

## City Council of Monday, December 05, 2011

# 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  
Vacant..... Director  
Kelly Velez..... Council Secretary

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

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

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

**\*\*REMINDER\*\***

As a courtesy to those in attendance,  
please  
**turn off your cell phones.**

### **MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT**

The Council Chambers has listening devices for the hearing impaired; request a device from the Council Secretary. The City can provide sign language interpretation for persons attending City Council meetings. If you need sign language interpretation, please contact Lorrie Kosinski at TTY 720-913-8484 at least 72 hours in advance.

### **CITY COUNCIL AGENDA**

The City Council agenda and meeting schedule are made available for public review during normal business hours at Denver City Council, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is also posted on the City Council website. Questions on agenda items may be directed to the Denver City Council at 720-865-9534.

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

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived web cast at <http://www.denvergov.org/citycouncil>. DVD recordings of meetings are available at the Central Library or at the Clerk and Recorder's Office.

### **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, December 05, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, November 28, 2011**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP11-0905 A proclamation commending Carolyn Bluhm for being selected as the 2011 Community Preparedness Hero by the Federal Emergency Management Agency.**

**Sponsored by Councilmembers Ortega, Brooks, López, Montero, and Faatz.**

## **Resolutions**

### **Government & Finance**

**CR11-0915 A resolution appointing Leslie Mitchell to represent the Denver City Council Appointment on the Audit Committee. (GOVERNMENT & FINANCE)**

Appoints Leslie Mitchell to the represent the City Council on the Audit Committee for a four year term beginning January 1, 2012. The Committee approved filing this resolution at its meeting on 11-30-11.

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

**CR11-0916 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Ten Thousand Dollars (\$10,000.00) payable to the American Civil Liberties Union Foundation of Colorado, and the sum of Twenty Thousand Dollars (\$20,000.00) payable to Jose Sanchez and Joshinna Carreras, in full payment and satisfaction of all claims in Civil Action No. 11-cv-00780-RBJ-KMT, in the United States District Court for the District of Colorado. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Settles a claim involving the Police Department. This resolution was approved for filing at the Mayor-Council meeting on 11-29-11.

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

**CR11-0865 A resolution laying out, opening and establishing as part of the city street system certain tracts created by Lowry Filing No. 17. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates 8 tracts of land as public right-of-way in Lowry Filing No.17 in Council District 5. The Committee approved filing this resolution by consent on 11-24-11.

**CR11-0866 A resolution granting a revocable permit to Denver Bike Sharing to encroach into the right-of-way with bicycle docking stations at seven locations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to Denver Bike Sharing to encroach into the public right-of-way with bicycle docking stations at 4 locations in Council District 8 and 3 locations in Council District 10. The Committee approved filing this resolution by consent on 11-24-11.

**CR11-0867 A resolution granting a revocable permit to Sisters of Charity of Leavenworth Health Systems, Inc. to encroach into the right-of-way with two underground tunnels at E. 20th Avenue between Franklin Street and Downing Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to encroach into the public right-of-way with two tunnels under E. 20th Ave. between Franklin and Downing to provide egress and convey utilities in Council District 8. The Committee approved filing this resolution by consent on 11-24-11.

**CR11-0868 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Joliet Street, located at the intersection of Joliet Street and East 37th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates as part of the public right-of-way of Joliet St. at E. 37th Ave. a parcel conveyed to the City for the Frito Lay development project in Council District 11. The Committee approved filing this resolution by consent on 11-24-11.

**CR11-0869 A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as Nome Street, located at the intersection of Nome Street and East 40th Avenue. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Dedicates as part of the public right-of-way of Nome St. a parcel conveyed to the City for the Frito Lay development project in Council District 11. The Committee approved filing this resolution by consent on 11-24-11.

## **Bills for Introduction**

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

**CB11-0839 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Pierce Manufacturing, Inc. for the purchase of one 2012 Pierce Velocity (4x4) Pumper for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves purchase of one 2012 Pierce Velocity (4x4) Pumper at a total cost of \$645,510.00 from Pierce Manufacturing Inc. as replacement fire fighting apparatus for Denver International Airport. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 11-17-11.

