

City Council of Monday, November 07, 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
Lauri Dannemiller..... 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

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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, November 07, 2011 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, October 31, 2011

Council Announcements

Presentations

Communications

Proclamations

CP11-0834 A proclamation on the occasion of the opening of the new Clyfford Still Museum on November 18, 2011.

Sponsored by Councilmembers Robb, Brown, Montero, Ortega, Herndon, Faatz, Lehmann, Susman, López, and Shepherd.

Resolutions

Business, Workforce & Sustainability

CR11-0746 A resolution appointing Tariana Navas-Nieves to the Denver County Cultural Council. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Appoints Tariana Navas-Nieves to the Denver County Cultural Council (DCCC) as one of two City Council representatives on the DCCC for a term starting immediately and ending in 2013. The Committee approved filing this resolution by consent on 10-20-11.

Health, Safety, Education & Services

CR11-0770 A resolution approving the Mayor's appointment to the Denver Women's Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral appointment of Lance Benninghoff to the Denver Women's Commission for a term effective immediately and expiring on June 30, 2013 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-27-11.

CR11-0771 A resolution approving the Mayoral appointments to the Human Rights & Community Relations Advisory Council. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral appointments of Benita Muñiz and Nadia Ahmad to the Human Rights & Community Relations Advisory Council for terms effective immediately and expiring on April 1, 2013 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-27-11.

Land Use, Transportation & Infrastructure

CR11-0813 A resolution granting a revocable permit to Broadway Mississippi Development, LLC, to encroach with various items into the right-of-way near Kentucky Avenue and S. Broadway. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Grants a revocable permit to Broadway Mississippi Development, LLC, to encroach into the public right-of-way with horizontal bore conduits near Kentucky and S. Broadway in Council District 7. This resolution was approved for filing by Council President Nevitt.

Bills for Introduction-Held or Postponed

Land Use, Transportation & Infrastructure

CB11-0283 A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Vacates a small portion of Forest St., which is not being used as a street, between 43rd Ave. and railroad right-of-way in Council District 11. The Committee approved filing this bill by consent on 6-16-11.

Bills for Introduction

Business, Workforce & Sustainability

CB11-0645 A bill for an ordinance amending city laws related to the licensing of medical marijuana businesses. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Allows certain existing medical marijuana businesses to qualify for local licensing under the Colorado Medical Marijuana Code in certain cases where the business has changed ownership or location within Denver between July 1, 2010 and July 1, 2012. The Committee approved filing this bill at its meeting on 10-26-11.

CB11-0777 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and PB AMERICAS, INC. concerning consulting and financial advisory services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Adds \$250,000 to and extends by one year the contract with Parsons Brinckerhoff (for a total of \$650,000) to assist DIA in capital project planning. The last regularly scheduled Council meeting within the 30-day review period is on 11-28-11. The Committee approved filing this bill by consent on 10-27-11.

CB11-0833 A bill for an ordinance repealing the provisions of Sections 28-135 and 28-205, D.R.M.C. that disqualify city officers and employees and their families from eligibility for certification in the MBE, WBE and SBE programs. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Repeals provisions of Sections 28-135 and 28-205, D.R.M.C. that disqualify city officers and employees and their families from eligibility for certification in the women, minority, and small business enterprise programs. This bill was approved for filing by Council President Nevitt.

Government & Finance

CB11-0775 A bill for an ordinance creating a Fund Number in the Grant Projects Fund and making an appropriation for the "47th/York Street Pedestrian Crossing Improvements" project. (GOVERNMENT & FINANCE)

Establishes a capital grant fund and appropriate budget to accompany the intergovernmental agreement between the City and the State of Colorado for the construction of a bicycle and pedestrian crossing at the Union Pacific Railroad Tracks at 47th Avenue and York Street. The Committee approved filing this bill by consent on 10-27-11.

Health, Safety, Education & Services

CB11-0639 A bill for an ordinance approving a proposed Revival and Seventh Amendatory Agreement between the City and County of Denver and School District No. 1 to provide Denver Police School Resource Officers in Denver Public Schools. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves an amendment to the contract between the City and County of Denver and School District No. 1 (Denver Public Schools) to provide School Resource Officers from the Police Department for FY2012; for revenue in the amount of \$600,000 for School Resource Officer services. The last regularly scheduled Council meeting within the 30-day review period is on 11-28-11. The Committee approved filing this bill at its meeting on 10-4-11.

