

## City Council of Monday, December 10, 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 B. Young..... Director  
Kelly Velez..... Clerk

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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 720-337-2000.

### 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, December 10, 2012 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP12-0928 A proclamation celebrating the 113th Anniversary of the John S. Stewart Veterans of Foreign Wars - VFW Post 1 – and its long time service on behalf of our veterans.**

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

**CP12-0929 A proclamation honoring Charles “Chuck” Phillips and the Phillips Family for their dedication and long-standing services to the Cole neighborhood.**

Sponsored by Councilmembers Brooks, Susman, Montero, Herndon, Lehmann, and López.

## **Resolutions**

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

**CR12-0906 A resolution granting a revocable permit to 16M, LLC to encroach into the right-of-way with an underground parking garage on Market Street between 15th Street and 16th Street.**

To grant a revocable permit to 16M, LLC to encroach into the right-of-way with an underground parking garage on Market Street in between 16th St and 15th St. The Committee approved filing this resolution by consent on 11-29-12.

**CR12-0907 A resolution accepting and approving a subdivision, Belcara Filing No. 2, a subdivision at 401 S. Garfield St., near Cherry Creek South Dr.**

Approves the final subdivision plat of Belcara Filing No. 2 for residential development at 401 S. Garfield St. near Cherry Creek South Drive in Council District 6. The Committee approved filing this resolution by consent on 11-29-12.

**CR12-0908 A resolution granting a revocable permit to Simpson Housing, LLC to encroach into the right-of-way with various items at 2749 Walnut Street.**

Grants a revocable permit to Simpson Housing, LLC, to encroach into the public right-of-way with steps and planter walls in front of 2749 Walnut St. in Council District 9. The Committee approved filing this resolution by consent on 11-29-12.

**CR12-0910 A resolution granting a revocable permit to 2131 Lawrence, LLC to encroach into the right-of-way with various items at 2131 Lawrence Street.**

Grants a revocable permit to Legacy Partners, Inc., to encroach into the public right-of-way with steps, railing and walls at 2131 Lawrence St. in Council District 9. The Committee approved filing this resolution by consent on 11-29-12.

## **Bills for Introduction**

### **Government & Finance**

**CB12-0898 A bill or an ordinance modifying the Comcast cable franchise agreement to extend the term of the franchise for an additional six months to July 1, 2013**

Extends the current Comcast Franchise Agreement for 6 months to July 1, 2013 while negotiations are completed (RC9Y007). The Committee approved filing this bill by consent on 11-22-12.

**CB12-0903 A bill for an ordinance amending Ordinance No. 588, Series of 2012, concerning the appropriations to pay the expenses of conducting the public business for the year 2013 and for the purposes required by the Charter and by other law.**

Amends the previously enacted 2013 Long Bill (Council Bill CB12-0836) to allocate funds generated from the voters' recent passage of the 2A de-brucing ballot measure. The Committee approved filing this bill at its meeting on 11-28-12.

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

### **CB12-0817 A bill for an ordinance approving a proposed Amendment to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding final design, right-of-way acquisition and construction of drainage and flood control improvements along First Creek at East 56th Avenue, City and County of Denver.**

Amends the intergovernmental agreement with Urban Drainage and Flood Control District to add \$4,000,000 to acquire property and reconstruct the First Creek channel for flood control and multi-use trail from Tower Road to Peña Blvd. along East 56th Ave. in Council District 11 (201103771-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-1-12.

### **CB12-0841 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and The Architerra Group, Inc. for on-call landscape architectural and technical services.**

Amends the on-call Landscape Architectural and Technical Services Contract with the Architerra Group, now in its third and final year, to increase total capacity to a new total of \$775,000, for various parks projects, including the reconstruction of Barnum Park and 6th Ave. and various River Vision projects. The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. Councilwoman Robb approved filing this bill.

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

### **Recess**

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

### **Bills for Final Consideration**

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

### **CB12-0727 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Glenarm Residences, LLC, to modify the terms and conditions of the Loan Agreement.**

Amends provisions of a \$920,000 loan to Glenarm Residences, LLC, for the acquisition of property located at Glenarm and Park Ave. by extending the maturity date, modifying the payment schedule, and securing additional collateral. The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill at its meeting on 10-24-12.

**CB12-0871 A bill for an ordinance approving a proposed Loan Agreement between the City and County of Denver and Renaissance Housing Development Corporation, to receive HOME Program funds for the development of the Renaissance Stout Street Lofts.**

Approves a performance-based deferred loan for 40 years of \$1,000,000 in Home Investment Partnership Program (HOME) funds to Renaissance Housing Development Corporation for the development of the new Renaissance Stout Street Lofts affordable rental units to be located on Stout Street between 21st and 22nd streets in the Five Points Neighborhood. Terms of the loan require the project to remain affordable and maintain 8 units restricted per the City's Rental Covenant agreement request. The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

**Government & Finance**

**CB12-0838 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and JAMSAB Realty Corp. d/b/a Capital One Public Funding, LLC.**

Changes the on-call firm listed to do certain work on a capital lease with Capital One Public Funding from Tyler Technologies, which can no longer perform the work, to Zia Consulting with no other lease term or cost modifications (CE17002-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-7-12.

**CB12-0839 A bill for an ordinance authorizing the City and County of Denver to convey to Joseph M. Archambault and Courtney Archambault its interest in a parcel of real estate located at approximately 1301 Holly Street.**

Approves the sale of a surplus portion of land at 1301 Holly Street in Council District 5 for \$5,000 to Joseph and Courtney Archambault, owners of adjacent property. The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-7-12.