**CB11-0840 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and O.J. Watson Equipment Co, Inc. for the purchase of thirteen 2012 Oshkosh Snow Blowers and eight Loading Chutes for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves purchase of 13 Oshkosh Snow Blowers at a total cost of \$8,103,528.00. (\$615,656.00 each, plus (8) Chute attachments for \$12,500 each with the total \$30,000 less than originally estimated) from local vendor, O J Watson Equipment Co Inc for Denver International Airport. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill on consent on 11-17-11.

**CB11-0857 A bill for an ordinance approving a proposed Thirteenth Amendment to Agreement between General Services Administration and the City and County of Denver/Denver International Airport for leased space at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Extends the lease with the US Government for Transportation Security Administration office space at Denver International Airport on Concourse A through the end of the year with a 2% escalation factor in the rent agreement. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 11-24-11.

## Government & Finance

**CB11-0419 A bill for an ordinance authorizing the exercise of purchase options under certain existing lease purchase agreements, the approval and execution of an annually renewable Lease Purchase Agreement No. 2012A-B (Public Parking Unit/Cultural Center Parking Garage – Tax-Exempt and Taxable) between the Denver Public Facilities Leasing Trust 2012A-B, as lessor, and the City and County of Denver, as lessee, the execution of other documents related thereto; authorizing officials of the City and County of Denver to take all action necessary to carry out the transactions contemplated hereby; ratifying action previously taken and providing other matters relating thereto. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Authorizes the Manager of Finance to execute and deliver Series 2011A (tax-exempt) and Series 2011B (taxable) refunding certificates of participation in a par amount not to exceed \$14.5 million, used to advance the refund of Series 2002 A&B lease/purchase for the Denver Cultural Center Parking Garage Project and the Series 2003A lease/purchase for a portion of the Cherry Creek North Parking Garage. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 6-9-11.

**CB11-0836 A bill for an Ordinance approving the 2012 Eco Pass Agreement with the Regional Transportation District (RTD) to provide discounted Eco pass decals for city employees to utilize bus and train services. (GOVERNMENT & FINANCE)**

Approves the 2012 Eco Pass Agreement between the City and County of Denver and the Regional Transportation District (RTD) to provide discounted Eco pass decals for city employees to utilize bus and train services. Funding has been approved for the 2012 program through the Alternative Transportation Special Revenue Fund. The Committee approved filing this bill by consent on 11-17-11.

**CB11-0848 A bill for an ordinance authorizing the issuance of City and County of Denver, Colorado, for and on behalf of the Wastewater Management Division of its Department of Public Works, Wastewater Enterprise Revenue Bonds, Series 2012, for the purpose of financing the cost of acquiring, improving and equipping the storm drainage and sanitary sewerage facilities of the City and defraying the cost of refunding, paying and discharging all or a portion of the Wastewater Revenue Bonds, Series 2002, now outstanding; providing for the pledge of certain wastewater revenues for the payment thereof; and making other provisions relating thereto. (GOVERNMENT & FINANCE)**

Authorizes issuing approximately \$55,000,000 in Wastewater Revenue Bonds for \$33 million in storm drainage capital projects and to refund approximately \$22 million of the 2002 revenue bonds for interest savings. The last regularly scheduled Council meeting within the 30-day period is on 12-19-11. The Committee approved filing this bill at its meeting on 11-16-11.

**CB11-0858 A bill for an Ordinance approving an on call technology services agreement by and between the City and County of Denver and Hire Power, Inc., in the areas of generalist, geographical information systems (GIS), enterprise document management and other related tasks. (GOVERNMENT & FINANCE)**

Approves a two year, on-call technology services agreement for up to \$4,000,000 with Higher Power Inc. (Innovar) in the areas of Generalist, Geographical Information Systems (GIS), Enterprise Document Management and other related tasks. The last regularly scheduled Council meeting within the 30-day period is on 12-19-11. The Committee approved filing this bill by consent on 11-24-11.

**CB11-0859 A bill for an Ordinance approving an on call technology services agreement by and between the City and County of Denver and Long View Systems Corporation in the areas of generalist, network services and other related tasks. (GOVERNMENT & FINANCE)**

Approves a two year, on-call technology services agreement for up to \$4,000,000 with Long View, Inc. in the areas of Generalist, Network Services and other related tasks. The last regularly scheduled Council meeting within the 30-day period is on 12-19-11. The Committee approved filing this bill by consent on 12-24-11.

