

City Council of Monday, November 25, 2013

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
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REMINDER

As a courtesy to those in attendance,
please

turn off your cell phones.

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

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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.

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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 25, 2013 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Communications

Proclamations

CP13-0903 A proclamation celebrating the Denver kick-off of the seventh annual "Buy Local Week" from November 29-December 6th, 2013, as part of the ongoing Buy Local campaign to encourage the support of local businesses.

Sponsored by Councilmembers Kniech and Robb.

Resolutions

Land Use, Transportation & Infrastructure

CR13-0846 A resolution granting a revocable permit to Balfour Senior Care, LLC to encroach into the right-of-way at 15th Street and Little Raven Street.

Grants a revocable permit to Balfour Senior Care to encroach into the public right-of-way with transformer and connection cabinet at 15th Street and Little Raven in Council District 9. The Committee approved filing this resolution by consent on 11-14-13.

CR13-0847 A resolution granting a revocable permit to Denver Bike Sharing to encroach into the right-of-way with a bicycle docking station at 1095 Delaware Street.

Grants a revocable permit to Denver Bike Sharing to encroach into the public right-of-way with a bicycle docking station, matchstick bollards, and concrete wheel stops at 1095 Delaware St. in Council District 10. The Committee approved filing this resolution by consent on 11-14-13.

Bills for Introduction

Government & Finance

CB13-0675 A bill for an ordinance concerning the salaries of county court judges.

Amends the Code section related to maintaining the pay relationship between the County Court judge and the Assistant City Attorney – Section Supervisor classifications, resulting in a 3.24% increase for county court judges in 2014. The Committee approved filing the bill at its meeting on 11-6-13.

CB13-0676 A bill for an ordinance concerning the salaries of county court magistrates.

Amends the Code section maintaining the pay relationship between county court magistrate and Assistant City Attorney – Senior classifications resulting in a 3.24% pay increase for magistrates in 2014. The Committee approved filing this bill at its meeting on 11-6-13.

CB13-0756 A bill for an ordinance repealing Article IX of Chapter 18, Denver Revised Municipal Code, concerning the Office of Employee Assistance.

Abolishes the Office of Employee Assistance in order to utilize an external employee assistance program provider for those services. The Committee approved filing this bill at its meeting on 11-7-13.

CB13-0838 A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Department of Environmental Health.

Approves a \$400,000 supplemental appropriation for the Department of Environmental Health. The Committee approved filing this bill by consent on 11-14-13.

Health, Safety, Education & Services

CB13-0705 A bill for an ordinance approving a donation by the City of surplus outdated fire equipment to a not for-profit organization, Wings of Angels Foundation.

Approves donating outdated Denver Fire Department equipment to the Wings of Angels Foundation who will transport the equipment with other donations (e.g., from the Red Cross) to Sonora State, Mexico to assist in firefighting operations. The equipment does not meet current U.S. national standards and/or replacement parts are not available any longer. Items to be donated include dry chemical extinguishers, hose nozzles, engine and pump adaptors, circular saws, sump pumps, pike axes, and face pieces. The Committee approved filing this bill by consent on 10-17-13.

CB13-0759 A bill for an ordinance approving the First Amendment to Intergovernmental Agreement between the City and County of Denver and Denver Public School District No. 1 for the provision of School Resource Officers during the 2013-2014 school year.

Approves a contract amendment between Denver School District No. 1 (Denver Public Schools) and the Denver Police Department for School Resource Officers for the 2013-2014 school year in the amount of \$642,360, bringing the two-year contract total to \$1,278,360 (201209123-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 10-31-13.

CB13-0783 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 to June 30, 2014 and increase the total compensation.

Amends the Mile High Montessori Early Learning Centers contract to add \$800,382.32 and to extend the contract through June 30, 2014, to provide comprehensive Head Start services to 269 children (MOEAI-201310971-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 10-31-13.

