

City Council of Monday, August 19, 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
Kelly Velez..... Clerk

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WEB ACCESS

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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

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.

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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, August 19, 2013 5:30 PM

Pledge of Allegiance

Roll Call

Approval of the Minutes

Council Announcements

Presentations

Colfax Marathon Government Cup Presentation by Kaiser Permanente

Communications

Proclamations

Resolutions

Health, Safety, Education & Services

CR13-0526 A resolution approving the Mayor's appointment to the Denver Office of Strategic Partnerships Commission.

Approves the Mayoral appointment of Dana Rinderknecht to the Denver Office of Strategic Partnerships Commission for a term effective immediately and expiring April 20, 2015, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 8-8-13.

Bills for Introduction

Government & Finance

CB13-0488 A bill for an ordinance making an appropriation and cash transfer from the Environmental Services Enterprise Fund (ESEF); establishing a "Composting Fund" in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund; and authorizing the purchase of capital equipment items from said fund.

Establishes a new "Composting" special revenue fund in the General Government Special Revenue Fund; appropriates and authorizes a \$2 million loan transfer in the Department of Environmental Health Environmental Services Enterprise Fund to the new fund to expand composting services; and appropriates 2013 budget in the "Composting Fund" to purchase vehicles and bins for the January 1, 2014 rollout of the expansion program. The Committee approved filing this bill at its meeting on 7-31-13.

CB13-0521 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state odd-year election of November 5, 2013, a proposed amendment to the Charter of the City and County of Denver concerning the authority and functions of the various departments in the executive branch as set forth in Article II of the Charter.

Refers to the voters at the November 5, 2013 election a question of whether to approve the following changes to the City Charter: authorize designees to participate in Board of Equalization meetings, delete the word "exclusively" in relation to some agency functions, give the Mayor flexibility to title the heads of agencies, authorize the City to expand its investment portfolio and allow the Manager of Aviation to appoint up to five at-will appointees. This bill must pass no later than August 26, 2013 in order to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 7-31-13.

CB13-0523 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state odd-year election of November 5, 2013, a proposed amendment to the Charter of the City and County of Denver concerning election procedures.

Refers to the voters at the November 5, 2013 election a question of whether to remove obsolete provisions relating to elections governance, shift certain election provisions to the Denver Revised Municipal Code, allow the Clerk and Recorder to run for another elective office while serving as Clerk, and clarify the Clerk and Recorder's authority over elections governance. This bill must pass no later than August 26, 2013 in order to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 8-7-13.

CB13-0525 A bill for an ordinance codifying in the Denver Revised Municipal Code certain provisions of law related to election procedures, subject to approval of a referred charter amendment at the November 5, 2013 special municipal election removing these same provisions from the Charter.

Codifies certain election provisions in the Denver Revised Municipal Code if voters agree to delete them from the City Charter on November 5, 2013. This is a companion bill to CB13-0523. The Committee approved filing this bill at its meeting on 8-7-13.

CB13-0529 A bill for an ordinance approving the purchase by the City and County of Denver and DIA of property and liability insurance policies through Marsh USA, Inc., AON Risk Insurance Services West, Inc. and Willis of Minnesota, Inc. in an amount not to exceed \$4,581,682 for the period of September 1, 2013 through September 1, 2014.

Expends up to \$4,581,682 for renewal of the City's property and liability insurance coverage through contracts with Marsh USA (CE02088-04), Willis (201204716-01), and Aon (201204715-01) for policies due September 1, 2013. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-13. The Committee approved filing this bill by consent on 8-8-13.

Health, Safety, Education & Services

CB13-0440 A bill for an Ordinance approving an Amendatory Agreement with Terracon Consultants, Inc. to extend the term and increase the maximum contract amount.

Amends an on-call remediation contract with Terracon Consultants, Inc. to add one year through October 29, 2014, and to add \$500,000 for a total contract amount of \$980,000 for remediation and groundwater monitoring activities at a City-owned underground storage tank site (ENVHL 201207453-01). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-13. The Committee approved filing this bill by consent on 7-4-13.