**CB11-0863 A bill for an ordinance making an appropriation from the General Government Special Revenue Fund. (GOVERNMENT & FINANCE)**

Approves an end of year supplemental of \$31,000 to increase the 2011 appropriation for the Convention Center Hotel Special Revenue Fund to cover the full the payment in lieu of taxes due to the Denver Public Schools this year. The Committee approved filing this bill by consent on 12-1-11.

**Health, Safety, Education & Services**

**CB11-0801 A bill for an ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Alcohol Monitoring Systems, Inc., to add \$300,000 for electronic monitoring services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves an amendment to the Alcohol Monitoring Systems, Inc. contract to add \$300,000 for a total contract amount of \$2,000,000 and to add two years to the agreement through October 31, 2013 for electronic monitoring services and equipment necessary under the Electronic Monitoring Program. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 11-3-11.

**CB11-0815 A bill for an ordinance amending Section 2-143.D.4 of the Revised Municipal Code concerning an increase in the number of parent members of the Denver Head Start Policy Council and the inclusion of an election procedure for parents to confirm nominations of community members made by the Mayor and the City Council. (HEALTH SAFETY EDUCATION & SERVICES)**

Revises the Head Start ordinance #587, Series of 2001, to increase the number of Policy Council members from 19 to 21 and for parents to elect community representatives recommended by the Mayor and City Council; a requirement of the federal Head Start Act of 2007. The Committee approved filing this bill at its meeting on 11-15-11.

**CB11-0860 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 State of Colorado concerning the "FY2012 Crime Victim Services" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves a grant agreement between the City and County of Denver Police Department and the State of Colorado – Division of Criminal Justice in the amount of \$140,358 and a cash match of \$38,386 concerning the FY2012 Crime Victim Services to assist victims of crime. The Committee approved filing this bill by consent on 11-24-11.

**Land Use, Transportation & Infrastructure**

**CB11-0845 A bill for an ordinance amending Ordinance Number 426, Series of 2007, as amended by Ordinance Number 335, Series of 2009, Ordinance Number 148, Series of 2010, Ordinance Number 11, Series of 2011, and Ordinance Number 258, Series of 2011 designating the project to be undertaken and funded with the proceeds of the Better Denver bonds. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends Ordinance Number 426, Series of 2007, as amended, concerning the Better Denver Bond projects to delete the Barnum Park project and add Westwood Park with the same amount (\$518,000) and to correct an error under fire station renovations. The Committee approved filing this bill at its meeting on 11-15-11.

**CB11-0855 A bill for an ordinance relinquishing portions of certain easements where they lie within Denargo Market Subdivision Filing No. 1. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Relinquishes defined portions of specific easements within Denargo Market Subdivision Filing No 1 in Council District 9. The Committee approved filing this bill by consent on 11-24-11.

**CB11-0856 A bill for an ordinance to approve an Easement from Denargo Market L.P. for storm facilities at Denargo Market Subdivision Filing No. 1. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Accepts an easement for existing storm water facilities, and authorizes the Public Works Manager to relinquish it when replacement facilities are constructed, without further City Council action in Denargo Market Filing No. 1 in Council District 9. The Committee approved filing this bill by consent on 11-24-11.

**Recap of Bills to be Called Out**

**Pre-Recess Announcement**

**Tonight there will be a public hearing on Council Bill 748, changing the zoning classification of 2555 31st Street. 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**

YES	<p><b>CB11-0748 A bill for an ordinance changing the zoning classification of 2555 31st Street. (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE)</b></p> <p>Changes the zoning classification from I-A (Industrial A) and UO-2 (Use Overlay 2 allows billboards) to C-MX-20 (Urban Center-Mixed Use-20 stories) on property at 2555 31st Street in Council District 9. The Committee approved filing this bill at its meeting on 10-25-11.</p>
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## **Bills for Final Consideration**

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

**CB11-0821 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Waterblasting Technologies, Inc. for the purchase of one Stripe Hog Waterblasting System Unit for Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY )**

Approves the purchase of one (1) HB8000 Stripe Hog Waterblasting System Unit at a total cost of \$607,537 from Waterblasting Technologies Inc. as part of the Capital Equipment Program to meet requirements of part 139 of FAA runway inspections. The last regularly scheduled Council meeting within the 30-day period is on 12-19-11. The Committee approved filing this bill by consent on 11-10-11.