CB13-0784 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Clayton Early Learning, Trustee, George W. Clayton Trust, dba, Clayton Educare to extend the term to June 30, 2014 and increase the total compensation.

Amends the Clayton Early Learning, Trustee, George W. Clayton Trust contract to add \$676,924.41 and to extend the contract through June 30, 2014, to provide comprehensive Head Start services to 236 children (MOEAI-201310966-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 10-31-13.

CB13-0785 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, 2014 and increase the total compensation.

Amends the Catholic Charities and Community Services of the Archdiocese of Denver contract to extend the contract through June 30, 2014, and to add \$719,697.30 to provide comprehensive Head Start services to 224 children (MOEAI-201310958-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 10-31-13.

CB13-0786 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, 2014 and increase the total compensation.

Amends the School District No. 1 contract to add \$824,773.80 and to extend the contract through June 30, 2014, to provide comprehensive Head Start services to 302 children (MOEAI-201310965-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 10-31-13.

CB13-0837 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 United States concerning the consolidation of the "Continuum of Care (CoC)(previously titled "Shelter Plus Care")–Housing First FY13-14" program and the funding therefore.

Amends the Housing First grant award from the U.S. Department of Housing and Urban Development in the amount of \$1,369,223 for a contract period through March 31, 2014. This is a Continuum of Care Consolidation Agreement between the United States Department of Housing and Urban Development (HUD) and the Denver Department of Human Services that historically funds several Continuum of Care projects (SOCSV-201311488-1). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 11-14-13.

CB13-0841 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Groundwork Denver, Incorporated to provide energy efficiency services, weatherization upgrades, and resident education for nonprofit facilities.

Amends the contract with Groundwork Denver to extend the term through December 31, 2014, and to add \$250,000 for a total contract of \$500,000 to provide energy efficient and weatherization upgrades with a focus on Green and Healthy Homes to 190 of Denver's income-qualified and Spanish-speaking residents (OEDEV-201208026-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 11-14-13.

CB13-0842 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Year One, Inc., dba Mile High Youth Corps., to provide energy efficiency services, weatherization upgrades, and resident education.

Amends the contract with Year One, doing business as Mile High Youth Corps, to extend the contract through December 31, 2014, and to add \$225,000 for a total contract of \$550,000 to provide energy efficiency services to income-qualified residents in the City and County of Denver (OEDEV-201208025-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 11-14-13.

CB13-0844 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Energy Outreach Colorado for the multifamily energy efficiency program.

Amends the contract with Energy Outreach Colorado to extend the contract through December 31, 2014, and to add funding in the amount of \$325,000 for a total contract of \$650,000 to provide energy efficiency services to income-qualified multi-family residential units in the City and County of Denver (OEDEV-201208044-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 11-14-13.

CB13-0845 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Energy Outreach Colorado to provide energy efficiency services, weatherization upgrades, and resident education for nonprofit facilities.

Amends the contract with Energy Outreach Colorado to add \$600,000 for a total contract of \$1,200,000, and to extend the contract through December 31, 2014, to provide energy efficiency services to nonprofit facilities serving low-income residents in the City and County of Denver (OEDEV-201208043-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 11-14-13.

Land Use, Transportation & Infrastructure

CB13-0602 A bill for an ordinance approving a proposed Revival and Amendatory Belleview Concrete Repair and Pavement Rehabilitation Agreement between the City and County of Denver and City of Greenwood Village, to reflect the final cost for completed work.

Amends the contract with Greenwood Village for Belleview Concrete Repair and Pavement Rehabilitation by adding \$33,510.70, bringing the total to \$521,868.25. The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 9-5-13.

CB13-0729 A bill for an ordinance approving a proposed Cooperation Agreement between the City and County of Denver and Denver Urban Renewal Authority, for the 414 14th Street Urban Redevelopment Area.