CB13-0522 A bill for an ordinance submitting to a vote of the qualified and registered electors of the City and County of Denver at a special municipal election to be held in conjunction with the state odd-year election of November 5, 2013, a proposed amendment to the Charter of the City and County of Denver concerning management of the safety departments of the City.

Refers to the voters at the November 5, 2013 election a question of whether to approve changes in the management of the Safety Department of the City and County of Denver. This bill must pass no later than August 26, 2013 in order to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 7-30-13.

CB13-0528 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 State of Colorado concerning the "Community Services Block Grant (CSBG) FY13-14" program and the funding therefor.

Accepts the 2013-2014 Community Services Block Grant (CSBG) in the amount of \$1,160,046.04 issued by the State of Colorado - Department of Local Affairs (2013-12202). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-13. The Committee approved filing this bill by consent on 8-8-13.

CB13-0530 a bill for an ordinance approving an Agreement between the City and County of Denver and the Community College of Aurora Foundation to donate a driving simulator.

Permits the Denver Fire Department to execute a Non-Financial Agreement between the City and County of Denver and the Community College of Aurora Foundation for the donation of surplus City property (driving simulator) to enhance training for students enrolled in emergency medical services, firefighting, and law enforcement programs. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-13. The Committee approved filing this bill by consent on 8-8-13.

CB13-0531 A bill for an ordinance approving the Sixth Amendatory Agreement between the City and County of Denver and Keefe Commissary Network, L.L.C.

Amends the contract with Keefe Commissary Network, L.L.C. to add a one-year no-cost extension from January 1, 2014 through December 31, 2014, for inmate commissary services for the Denver Sheriff Department. The Inmate Welfare Fund receives approximately \$400,000 in annual commission from this contract which is used to fund inmate welfare and recreation items (RC63008-6). The last regularly scheduled Council meeting within the 30-day review period is on 9-9-13. The Committee approved filing this bill by consent on 8-8-13.

Land Use, Transportation & Infrastructure

CB13-0527 A bill for an ordinance changing the zoning classification for 4735 Florence Street.

Changes the zoning classification from C-MU-30 with waivers and UO-1 (Urban Center context with waivers and Use Overlay allowing adult businesses) to I-A (Light Industrial) for property at 4735 N. Florence St. in Council District 11. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 8-6-13.

CB13-0534 A bill for an ordinance vacating a portion of the alley in the block bounded by West 19th Avenue, West 18th Avenue, North Grove Street and North Hooker Street, located in Block 11 of Kittredge's Resubdivision in Cheltenham Heights near 3120 West 19th Avenue, with reservations.

Vacates a portion of an alley in the block bounded by W 19th Ave., W 18th Ave., N Grove St., and N Hooker St.; located in Kittredge's Resubdivision of Block 11, Cheltenham Heights near 3120 W 19th Ave., with reservations on east three (3) feet. The Committee approved filing this bill by consent on 8-8-13.

CB13-0538 A bill for an ordinance relinquishing the easement established in Ordinance No. 578, Series of 2012 at 1440 West 33rd Avenue.

Relinquishes certain easements established in 2012 at 1440 W. 33rd Ave. in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 9-9-13. The Committee approved filing this bill by consent on 8-8-13.

CB13-0540 A bill for an ordinance changing the zoning classification for 3057 West Kentucky Avenue.

Changes the zoning classification from E-MX-2 (Urban Edge Context, Mixed Use, 2 stories) to E-MX-3 (Urban Edge Context, Mixed Use, 3 stories) for 3057 W. Kentucky in Council District 3. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 8-6-13.

Special Issues: Amendment 64

CB13-0541 A bill for an ordinance establishing a special retail marijuana sales tax, subject to the approval of the voters at a special municipal election to be held in conjunction with the state odd-year election on November 5, 2013.

Refers to the voters at the November 5, 2013 election a special retail marijuana sales tax at an initial rate of 5% and allows City Council to move the rate anywhere between 3.5% and 15% without further voter approval. This bill must pass no later than August 26, 2013 in order to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 7-29-13.

