

City Council of Monday, February 13, 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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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 720-865-9534.

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, February 13, 2012 5:30 PM

Pledge of Allegiance

Roll Call

Approval of Minutes of Monday, February 6, 2012

Council Announcements

Presentations

Communications

Proclamations

CP12-0119 A proclamation in support of Senate Bill 12-002, Concerning Authorization of Civil Unions.

Sponsored by Councilmembers López, Kniech, Brooks, Montero, Ortega, Shepherd, Nevitt, Susman, Lehmann, Robb, and Herndon.

Resolutions

Business, Workforce & Sustainability

CR12-0095 A resolution appointing Don Eberle and Zachery Rupp to the Denver County Cultural Council. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Appoints the following members to the Denver County Cultural Council: Don Eberle as an at large member for a term beginning immediately through October 1, 2014 and Zachery Rupp as a representative of Denver Public Schools. The Committee approved filing this resolution by consent on 2-2-12.

Health, Safety, Education & Services

CR12-0091 A resolution approving the Mayor's appointment to the Denver Housing Authority. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral appointment of Guillermo "Bill" Vidal to the Denver Housing Authority for a term effective immediately and expiring on July 20, 2012 or until a successor is duly appointed. The Committee approved filing this resolution by consent on 2-2-12.

CR12-0092 A resolution approving the Mayor’s appointments to the Denver African-American Commission. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves the Mayoral appointments of Angelle Fother, Sandra Coates, Kim Bailey, and Corey Johnson to the Denver African-American Commission for terms effective immediately and expiring on May 1, 2013 OR until a successor can be duly appointed. The Committee approved filing this resolution by consent on 2-2-12.

CR12-0121 A resolution authorizing and approving the expenditure and payment from the appropriation account designated “liability claims,” the sum of Eight Thousand Dollars (\$8,000.00), payable to the Law Office of Douglas L. Romero, LLC, in full payment and satisfaction of all claims by John Paul Crespín, III, in Civil Action No. 09-cv-00427-MSK-MJW, in the United States District Court for the District of Colorado. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a settlement involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 2-7-12.

Land Use, Transportation & Infrastructure

CR12-0065 A resolution accepting and approving the plat of Stapleton Filing No. 16. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves the final subdivision plat for Stapleton Filing No. 16 for 121 residential units on a 19.9-acre parcel at 26th Ave. and Ironston St. in Council District 11. The Committee approved filing this resolution by consent on 2-2-12.

Bills for Introduction

Business, Workforce & Sustainability

CB11-0529 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and Habitat For Humanity Of Metro Denver, Inc., to provide home ownership assistance under the Neighborhood Stabilization Program 3 (“NSP3 Program”). (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a loan agreement with Habitat for Humanity of Metro Denver, Inc. for the acquisition of foreclosed, abandoned/blighted properties, rehabilitated, or new construction in the amount of \$2,430,251 from NSP 3 funding for eligible neighborhoods (Globeville, Elyria-Swansea, West Colfax, Villa Park). The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 7-21-11.

CB11-0808 A bill for an ordinance approving a proposed Amendment and Modification Agreement between the City and County of Denver and Habitat For Humanity Of Metro Denver, Inc., to modify the terms and conditions of the Loan Agreement. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Amends an existing loan agreement (GE1A008) between the City and County of Denver and Habitat for Humanity of Metro Denver, Inc. to allow for the release of the Promissory Note to the Borrower upon the sale of the final home to an income-qualified household. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 11-10-11.

CB12-0082 A bill for an ordinance approving a proposed Hydronic System Optimization Contract between the City and County of Denver and Trautman & Shreve, Inc. related to HVAC systems upgrade at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a 540-day \$7,382,465 contract with Trautman & Shreve, Inc. to upgrade the HVAC systems throughout Denver International Airport. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 2-2-12.

