

## City Council of Tuesday, January 17, 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..... Council Secretary

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**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**

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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.

### **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: Tuesday, January 17, 2012 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, January 9, 2012**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

## **Resolutions**

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

#### **CR12-0015 A resolution approving the Mayor's appointment to the Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves the Mayoral appointment of Brian McDermott to the Colfax Business Improvement District for a term effective January 1, 2012 and expiring December 31, 2014. The Committee approved filing this resolution by consent on 1-5-12.

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

#### **CR12-0034 A resolution approving the Mayor's reappointments and appointments to the Denver Latino Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves the Mayoral reappointments of Barbara Medina, Eduardo Ortega, Meshach Rhoades, Michael Bautista and the appointments of Larry Trujillo, Keith Montoya, and Debra Bartleson to the Denver Latino Commission for terms effective immediately and expiring January 1, 2014 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 1-5-12.

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

**CR12-0017 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Front View Crescent and a certain parcel of land as a North/South alley in Block 2, River Front in the Town of Highlands. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**  
Dedicates land as public right-of-way to widen Front View Crescent and to widen the alley south of W. 23rd Ave. at River Drive in Council District 1. The Committee approved filing this resolution by consent on 1-5-12.

## **Bills for Introduction**

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

**CB11-0933 A bill for an ordinance approving a proposed Third Amendment to Permit Agreement for Multi - purpose Permit, Ref. No. 400 between the City and County of Denver and Park Creek Metropolitan District for general construction, traffic access, ingress, and egress at the former Stapleton site. (BUSINESS, WORKFORCE & SUSTAINABILITY)**  
Corrects the bill title for the previously approved Council Bill 11-0933 regarding the multi-purpose permit between the City and Park Creek Metropolitan District. The last regularly scheduled Council meeting within the 30-day period is on 2-6-12. The Committee approved filing this bill by consent on 12-15-11.

**CB11-0963 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and JOHN ROHRER CONTRACTING COMPANY, INC. to provide concrete repairs and moisture protection for the DIA Terminal Roadways and the Terminal Parking Structure. (BUSINESS, WORKFORCE & SUSTAINABILITY)**  
Approves an on-call agreement for up to \$12,000,000 and 730 days with John Rohrer Contracting Company to provide concrete repairs and moisture protection for the DIA Terminal Roadways and the Terminal Parking Structure. The last regularly scheduled Council meeting within the 30-day period is on 2-6-12. The Committee approved filing this bill by consent on 12-22-11.

**CB12-0011 A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver, Taxi Building III, LLC and Morton Zeppelin, relating to the "Taxi III" development. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Amends the scope of services for the Taxi III development to reduce the project from 95,000 square feet to 38,000, to utilize remaining available Section 108 and Brownfield Economic Development Initiative (BEDI) funds, to allow the Office of Economic Development to fund a higher percentage of the project (from 41% to 79%), and to modify TAXI's existing payment schedule. This bill was approved for filing by title only by Council President Nevitt. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-12. The Committee approved filing this bill at its meeting on 1-11-12.

**Government & Finance**

**CB11-0862 A bill for an ordinance approving a proposed First Amendment to Concession Agreement and Revival (Civic Center Office Building) between the City and County of Denver and HJB Convenience Corporation, d/b/a Russell's Convenience for a five-year, income-generating extension, to the concession agreement. (GOVERNMENT & FINANCE)**

Approves a five-year \$154,000 income-generating extension to the lease agreement with Russell's in the Webb Building. The last regularly scheduled Council meeting within the 30-day period is on 2-6-12. The Committee approved filing this bill by consent on 12-8-11.

**Health, Safety, Education & Services**

**CB11-0829 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Mile High Business Alliance to procure energy efficiency services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves an amendment to the Mile High Business Alliance agreement to add \$500,000 of the Better Buildings Energy Efficiency and Conservation Block Grant (EECBG) funding to the existing rebate program as part of the larger Denver Energy Challenge. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-12. The Committee approved filing this bill by consent on 11-10-11.