**CB12-0862 A bill for an ordinance approving a proposed Ninth Amendatory Agreement between the City and County of Denver and Tyler Technologies, Inc., to extend the term to December 31, 2013, and increase the total amount of compensation for software maintenance costs for property application software.**

Adds \$114,208 and one year to the contract with Tyler Technologies, Inc., for maintenance and support of CRIS+plus, Personal Property, Quickdocs and related interfaces which support the revenue generating services for Clerk and Recorder, Assessment and Treasury Divisions (CE-31338-09). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

**CB12-0863 A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Tyler Technologies, Inc., to extend the term to December 31, 2013, and increase the total amount of compensation.**

Adds \$50,000 and one year to the contract with Tyler Technologies, Inc., for support of OASIS/CAMA and related interfaces which is used by Assessment and Treasury to support their revenue generating services (CE-62074-04). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

**CB12-0873 A bill for an ordinance approving a proposed Fifth Amendatory Lease Agreement between the City and County of Denver and GRE Bear Valley LLC, to extend the term of the existing lease and to provide for the payment of further rentals to Lessor.**

Adds \$282,366 to and extends the existing lease agreement for five years with GRE Bear Valley, LLC, for the Motor Vehicle office located at 3100 S. Sheridan Blvd. (FINAN 201208320-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

**CB12-0892 A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund.**

Appropriates \$10,462,511.84 for the 2013 Self-Insured Dental Fund (the City contributes an estimated 68% or \$7,114,535 and employees 32% or \$3,347,976) for dental benefits for City employees. The Committee approved filing this bill by consent on 11-22-12.

**CB12-0893 A bill for an ordinance authorizing expenditures in the Employees Voluntary Salary Redirection Plan Special Trust Fund for Uninsured Medical Expense, Dependent Care Expense, and Qualified Parking Expense.**

Appropriates \$5,844,472.28 for 2013 flexible benefit programs primarily funded by employees (\$4,630,012.38 for Medical Care, \$1,063,520.30 for Dependent Care, and \$150,939.60 for the Qualified Parking Program). The Committee approved filing this bill by consent on 11-22-12.

**CB12-0894 A bill for an ordinance making an appropriation from the Arts and Venues Denver Special Revenue Fund.**

Approves a \$1,100,000 supplemental for Arts and Venues Denver Special Revenue Fund (15815-3050000) due to increased expenditures for additional events. The supplemental is offset by increased revenue from the events. The Committee approved filing this bill by consent on 11-22-12.

## Health, Safety, Education & Services

**CB12-0874 A bill for an ordinance approving a proposed second amendatory agreement between the City and County of Denver and Clayton Early Learning, Trustee, George W. Clayton Trust f/k/a Clayton Family Futures, dba Clayton Educare to extend the term to June 30, 2013 and increase the total amount of compensation.**

Amends the contract with Clayton Educare Head Start to add \$790,764 for fiscal year period January 1, 2013 through June 30, 2013 to provide Head Start services to 236 children (MOEAI-201205670-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

**CB12-0875 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver to extend the term to June 30, 2013 and increase the total compensation.**

Amends the contract with Catholic Charities and Community Services of the Archdiocese of Denver to add \$769,861 for fiscal year period from January 1, 2013 through June 30, 2013 to provide Head Start services to 224 children (MOEAI-201205675-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

**CB12-0877 A bill for an ordinance approving a proposed amendatory agreement between the City and County of Denver and School District No. 1 in the City and County of Denver and the State of Colorado to extend the term to June 30, 2013 and increase the total compensation for Head Start programs and services.**

Amends the contract with the Denver School District No. 1 agreement to add \$909,246.50 for fiscal year period January 1, 2013 through June 30, 2013 to provide Head Start services to 302 children (201205604-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-15-12.

**CB12-0895 A bill for an ordinance approving the amendment of a grant agreement between the City and County of Denver and United States Department of Housing and Urban Development (HUD) concerning the "Emergency Solutions Grant FY11" program and the funding therefor.**

Accepts and expends the second allocation award in the amount of \$219,083 for a total award of \$608,563 for the 2011 Emergency Solutions Grant provided by the U.S. Department of Housing and Urban Development for support of emergency services for homeless individuals (GC11005 (01)). The last regularly scheduled Council meeting within the 30-day review period is on 12-26-12. The Committee approved filing this bill by consent on 11-22-12.

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

### **CB12-0896 A bill for an ordinance relinquishing easements established in Reception Number 2007027330 at 2907 Huron Street.**

Relinquishes easements at 2907 Huron to accommodate redevelopment in Council District 9 (Reception No 2007027330). The Committee approved filing this bill by consent on 11-22-12.

### **CB12-0897 A bill for an ordinance vacating a portion of Wewatta Street at 21st Street adjacent to 2100 Delgany Street, without reservations.**

Vacates a portion of Wewatta at 21st Street adjacent to 2100 Delgany for redevelopment in Council District 9. The Committee approved filing this bill by consent on 11-22-12.

## **Adjourn**

## **Pending**

**For 01-07-13**

### **CB12-0879 A bill for an ordinance amending the Denver Zoning Code to amend the definition of Sign and amend the treatment and definition of noncommercial signs.**

Required Public Hearing  
Final Consideration