Land Use, Transportation & Infrastructure

CB11-0748 A bill for an ordinance changing the zoning classification of 2555 31st Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

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. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PUBLICATION. The Committee approved filing this bill at its meeting on 10-25-11.

CB11-0773 A bill for an ordinance to vacate the entire alley bounded by Walnut Street, Larimer Street, 24th Street and Park Avenue West, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Vacates the alley bounded by Walnut, Larimer and 24th streets and Park Avenue West for the Arapahoe Square development project in Council District 9. The Committee approved filing this bill by consent on 10-27-11.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a public hearing on Council Bill 546, changing the zoning classification of 7995 E. Hampden Ave., 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave.

Council will sit as the Board of Equalization to hear any protests of assessment for the following local maintenance districts: Phase II Broadway Pedestrian Mall, South Broadway Streetscape (Wesley Avenue to Yale Avenue), and Tennyson Streetscape (West 38th Avenue to West 44th Avenue).

No protests were filed in the St. Luke's Pedestrian Mall, Delgany Street Pedestrian Mall, Broadway Pedestrian Mall A, Broadway Pedestrian Mall B, Broadway Viaduct Pedestrian Mall, 22nd and Park Avenue Pedestrian Mall, Consolidated Morrison Road Pedestrian Mall. No hearings are required and the assessments are approved.

Anyone wishing to speak on either of these matters 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	CB11-0546 A bill for an ordinance changing the zoning classification of 7995 E. Hampden Ave. 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave. (LAND USE TRANSPORTATION AND INFRASTRUCTURE) Changes the zoning classification of 7777, 7785 and 7995 E. Hampden from B-1 to S-MX-5 in Council District 4. The Committee approved filing this bill at its meeting on 7-26-11.
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Board of Equalization Local Improvement Districts - Public Hearings

Phase II Broadway Pedestrian Mall

South Broadway Streetscape (Wesley Avenue to Yale Avenue)

Tennyson Streetscape (West 38th Avenue to West 44th Avenue)

Bills for Final Consideration

Business, Workforce & Sustainability

CB11-0611 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Urban Renewal Authority to provide low or no interest rehabilitation loans to income-qualified homeowners using federal HOME funding (BUSINESS, WORKFORCE, AND SUSTAINABILITY)

Approves a \$600,000 contract with Denver Urban Renewal Authority to provide low or no interest rehabilitation loans to income-qualified homeowners using federal HOME funding. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 8-25-11.

CB11-0668 A bill for an ordinance approving a proposed Fifth Amendatory Agreement between the City and County of Denver and Brown and Caldwell concerning professional environmental consulting services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Adds \$250,000 to and provides an approximate 12% increase since 2008 in hourly rates for the contract with Brown and Caldwell Inc for environmental remediation and redevelopment services at the former Stapleton airport. The last regularly scheduled Council meeting within the 30-day period is on 11-21-11. The Committee approved filing this bill by consent on 9-22-11.

CB11-0692 A bill for an ordinance approving petitions requesting continuance of the Downtown Denver Business Improvement District for a ten year period. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves petition requests for continuance of the Downtown Denver Business Improvement District for an additional ten year period. The Committee approved filing this bill at its meeting on 10-19-11.

CB11-0703 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Landrum and Brown concerning Airspace Simulation Modeling Services at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a \$1 million, 5-year contract with Landrum and Brown for Airside and Airspace Simulation Modeling services to improve financial and operational analyses of airfield project impacts as well as airfield and airspace procedure changes. The last regularly scheduled Council meeting within the 30-day period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0752 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Old South Gaylord Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Old South Gaylord Business Improvement District, located in Council District 6. The Committee approved filing this bill by consent on 10-20-11.

CB11-0753 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Cherry Creek Subarea Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Cherry Creek Subarea Business Improvement District, located in Council District 9. The Committee approved filing this bill by consent on 10-20-11.

CB11-0754 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Cherry Creek North Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Cherry Creek North Business Improvement District, located in Council District 10. The Committee approved filing this bill by consent on 10-20-11.

CB11-0755 A bill for an ordinance approving a Joint Use Agreement with the Clyfford Still Museum and Denver Art Museum, to provide ongoing operation and maintenance services relating to the land at 13th Avenue and Bannock Street at the Clyfford Still Museum. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a Joint Use Agreement between the City and County of Denver, Denver Art Museum, and the Clyfford Still Museum that allows for the ongoing improvements, operation and maintenance of detention and drainage facilities, landscaping and electrical infrastructure in the North and South Easement Areas located on both sides of the new Clyfford Still Museum at the corner of 13th and Bannock. The last regularly scheduled Council meeting within the 30-day period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0765 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Downtown Denver Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Downtown Denver Business Improvement District, located in Council Districts 8 and 9. The Committee approved filing this bill at its meeting on 10-19-11.