CB12-0088 A bill for an ordinance approving a proposed Free Wi-Fi Service Provider License Agreement between the City and County of Denver and Concourse Communications, LLC a Boingo Wireless Company related to free Wi-Fi service at Denver International Airport. (BUSINESS, WORKFORCE & SUSTAINABILITY)

Approves a \$500,000 minimum annual revenue contract with Concourse Communication, LLC, a Boingo Wireless company, to provide Free Wi-Fi Service at Denver International Airport. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 2-2-12.

Government & Finance

CB11-0976 A bill for an ordinance approving a proposed Revival and Third Amendatory Agreement between the City and County of Denver and H.C. Peck & Associates, Inc., to revive and amend the Agreement to extend the term. (GOVERNMENT & FINANCE)

Extends the contract with H.C. Peck & Associates for up to \$400,000 through 10-13-16 to provide comprehensive right-of-way, relocation, and consulting services. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 12-29-11.

CB12-0074 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Prodocument Solutions, Inc. dba Pro Vote Solutions. (GOVERNMENT & FINANCE)

Approves a one-year, \$1,250,000 master purchase agreement between the City and County of Denver and Prodocument Solutions with options for three one-year extensions for all materials and services related to the City's ballot printing needs. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 2-2-12.

CB12-0077 A bill for an ordinance approving a proposed Second Amendatory Agreement by and between the City and County of Denver and Versaterm, Inc., to correct total contract amount. (GOVERNMENT & FINANCE)

Corrects a previously approved contract with Versaterm for three years of maintenance support of Denver Police Department's Records Management System by adding \$1,401,764 for a corrected total contract amount of \$2,679,204. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 2-2-12.

CB12-0093 A bill for an ordinance approving a proposed Revival and Fourth Amendatory Agreement between the City and County of Denver and Patton Boggs, LLP, for federal lobbying services for the City and County of Denver. (GOVERNMENT & FINANCE)

Adds \$238,000 and extends for one year the contract with Patton Boggs for federal lobbying services for the City and County of Denver. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill at its meeting on 2-1-12.

Health, Safety, Education & Services

CB12-0078 A bill for an ordinance approving a proposed Loan Program Agreement between the City and County of Denver, the County of Boulder, and the Colorado Housing and Finance Authority, for receipt and management of U.S. Department of Energy funds for energy efficiency loan loss reserve accounts. (HEALTH, SAFETY, EDUCATION & SERVICES)

Approves a contract among the City and County of Denver, Boulder County, and the Colorado Housing and Finance Authority (CHFA) to provide a loan loss reserve to lending institutions for the origination of energy efficiency loans for residences and commercial properties. The \$3,239,789.13 in funding is from Energy Efficiency Conservation Block Grants (EECBG) from the U.S. Department of Energy. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill at its meeting on 2-7-12.

Land Use, Transportation & Infrastructure

CB12-0020 A bill for an ordinance approving a License and Agreement with the State of Colorado Department of Public Health and Environment, Air Pollution Control Division for installation of an Air Quality Monitoring Station at City Park Golf Course. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a one-year contract with the State Air Pollution Control Division for installation of an air quality monitoring station at City Park Golf Course in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 1-5-12.

CB12-0037 A bill for an ordinance approving an amendatory on-call agreement between Goodland Construction, Inc. and the City & County of Denver for landscape improvements and irrigation construction services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a third amendment to the On-Call landscape and irrigation contract with Goodland Construction to increase by \$75,000 to a total of \$2,281,853.94 and to extend the term one year to March 15, 2013, to cover existing work orders with change orders. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 1-12-12.

CB12-0052 A bill for an ordinance approving a Development and Vesting Agreement between the City and County of Denver and IRG Redevelopment I, LLC relating to the Lowry Vista Development. (LAND USE TRANSPORTATION AND INFRASTRUCTURE)

Approves an agreement with IRG Redevelopment, exchanging a site for the Lowry Vista Fire Station for 10-year vesting rights and other non-montetary considerations. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill at its meeting on 1-31-12.