Approves a Cooperation Agreement between the City and County of Denver and the Denver Urban Renewal Authority for the 414 14th Street Urban Redevelopment Area to establish, among other matters, the parameters for tax increment financing with property tax increment. A PUBLIC HEARING WILL BE HELD ON DECEMBER 2, 2013. The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill at its meeting on 11-12-13.

CB13-0731 A bill for an ordinance approving the 414 14th Street Urban Redevelopment Plan.

Approves the 414 14th Street Urban Redevelopment Plan authorizing the creation of an Urban Redevelopment Area and the use of property tax increment. The Committee approved filing this bill at its meeting on 11-12-13.

CB13-0750 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and New Design Construction Company for the Red Rocks Bridge and Roadway Project.

Approves a \$1,076,832.15 contract with New Design Construction Company to replace the bridge at one of the Red Rocks entrances and improve the intersection of Red Rocks Park Road and Highway 93. The last regularly scheduled Council meeting within the 30-day review period is on 12-16-13. The Committee approved filing this bill by consent on 10-24-13.

Special Issues: Amendment 64

CB13-0736 A bill for an ordinance concerning the public display and consumption of marijuana.

Adopts regulations regarding open and public possession, consumption, and display of marijuana. The Committee approved filing this bill at its meeting on 11-12-13.

CB13-0864 A bill for an ordinance repealing section 38-176 concerning law enforcement priorities in regard to certain marijuana offenses.

Repeals section 38-176 of the Denver Revised Municipal Code, an initiated ordinance defining adult personal use of one ounce or less of marijuana as the lowest law enforcement priority and establishing a marijuana policy review committee to monitor compliance with the ordinance "until private adult possession of marijuana is legal" under the laws of Colorado and Denver. The Committee approved filing this bill at its meeting on 11-12-13.

Recap of Bills to be Called Out

Pre-Recess Announcement

Council will hold a one-hour combined courtesy public hearing on CB13-0736, concerning the public display and consumption of marijuana, and CB13-0864, concerning law enforcement priorities in regard to certain marijuana offenses. Anyone wishing to speak on either or both matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Council has implemented a new procedure for deciding speaker order at courtesy public hearings to provide each person who signs up the same opportunity to be chosen to speak within the limited time period. After all of the speaker cards have been collected, speaker cards will be divided into two groups – those in favor and those opposed. Speaker cards will be randomly selected from each group and arranged in the order drawn. Speakers will be heard alternating back and forth between a speaker in favor and a speaker opposed until the one-hour time limit for the hearing has expired.

Recess

Council Reconvenes and Resumes its Regular Session

Public Hearings - Bills for Introduction

Special Issues: Amendment 64

CB13-0736 A bill for an ordinance concerning the public display and consumption of marijuana.

Adopts regulations regarding open and public possession, consumption, and display of marijuana. The Committee approved filing this bill at its meeting on 11-12-13.

CB13-0864 A bill for an ordinance repealing section 38-176 concerning law enforcement priorities in regard to certain marijuana offenses.

Repeals section 38-176 of the Denver Revised Municipal Code, an initiated ordinance defining adult personal use of one ounce or less of marijuana as the lowest law enforcement priority and establishing a marijuana policy review committee to monitor compliance with the ordinance "until private adult possession of marijuana is legal" under the laws of Colorado and Denver. The Committee approved filing this bill at its meeting on 11-12-13.

Bills for Final Consideration

Business, Workforce & Sustainability

CB13-0823 A bill for an ordinance amending Sections 28-83 and 28-234 of the Revised Municipal Code to extend the enactment of, respectively, Division 3 of Article III of Chapter 28 (the Minority and Women Business Enterprise (MBE/WBE) Ordinance) and Article VII of Chapter 28 (the Small Business Enterprise (SBE) Ordinance) for an additional six (6) months.

Extends the sunset on the Minority Women and Business Enterprise (MWBE) and Small Business Enterprise (SBE) programs from January 1, 2014 to April 1, 2014. The Committee approved filing this bill by consent on 11-7-13.