CB11-0766 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the Colfax Business Improvement District, located in Council Districts 8 and 10. The Committee approved filing this bill by consent on 10-20-11.

CB11-0767 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the West Colfax Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the West Colfax Business Improvement District, located in Council District 1. The Committee approved filing this bill by consent on 10-20-11.

CB11-0768 A bill for an ordinance approving an Operating Plan and Budget for 2012 for the 9TH Avenue Business Improvement District. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves the Operating Plan and Budget for 2012 for the 9th Avenue Business Improvement District, located in Council Districts 5 and 10. The Committee approved filing this bill by consent on 10-20-11.

Government & Finance

CB11-0749 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and ADS Denver, LLC. (GOVERNMENT & FINANCE)

Approves a \$1,020,000 two-year contract with ADS Denver, LLC to install, repair, and maintain City network cabling. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0760 A bill for an Ordinance approving an on call professional services agreement by and between the City and County of Denver and eCommerce Systems. (GOVERNMENT & FINANCE)

Approves a two-year, on-call technology services agreement with ECS for services related to enterprise integration, identity management, information security and mobile applications development. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

Health, Safety, Education & Services

CB11-0577 A bill for an ordinance approving an Amendatory Agreement with Bureau Veritas North America, Inc. for on-call, environmental remediation services. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a no-cost one-year extension, as allowed by contract, to the contract with Bureau Veritas North America, Inc. for remediation and groundwater monitoring. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 8-11-11.

CB11-0712 A bill for an ordinance approving an Amendatory Agreement with LVI Environmental Services, Inc., regarding on-call abatement services for asbestos, lead-based paint, and mold. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a contract amendment with LVI Environmental Services, Inc. to add \$1,000,000 and to extend the agreement one year for on-call abatement services for asbestos, lead-based paint, and mold. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-6-11.

CB11-0747 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 "FY2011 Byrne Memorial Justice Assistance Grant (JAG) Program" and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)

Authorizes acceptance of the FY2011 Byrne Memorial/Justice Assistance Grant (JAG) Award # 2011-DJ-BX-2846 in the amount of \$443,714. The Committee approved filing this bill by consent on 10-20-11.

CB11-0712 A bill for an ordinance approving an Amendatory Agreement with LVI Environmental Services, Inc., regarding on-call abatement services for asbestos, lead-based paint, and mold. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a contract amendment with LVI Environmental Services, Inc. to add \$1,000,000 and to extend the agreement one year for on-call abatement services for asbestos, lead-based paint, and mold. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-6-11.

Land Use, Transportation & Infrastructure

CB11-0745 A bill for an ordinance approving a Chilled Water Service Agreement with the Public Service Company of Colorado for the new Police Crime Laboratory Building. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Authorizes an agreement with Public Service Company of Colorado for chilled water service for the new Crime Lab facility, at a maximum amount of \$1.7 million, budgeted and paid on a year to year basis and renewable for successive ten year periods as part of the City's utility program. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

CB11-0751 A bill for an Ordinance approving a Second Amendment to Contract Services Agreement with CEM Sales & Services, Inc. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a second amendment to the on-call contract with CEM Sales and Service to extend for three one-year extensions and increase the amount by \$400,000, for a new total contract amount of \$890,000, for maintenance and repair of the City's 29 swimming pools in the years 2012-2015. The last regularly scheduled Council meeting within the 30-day review period is on 11-21-11. The Committee approved filing this bill by consent on 10-20-11.

Announcement

Dependent upon publication there will be a public hearing on CB11-0748, changing the zoning classification of 2555 31st Street, on Monday, October 24, 2011. Any protests against CB11-0546 must be filed with the Council Office no later than Monday, December 5, 2011.

Adjourn

Pending

CB11-0705 A bill for an ordinance changing the zoning classification of 4455 E. 12th Ave.

CB11-0724 A bill for an ordinance changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard.

Bills Pending 11/14/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0705	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 4455 E. 12th Ave.	10/17/2011	YES
CB11-0724	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance changing the zoning classification of 4050 E. 14th Avenue and 1325 Colorado Boulevard.	10/17/2011	YES