CB12-0075 Approves a no-cost, 90-day extension of the \$826,419 contract with Navjoy Consulting Services to complete the Central Business District Signal Retiming project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a no-cost, 90-day extension of the \$826,419 contract with Navjoy Consulting Services to complete the Central Business District Signal Retiming project. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 2-2-12.

CB12-0076 A bill for an ordinance vacating the alley bounded by W. Colfax Avenue, W. 14th Avenue, Quitman Street and Perry Street, with reservations. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Vacates a portion of the alley bounded by W. Colfax, W. 14th Av., Quitman and Perry, with reservations of a hard surface easement, in Council District 1. The Committee approved filing this bill by consent on 2-2-12.

CB12-0083 A bill for an ordinance making rescissions from completed Gateway projects, making transfers of cash from the GRMD Projects Trust Fund, and making appropriations from the Capital Improvements and Capital Maintenance Fund for the 1st Creek Restoration Project and the Green Valley Ranch Boulevard Project. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Authorizes cash transfers among Gateway Regional Metropolitan District and Parks Trust Funds for the 1st Creek Restoration Project; transfers from completed Gateway-area projects to the Green Valley Ranch Boulevard Project; and transfer of \$24,250 to reimburse KB Homes for overpayment of impact fees. The Committee approved filing this bill by consent on 2-2-12.

CB12-0086 A bill for an ordinance changing the zoning classification for 3350 Brighton Boulevard. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves rezoning from former Chapter 59 R-MU-30 with waivers (Residential Mixed Use-high density) to I-MX-8 (Industrial Context-Mixed Use-8 story) to allow for existing industrial building forms while permitting similar mixed-uses as allowed in R-MU-30 at 3350 Brighton in Council District 9. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 1-31-12.

CB12-0094 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Pear Commercial Interiors. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Approves a purchase order for \$627,891.60 with Pear Commercial Interiors to supply and install furniture for the new Police Crime Laboratory, a Better Denver Bond Project in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 3-5-12. The Committee approved filing this bill by consent on 2-2-12.

CB12-0109 A bill for an ordinance amending Ordinance No. 0069, Series of 2012, relating to the rezoning of 1532 Monroe Street, 1540 Monroe Street and 1551 Garfield Street to correct the legal description. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Corrects the legal description contained in the ordinance adopting a new zoning classification for parcels at 1532 and 1540 Monroe and 1551 Garfield in Council District 8. The Committee approved filing this bill by consent on 2-2-12.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be public hearings on CB11-0947 changing the zoning classification for 4787 S. Wadsworth Way, and on CB12-0041 designating 1475 Elizabeth Street, The Bonfils Memorial Theater/Lowenstein Theater, as a structure for preservation, and a one-hour courtesy public hearing on CB12-0043 amending Ordinance 333, Series of 2010 enacting the new Zoning Code regarding permits issued during the 6-month transition period. Anyone wishing to speak on any 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	CB11-0947 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. The Committee approved filing this bill at its meeting on 12-20-11.
REQUIRED	CB12-0041 A bill for an ordinance designating 1475 Elizabeth Street, The Bonfils Memorial Theater/Lowenstein Theater, as a structure for preservation. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Designates 1475 Elizabeth Street, the Bonfils Memorial Theatre/Lowenstein Theater, as an individual structure for historical preservation located in Council District 10. The Committee approved filing this bill at its meeting on 1-17-12.

<p>COURTESY One-Hour</p>	<p>CB12-0043 A bill for an ordinance amending Ordinance 333, Series of 2010. (LAND USE, TRANSPORTATION & INFRASTRUCTURE) Amends Ordinance 333, Series of 2010, enacting the new Zoning Code, regarding permits issued during the 6-month transition period. The Committee approved filing this bill at its meeting on 1-24-12.</p>
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Bills for Final Consideration

Government & Finance

CB12-0059 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Mansfield Oil Company. (GOVERNMENT & FINANCE)

Approves a two-year, (with option to renew for three, one-year extensions up to a maximum of five years) up to \$50,000,000 master purchase order with Mansfield Oil to provide fuel for the City fleet at a locked price. The last regularly scheduled Council meeting within the 30-day review period is on 2-27-12. The Committee approved filing this bill at its meeting on 1-25-12.