Government & Finance

CB13-0818 A bill for an ordinance making appropriations to pay the expenses of conducting the public business for the year 2014 and for the purposes required by the Charter and by other law.

Appropriates the 2014 City budget as required by the Charter (commonly referred to as the Long Bill). The Committee approved filing this bill by consent on 11-7-13.

CB13-0829 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and NPL Construction, Co. dba Northern Barricade Co., for barricades and traffic control services.

Approves an up to three-year, \$2,000,000 master purchase order with Northern Barricade Co. for barricades and traffic control devices and services (0794A0113). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill by consent on 11-7-13.

CB13-0830 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and RDP Barricade Co. LLC dba Colorado Barricade Co., for barricades and traffic control services.

Approves an up to three-year \$650,000 master purchase order with Colorado Barricade Co. for barricades and traffic control devices and services (0794A0213). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill by consent on 11-7-13.

Health, Safety, Education & Services

CB13-0724 A bill for an ordinance approving a proposed second amendatory agreement between the City and County of Denver and Qwest Communications Company, LLC d/b/a CenturyLink QCC, to extend the term and increase the compensation to contractor.

Amends the contract with Qwest Communication, LLC, doing business as Century Link QCC, to extend it through June 30, 2014 and to add \$273,769 for maintenance on the City's 911 phone switches and supporting systems (CE76017-03). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill by consent on 10-17-13.

CB13-0809 A bill for an ordinance approving a proposed Fiscal Year 2014 Amendment to the Amended and Restated Operating Agreement between the City and County of Denver and the Denver Health and Hospital Authority providing for the amounts to be paid for services by the City and County of Denver and by the Denver Health and Hospital Authority during 2014 and amending other provisions of the Operating Agreement.

Amends the intergovernmental agreement with Denver Health and Hospital Authority (DHHA) for 2014. The contract amount is for the City to expend funds of \$57,830,784 for DHHA services and the City to receive funds of \$1,519,830 for City services provided to DHHA (CE60436-24). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill at its meeting on 11-5-13.

CB13-0810 A bill for an ordinance approving an amendment to the Montbello Family Health Clinic Agreement between the City and County of Denver and the Denver Health and Hospital Authority increasing funding.

Amends the Montbello Family Health Clinic agreement to ratify, identify the sources of funding, state the full amount of funds the City provided for the project (\$2,559,000), and to modify the term through December 31, 2013 (ENVHL-201208303-01). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill at its meeting on 11-5-13.

CB13-0811 A bill for an ordinance approving a Funding Agreement from January 1, 2014 through December 31, 2028 between the City and County of Denver and the Denver Health and Hospital Authority to provide funds for the construction of a new South Westside Clinic.

Approves a funding agreement from January 1, 2014 through December 31, 2028 for the South Westside Clinic to better serve health needs. The City has committed to partially funding this project from Denver Better Bonds and from the City's general fund (Capital Improvement Fund) in the amount of \$14,650,000 (ENVHL-201313523-00). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill at its meeting on 11-5-13.

CB13-0813 A bill for an ordinance approving an amendatory agreement with Denver Municipal Defenders, P.C. for legal representation of indigent defendants charged with municipal offenses.

Amends the contract with Denver Municipal Defenders, P.C. to add one year through December 31, 2014 and to add \$209,220.36 for legal representation of indigent defendants charged with municipal offenses and who face the possibility of a jail sentence. The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill on consent on 11-7-13.

CB13-0814 A bill for an ordinance approving an agreement with the Law Offices of Frank Moya for legal representation of indigent defendants charged with municipal offenses.

Approves a contract with the Law Offices of Frank Moya for one year through December 31, 2014 in the amount of \$525,000 for legal representation of indigent defendants charged with municipal offenses and who face the possibility of a jail sentence (201313489). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill on consent on 11-7-13.

