20-1(c) of the Denver Revised Municipal Code to close small capital projects without additional ordinance. (GENERAL GOVERNMENT & FINANCE)**

Amends Section 20-1(c) of the Revised Municipal Code to update the rules for closing out small capital improvement projects (CIP) through appropriate accounting procedures and returns any remaining unexpended budget to the fund balance of the capital fund or enterprise fund without filing additional ordinances. The Committee approved filing this bill at its meeting on 3-30-11.

**CB11-0155 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and ServiceWear Apparel to provide work uniforms for City agencies. (GENERAL GOVERNMENT & FINANCE)**

Approves a Master Purchase Order with ServiceWear Apparel to provide career and work garment uniforms for all City agencies, including Parks, Public Works, and General Services (MPO # CLOTHING\_WORK\_\_001U0110) in the amount of \$1 million. The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-10-11.

**CB11-0215 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and City Side Remodeling for the sale of City owned land located at 55 Elati Street. (GENERAL GOVERNMENT & FINANCE)**

Approves a Purchase and Sale Agreement with City Side Remodeling for the sale of 55 Elati Street in the amount of \$175,001 (RC00066). The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**CB11-0216 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GENERAL GOVERNMENT & FINANCE)**

Approves classification notice #1337 for the creation of a new class of Wastewater Quality Technician as a result of a Labor study. There is no budget impact. The Committee approved filing this bill by consent on 3-31-11.

**Land Use, Transportation & Infrastructure**

**CB11-0213 A bill for an ordinance approving an agreement between K.E.C.I. Colorado, Inc. and the City & County of Denver for the California Streetscapes Reconstruction Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$1,281,909 contract with KECI Colorado for work on the California Streetscape project between 14th and 17th streets, a Better Denver Bond project. The last regularly scheduled Council meeting within the 30-day review period is on 5-2-11. The Committee approved filing this bill by consent on 3-31-11.

**Announcement**

**Dependent upon publication there will be a public hearing on CB11-0151, relating to the Chapters 8 (Animals) and 36 (Noise Control) of the Denver Revised Municipal Code and the Denver Zoning Code authorizing the keeping of certain food producing animals, on Monday, May 16, 2011.**

**Adjourn**

**Pending**

**CB11-0153 A bill for an ordinance changing the zoning classification of 2090 S. Galapago Street.**

**CB11-0154 A bill for an ordinance changing the zoning classification of the properties located at 14th Avenue and Pennsylvania Street.**



**CR11-0199 A resolution to set a public hearing relating to the approval of the Globeville Commercial Urban Redevelopment Plan for the former Asarco site.**

Bills Pending 5/2/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0154	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance changing the zoning classification of the properties located at 14th Avenue and Pennsylvania Street.	3/22/2011 3/29/2011 4/4/2011	NO
CB11-0153	LAND USE, TRANSPORTATION & INFRASTRUCTURE		A bill for an ordinance changing the zoning classification of 2090 S. Galapago Street.	3/22/2011 3/29/2011 4/4/2011	NO
CR11-0199	BUSINESS, WORKFORCE & SUSTAINABILITY		A resolution to set a public hearing relating to the approval of the Globeville Commercial Urban Redevelopment Plan for the former Asarco site.	3/16/2011 3/22/2011 3/29/2011	NO