CB12-0060 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Gray Oil Company. (GOVERNMENT & FINANCE)

Approves a two-year (with option to renew for three, one-year extensions up to a maximum of five years) up to \$50,000,000 master purchase order with Gray Oil to provide fuel for the City fleet at a locked price. The last regularly scheduled Council meeting within the 30-day review period is on 2-27-12. The Committee approved filing this bill at its meeting on 1-25-12.

CB12-0061 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Chief Petroleum Company. (GOVERNMENT & FINANCE)

Approves a two-year (with option to renew for three, one-year extensions up to a maximum of five years) up to \$50,000,000 master purchase order with Chief Petroleum to provide fuel for the City fleet at a locked price. The last regularly scheduled Council meeting within the 30-day review period is on 2-27-12. The Committee approved filing this bill at its meeting on 1-25-12.

CB12-0066 A bill for an ordinance approving a proposed Eighth Amendatory Agreement by and between the City and County of Denver and Tyler Technologies, Inc. (GOVERNMENT & FINANCE)

Adds \$106,736.78 to the contract with Tyler Technologies Inc. to renew the maintenance and support services for the proprietary application software CRIS+plus, i-CRIS, Personal Property and Quickdocs used for the revenue generating functions of Clerk and Recorder and Assessment and Treasury Divisions. The last regularly scheduled Council meeting within the 30-day period is on 2-27-12. The Committee approved filing this bill by consent on 1-26-12.

CB12-0066 A bill for an ordinance approving a proposed Eighth Amendatory Agreement by and between the City and County of Denver and Tyler Technologies, Inc. (GOVERNMENT & FINANCE)

Adds \$106,736.78 to the contract with Tyler Technologies Inc. to renew the maintenance and support services for the proprietary application software CRIS+plus, i-CRIS, Personal Property and Quickdocs used for the revenue generating functions of Clerk and Recorder and Assessment and Treasury Divisions. The last regularly scheduled Council meeting within the 30-day period is on 2-27-12. The Committee approved filing this bill by consent on 1-26-12.

Health, Safety, Education & Services

CB11-0949 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 placement and supportive housing services to Denver's Homeless population. (HEALTH, SAFETY, EDUCATION & SERVICES)

Amends the Colorado Coalition for the Homeless contract to add an additional \$356,943 for a new contract total of \$1,070,829 and to extend the contract term through December 31, 2012 to provide housing placement services to homeless individuals. The last regularly scheduled Council meeting within the 30-day review period is on 2-27-12. The Committee approved filing this bill by consent on 12-22-11.

Land Use, Transportation & Infrastructure

CB12-0072 A bill for an ordinance amending Division 3 (Benches Bearing Advertising) of Article XIV, (Temporary Occupancy of the Right-of-Way), of Chapter 49 (Streets Sidewalks, Public Ways), of the Denver Revised Municipal Code. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)

Amends the Transit Amenities Program (bus benches, shelters and advertising) to allow for multi-year permits, to phase out the kiosks, to provide for trash and recycling bins and make related adjustments in ordinance on which the Manager's Rules and Regulations are based. The Committee approved filing this bill at its meeting on 1-24-12.

Announcement

Dependent upon publication there will be a public hearing on CB12-0086 changing the zoning classification for 3350 Brighton Boulevard on Monday, March 12, 2012. Any protests against CB12-0086 must be filed with the Council Offices no later than Monday, March 5, 2012.

Adjourn

Pending

CB12-0055 A bill for an ordinance amending the Denver Zoning Code to mitigate the effect of certain governmental actions on zone lots and uses.

Bills Pending 3/5/2012					
CB #	Committee	Status	Description	Continued From	Hearing
CB12-0055	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance amending the Denver Zoning Code to mitigate the effect of certain governmental actions on zone lots and uses.	2/6/2012	YES