**CB12-0031 A bill for an ordinance amending Section 18-164(e) of the Revised Municipal Code, extending the military pay differential for eligible career service employees and members of the classified service through the end of calendar year 2012. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Amends Section 18-164 (e) of the Denver Revised Municipal Code to continue to provide for a pay differential for both civilian and sworn personnel while on active duty, by extending the "sunset" provision of this Section through December 31, 2012. The Committee approved filing this bill by consent on 1-5-12.

**CB12-0033 A bill for an ordinance approving a proposed Third Amendatory Agreement by and between the City and County of Denver and SomaLogic, Inc. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves a third amendment to the SomaLogic, Inc. contract to extend the term through June 30, 2012 and to add \$38,519 for a new contract total of \$744,498 to complete additional research for the Denver Police Crime Lab. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-12. The Committee approved filing this bill by consent on 1-5-12.

**Land Use, Transportation & Infrastructure**

**CB11-0630 A bill for an ordinance approving an amendatory agreement between the City and County of Denver and Pahl Architecture, PC to extend term and increase funding. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the on-call agreement with Pahl Architecture for architectural and engineering services to increase the maximum contract from \$480,000 to \$960,000 and add two years to extend the term to March 31, 2014. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-12. The Committee approved filing this bill by consent on 9-1-11.

**CB11-0947 A bill for an ordinance changing the zoning classification for 4787 S. Wadsworth Way. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Changes zoning from PUD #321 (Planned Unit Development) to S-CC-3x (Suburban Commercial Corridor 3 stories, x=tailored provisions) for property at 4787 S. Wadsworth Way in Council District 2. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 12-20-11.

**CB11-0967 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Wilderness Construction Co. to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 2nd amendment to the On-Call general contracting agreement with Wilderness Construction to increase the maximum contract capacity by \$750,000 to \$2,250,000 and no change in the term of June 2009 through June 2013. The last regularly scheduled Council meeting within the 30-day review period is 2-6-12. The Committee approved filing this bill by consent on 12-22-11.

**CB11-0968 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Norkoli Construction, Inc. to increase the maximum contract amount. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 2nd amendment to the On-Call general contracting agreement with Norkoli Construction to increase the maximum contract capacity by \$750,000 to \$2,250,000 with no change in the term of August 2009 to August 2013. The last regularly scheduled Council meeting within the 30-day review period is 2-6-12. The Committee approved filing this bill by consent on 12-22-11.

**CB12-0007 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Hill Petroleum. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 2-year master purchase agreement, with 3 optional 1-year extensions, in an amount up to \$50 million with Hill Petroleum to provide fuel for the City's fleet, including unleaded, diesel and biodiesel, based on the weekly price published by the Oil Price Information Service. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-12. The Committee approved filing this bill by consent on 12-29-11.

**CB12-0016 A bill for an ordinance approving an on-call agreement between Orion Specialty Contractors, LLC and the City & County of Denver for surface restoration and repairs at Denver Parks & Recreation facilities. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a 5-year on-call contract with capacity up to \$950,000 for Orion Specialty Contractors to provide concrete repair, surface restoration and coatings installations supporting facilities, structures, pools and fountains within the Parks & Recreation system. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-12. The Committee approved filing this bill by consent on 1-5-12.

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

### **Recess**

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

## **Bills for Final Consideration**

### **Government & Finance**

**CB12-0001 A bill for an ordinance approving a proposed on call technology services Agreement by and between the City and County of Denver and Sogeti USA, LLC. (GOVERNMENT & FINANCE)**

Approves a two year, on-call services agreement for up to \$4,000,000 with Sogeti, Inc in the areas of Generalist, Business Intelligence, Data Warehouse, Enterprise Report, and Mobile Application Development and other related tasks. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-12. The Committee approved filing this bill by consent on 12-29-11.