**CB11-0841 A bill for an ordinance approving a proposed Donation and Waiver Agreement between the City and County of Denver and Park Creek Metropolitan District providing for the acceptance of donated artwork, "Staplefield" by artist Walczak & Heiss for Central Park Recreation Center at Stapleton. (BUSINESS, WORKFORCE & SUSTAINABILITY )**

Accepts "Staplefield," by Marek Walczak and Wesley Heiss - a suspended interactive light sculpture artwork for the atrium area behind the main reception desk at the Central Park Recreation Center at Stapleton - into the City's permanent art collection. The Committee approved filing this bill by consent on 11-17-11.

**CB11-0842 A bill for an ordinance approving a proposed Donation and Waiver Agreement between the City and County of Denver and Park Creek Metropolitan District providing for the acceptance of donated artwork, "Chorus" by artist Thomas H. Sayre for Westerly Creek. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Accepts "Chorus," by Thomas Sayre - a series of nineteen steel-reinforced sculptures was installed in Westerly Park - into the City's permanent art collection. The Committee approved filing this bill by consent on 11-17-11.

### **Government & Finance**

**CB11-0819 A bill for an ordinance making rescissions and appropriations in the General Fund and making a supplemental appropriation from the General Contingency Fund to the Department of Safety. (GOVERNMENT & FINANCE)**

Authorizes year-end adjustments to 2011 Department of Safety operating budgets, including rescissions/reappropriations and a supplemental appropriation from the General Contingency Fund totaling \$7,200,000. The Committee approved filing this bill at its meeting on 11-16-11.

**CB11-0820 A bill for an ordinance approving a proposed Amendatory Lease Agreement between the City and County of Denver and Decatur Place for continued operation of a Temporary Assistance for Needy Families (TANF) office. (GOVERNMENT & FINANCE)**

Extends the lease agreement with Decatur Place for three years for continued operation of a Temporary Assistance for Needy Families (TANF) office at an additional cost of \$310,000 increasing the total contract amount to \$710,000. The last regularly scheduled Council meeting within the 30-day review period is 12-19-11. The Committee approved filing this bill by consent on 11-10-11.

**CB11-0903 A bill for an ordinance approving a proposed Agreement for the 2012 Medical Benefit for City and County of Denver employees between the City and County of Denver and Denver Health Medical Plan, Inc. (GOVERNMENT & FINANCE)**

Approves an agreement between the City and County of Denver and Denver Health Medical Plan, Inc. for the 2012 Medical Benefit for City and County of Denver employees. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill at its meeting on 9-14-11.

**Health, Safety, Education & Services**

**CB11-0835 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Mile High Montessori Early Learning Centers, to extend the term for an additional six (6) months and increase the total amount of compensation for comprehensive Head Start services for program year 2011-2012. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Amends the Mile High Montessori Early Learning Centers Head Start Agreement to add \$811,171.15 and to extend the contract through June 30, 2012. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 11-17-11.

**CB11-0837 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 Colorado Division of Criminal Justice concerning the "Federal Crime Victim Compensation FY11" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts the annual VOCA grant from the Colorado Division of Criminal Justice in the amount of \$1,000,000 to augment state funds available to the Crime Victim Compensation Program in the 2nd Judicial District, to assist crime victims in Denver. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 11-17-11.

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

### **CB11-0817 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Lafarge North America, Inc. for pavement rehabilitation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$929,547.60 contract with Lafarge North America for pavement rehabilitation on 9th Ave. between Lincoln and Ogden in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 11-10-11.

### **CB11-0838 A bill for an ordinance approving a Project Funding Agreement for the Peoria Grade Separation Crossing between Denver, Aurora, and the Regional Transportation District, establishes capital grant fund numbers and appropriates the budget for such grant funds. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves an agreement with the Regional Transportation District and Aurora regarding funding for the Peoria Grade Separation project related to the FasTracks East Corridor, establishes capital grant funds and appropriates \$2.5 million (Aurora) and \$20 million (RTD) to the project. The last regularly scheduled Council meeting within the 30-day review period is on 12-19-11. The Committee approved filing this bill by consent on 11-17-11.

## **Adjourn**