CB13-0819 A bill for an ordinance approving a proposed Third Amendment and Modification Agreement between the City and County of Denver and Hope Communities, Inc., to modify and extend the repayment terms.

Amends the Hope Communities, Inc. loan to provide affordable housing in Denver to modify the existing current outstanding debt totaling \$270,557 by modifying the payment schedule, extending the maturity date through December 2019, and waiving late fees (GE7Y042). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill at its meeting on 11-5-13.

CB13-0820 A bill for an ordinance approving a proposed Fourth Amendment and Modification Agreement between the City and County of Denver and Minute Spot LLC, to modify and extend the repayment terms.

Amends the loan with Hope Communities, Inc. (Minute Spot, LLC) to modify the current outstanding debt totaling \$730,868, by modifying the payment to offer a two-year deferral of payments and interest accrual as well as modify the maturity date to be July 1, 2032 (GE0Y094). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill at its meeting on 11-5-13.

CB13-0821 A bill for an ordinance approving a proposed Fourth Amendment and Modification Agreement between the City and County of Denver and Elm Park Corporation, to modify and extend the repayment terms.

Amends the loan contract with Hope Communities, Inc. to modify the payment schedule for a \$92,000 cash flow loan to provide affordable housing in Denver (GE49003). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill at its meeting on 11-5-13.

CB13-0822 A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and Fern Hall, LLC, to modify the repayment terms.

Amends the loan contract with Hope Communities, Inc., doing business as Fern Hall, LLC to modify the repayment structure to be monthly principal and interest payments to be fully repaid in July of 2038 (OEDEV-GE09000-02). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill at its meeting on 11-5-13.

Land Use, Transportation & Infrastructure

CB13-0709 A bill for an ordinance approving a proposed Amendment No. 8 to Agreement between the City and County of Denver and Urban Drainage and Flood Control District regarding funding of U.S. Army Corps Feasibility Study and Land Acquisition for Sun Valley and Zuni reaches of the upper Central Platte Valley Project.

Amends the agreement with Urban Drainage and Flood Control District regarding the U.S. Army Corps Feasibility Study for Sun Valley and Zuni reaches of the upper Central Platte Valley Project to extend the boundaries to 500' upstream of the 8th Ave. bridge to allow for repairs near Confluence Park and to remove portions of downtown from the 100 year floodplain in Council Districts 1 and 9. The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill by consent on 10-17-13.

CB13-0803 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Rush Truck Centers of Colorado Inc., for the purchase of two Automated Barrel Loader Trash Trucks.

Approves purchase of two automated barrel loader trash trucks from Rush Truck Centers for \$560,562 (PWOPS000009153). The last regularly scheduled Council meeting within the 30-day review period is on 12-9-13. The Committee approved filing this bill by consent on 10-31-13.

Announcement

Dependent upon publication on Monday, December 2, 2013, Council will hold a required public hearing on CB13-0729, approving a proposed Cooperation Agreement for the 414 14th Street Urban Redevelopment Area.

Adjourn

Pending

For 12-2-13

CR13-0728 A resolution to set a public hearing relating to the approval of the 414 14th Street Urban Redevelopment Plan.

Required Public Hearing
Final Consideration

For 12-09-13

CB13-0501 A bill for an ordinance to amend Chapter 48 (Solid Waste) of the Revised Municipal Code to add an Article IX (Disposable Bag Fees) and to make a corresponding amendment to Chapter 24.

Final Consideration

CB13-0735 A bill for an ordinance amending the Denver Zoning Code to amend various provisions for the growing of marijuana as well as allowing enclosed plant husbandry uses in the I-A zone district within 500 feet of a residential zone district.

Required Public Hearing
Final Consideration

CB13-0757 A bill for an ordinance changing the zoning classification for 8822 Beekman Place a/k/a 4936 Verbena Street.

Required Public Hearing
Final Consideration