**CB12-0006 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. (GOVERNMENT & FINANCE)**

Creates a new Associate Accountant (806-V) to align the accounting group with other professional series models in the classification system and reflect the levels of accounting work and Utilization Management Coordinator (806-A) and Lead Utilization Management Coordinator (807-A) for Human Services in order to properly classify, recruit for, and evaluate the Department's Child Welfare Utilization Management Team. The Committee approved filing this bill by consent on 12-29-11.

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

**CB11-0886 A bill for an ordinance approving a proposed Seventh Amendatory Agreement between the City and County of Denver and the State of Colorado, Judicial Department. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves a sixth amendment to the contract between the Crime Prevention and Control Commission and the State of Colorado, State Judicial Department, in the amount of \$124,338 for a total contract of \$1,772,597.67 to support probation officers in the management of misdemeanor cases in Drug Court. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-12. The Committee approved filing this bill by consent on 12-1-11.

**CB12-0044 A bill for an ordinance amending Subsection 54-822 of the Denver Revised Municipal Code, to provide for a forty dollar penalty for certain violations of Section 54-101 of the Denver Revised Municipal Code, detected by the use of an automated vehicle identification system. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Amends Subsection 54-822 of the Denver Revised Municipal Code, to provide for a forty dollar penalty for certain violations of Section 54-101 of the Denver Revised Municipal Code, related to the Photo Enforcement Program which will create a tiered penalty for stop line violations. This bill has been approved for filing by Councilmember Robb.

**Land Use, Transportation & Infrastructure**

**CB11-0927 A bill for an ordinance approving an agreement between Interlock Construction Corporation and the City & County of Denver for the McNichols Building Renovation Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$2,103,332 contract with Interlock Construction for the McNichols Building Renovation project, including custom window replacement, additional first floor restrooms, minor tenant improvements and replacement of the asphalt driveway with the Civic Center Concrete mix, in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-12. The Committee approved filing this bill by consent on 12-15-11.

**CB12-0002 A bill for an Ordinance approving an Amendment to Intergovernmental Agreement regarding the construction of Town Center Park in Green Valley Ranch. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the IGA with the Town Center Metro District in Green Valley Ranch to reflect changes necessary to accurately reflect transactions regarding ownership, management and maintenance of the regional park in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-12. The Committee approved filing this bill by consent on 12-29-11.

**CB12-0003 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Nebraska National Bank, to change the bank's name to Exchange Bank. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the lease-purchase with Nebraska National Bank, changing the name to Exchange Bank, for golf carts at Willis Case and Kennedy Golf courses in Council Districts 1 and 4. The last regularly scheduled Council meeting within the 30-day review period is on 1-30-12. The Committee approved filing this bill by consent on 12-29-11.

**CB12-0009 A bill for an ordinance rescinding unspent budget from completed Capital Improvements and Capital Maintenance Projects and making appropriations for Capital Improvements and Capital Maintenance Projects. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Rescinds \$613,785 from 16 completed facilities capital projects and reappropriates the same amount to 10 priority facilities projects. The Committee approved filing this bill by consent on 12-29-11.

**Announcement**

Dependent upon publication there will be a public hearing on CB11-0947 changing the zoning classification for 4787 S. Wadsworth Way on Monday, February 13, 2012. Any protests against CB11-0947 must be filed with the Council Offices no later than Monday, February 6, 2012.

**Adjourn**

**Pending**

**CR11-0909 A resolution to set a public hearing relating to the approval of the Marycrest Urban Redevelopment Plan.**

**CB11-0975 A bill for an ordinance changing the zoning classification of 1532 and 1540 Monroe Street and 1551 Garfield Street.**

Bills Pending 1/30/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CR11-0909	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A resolution to set a public hearing relating to the approval of the Marycrest Urban Redevelopment Plan.	12/19/2011	YES
CB11-0975	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 1532 and 1540 Monroe Street and 1551 Garfield Street.	2/6/2012	YES

