

## City Council of Monday, October 01, 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, October 01, 2012 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

## **Bills for Introduction**

## **Business, Workforce & Sustainability**

**CB12-0679 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Northern Colorado Paper, Inc. concerning the purchase of automated towel dispenser systems and paper towels for Denver International Airport.**

Increases the spending authority for the master purchase order for automated towel dispensers and roll towels at Denver International Airport from \$350,000 to \$2 million through 2014. The last regularly scheduled Council meeting within the 30-day review period is on 10-22-12. The Committee approved filing this bill by consent on 9-20-12.

## Government & Finance

**CB12-0681 A bill for an ordinance approving a proposed Amendatory Agreement by and between the City and County of Denver and New Cingular Wireless PCS, LLC, to extend the term of the agreement and to increase the maximum contract amount.**

Extends the existing income license agreement with New Cingular Wireless PCS, doing business as AT&T Wireless for rooftop communications equipment located at 303 W. Colfax Avenue for two (2) additional terms of five (5) years each for a total of \$399,888.60 over the life of the agreement (CC – RC1Y028-01). The last regularly scheduled Council meeting within the 30-day review period is on 10-22-12. The Committee approved filing this bill by consent on 9-20-12.

**CB12-0682 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and American Produce, LLC, to extend the term of the agreement and to add additional funds.**

Increases to \$2.2 million the master purchase order with American Produce (through March 2015) for produce for the Denver Sheriff Department and Denver Human Services. The last regularly scheduled Council meeting within the 30-day review period is on 10-22-12. The Committee approved filing this bill by consent on 9-20-12.

**CB12-0691 A bill for an ordinance amending the 1963 Retirement Plan with regard to the actuarially required contribution.**

Approves the actuarially required contribution for 2013 for the City employee pension plan as 18% of payroll with the increased contributions to be shared equally between the City and employees. (Employees will pay 7% of salary and the City 11%.) The Committee approved filing this bill at its meeting on 9-19-12.

**CB12-0708 A bill for an ordinance amending Section 18-173 of Chapter 18, of the Revised Municipal Code to reduce the City's contribution and subsidy for HMO medical insurance.**

Approves Career Service Authority 2013 health insurance recommendations to reduce City support by 5% for each coverage level for HMO plans. The Committee approved filing this bill by consent on 9-20-12.

## Health, Safety, Education & Services

**CB12-0684 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and the Colorado Department of Corrections to provide hemo-dialysis treatment to incarcerated patients.**

Amends the Colorado Department of Corrections contract to extend the term for an additional year through July 31, 2013 to provide dialysis treatment to incarcerated patients at Denver County Jail and the Downtown Detention Center (CE91216-2). The last regularly scheduled Council meeting within the 30-day review period is on 10-22-12. The Committee approved filing this bill by consent on 9-20-12.

**CB12-0686 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Colorado Coalition For The Homeless, to provide project based rental assistance to chronically homeless persons with mental illness.**

Amends the Colorado Coalition for the Homeless SPC Xenia contract with the Denver Department of Human Services to add \$259,920 and to extend the contract through June 30, 2013 to provide project-based rental assistance to chronically homeless people with mental illness (SOCSV-201100277). The last regularly scheduled Council meeting within the 30-day review period is on 10-22-12. The Committee approved filing this bill by consent on 9-20-12.

## Land Use, Transportation & Infrastructure

**CB12-0605 A bill for an Ordinance amending Sections 138, 139, 140, 141, 142, 143 and 150 of Article IX of Chapter 10, Neglected and Derelict Buildings.**

Amends the Denver Revised Municipal Code Chapter 10, Article IX, Neglected & Derelict Buildings, to reflect updated procedures regarding such properties, including more consistent inspections, better tracking and accountability, and defined timeframes for mitigation. The Committee approved filing this bill at its meeting on 9-18-12.

**CB12-0634 A bill for an ordinance approving and providing for the execution of a proposed Intergovernmental Agreement between the City and County of Denver and the Colorado Department of Transportation concerning the "Bike Stations Downtown Neighborhood Expansion" project and the funding therefor.**

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 10-22-12. The Committee approved filing this bill at its meeting on 9-18-12.

**CB12-0676 A bill for an ordinance amending the Denver Zoning Code to delete the sunset provisions on medical marijuana in Sections 11.7.1.3.C and 11.8.4.1.**

Repeals the expiration date on the current limitations on growing medical marijuana as an accessory use to residential uses and nonresidential uses in residential zone districts, which will expire on Nov. 1, 2012. This is Text Amendment No. 13 to the Denver Zoning Code. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill by consent on 9-20-12.

**CB12-0677 A bill for an ordinance changing the zoning classification for properties located at 61-81 S. Garfield Street.**

Changes the zoning classification from PUD to G-RH-3 [General Urban context, rowhouse, max. 3 stories] for 61-81 S. Garfield in Council District 10. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 9-18-12.

**CB12-0678 A bill for an ordinance changing the zoning classification of 290 S. Monaco Street to a Planned Unit Development District (PUD).**

Approves a Planned Unit Development [PUD] amendment for additional parking spaces for 290 S. Monaco Parkway in Council District 5. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 9-18-12.

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

### **Recess**

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

### **Bills for Final Consideration**

#### **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.

**CB12-0634 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.

## **Announcement**

Dependent upon publication on Monday, October 29, 2012, Council will hold a required public hearing on CB12-0676 amending the Denver Zoning Code to delete the sunset provisions on medical marijuana, a required public hearing on CB12-0677 changing the zoning classification for properties located at 61-81 S. Garfield Street, and a required public hearing on CB12-0678 changing the zoning classification of 290 S. Monaco Street. Any protests against CB12-0677 or CB12-0678 must be filed with the Council Offices no later than Monday, October 22, 2012.

## **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

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

Required Public Hearing  
Final Consideration

### **For 10-22-12**

**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.**

Required Public Hearing  
Final Consideration

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

Required Public Hearing  
Final Consideration