Recap of Bills to be Called Out

Pre-Recess Announcement

Tonight there will be a one-hour courtesy public hearing on CB13-0512, naming the unnamed park at 3800 West Alameda Avenue as Cuatro Vientos / Four Winds Park, and a one-hour courtesy public hearing on CB13-0513, renaming Lincoln Park located at 1325 West 11th Avenue as La Alama / Lincoln Park. Anyone wishing to speak on either matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Starting tonight, Council will implement 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 Final Consideration

Land Use, Transportation & Infrastructure

CB13-0512 A bill for an ordinance naming the unnamed park at 3800 West Alameda Avenue as "Cuatro Vientos/Four Winds Park".

Adopts Cuatro Vientos/Four Winds Park as the official name of the park at 3800 W. Alameda in Council District 3. The Committee approved filing this bill at its meeting on 7-30-13.

CB13-0513 A bill for an ordinance renaming Lincoln Park located at 1325 West 11th Avenue as "La Alma/Lincoln Park".

Changes the official name of Lincoln Park to La Alma/Lincoln Park at W. 11th Ave. and Mariposa St. in Council District 9. The Committee approved filing this bill at its meeting on 7-30-13.

Bills for Final Consideration

Business, Workforce & Sustainability

CB13-0503 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and The North Highland Company for support services related to the Mayor's Peak Performance Initiative at Denver International Airport.

Approves a 3-year, \$1,500,000 contract with The North Highland Company for professional services to implement LEAN business practices, a culture of continuous improvement, and individual process-improvement initiatives at Denver International Airport (201208555). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 8-1-13.

CB13-0504 A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Reality Technology, Inc. related to on-call technology maintenance and support services at Denver International Airport.

Adds \$400,000 and extends the contract with Reality Technology, Inc. through March 22, 2016 for on-call technical professional services at Denver International Airport (CE-15007-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 8-1-13.

Government & Finance

CB13-0508 A bill for an ordinance approving a proposed Second Amendatory Concession Agreement between the City and County of Denver and Subway Real Estate, LLC, to extend the term and add rental amounts.

Approves a second concession agreement with Subway Real Estate, LLC for 5 years with a 5-year option and approximate annual revenue of \$130,630 for food service in the Wellington Webb Building (FINANC- RC25021-02). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 8-1-13.

CB13-0520 A bill for an ordinance approving a proposed On Call Technology Services Agreement by and between the City and County of Denver and Versaterm, Inc., for ongoing professional services for the Denver Police Department.

Approves a 2-year, \$3,000,000 on-call contract with Versaterm, Inc. for ongoing professional services for the various Denver Police Department technology applications (TECHS201103697-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 8-1-13.

Health, Safety, Education & Services

CB13-0489 A bill for an ordinance making an appropriation from the Human Services Special Revenue Fund.

Authorizes an appropriation increase of \$1,991,736.66 to the 2013 expenditure appropriation to utilize the mill levy fund balance of the Developmental Disabilities Special Revenue Fund (13304) for the purpose of providing services to Denver residents with developmental disabilities related to the Denver Options contract. The Committee approved filing this bill by consent on 7-25-13.

CB13-0511 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 "High Intensity Drug Trafficking Area (H.I.D.T.A) FY13" program and the funding therefor.

Accepts the grant agreement between the City and County of Denver and the Office of National Drug Control Policy (ONDCP) in the amount of \$952,415 concerning the High Intensity Drug Trafficking Area (HIDTA) Fiscal Year 2013 program and funding (201312135-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 8-1-13.

Land Use, Transportation & Infrastructure

CB13-0419 A bill for an ordinance approving an On-Call Engineering Services Agreement between the City and County of Denver and Jacobs Engineering Group, Inc.

Approves a 3-year contract with Jacobs Engineering Group, Inc. for a maximum contract capacity of \$1,500,000 over the three years for on-call traffic engineering services (201311592). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 6-27-13.

CB13-0430 A bill for an ordinance approving an On-Call Engineering Services Agreement between the City and County of Denver and Hartwig & Associates, Inc.

Approves a 3-year contract with Hartwig & Associates, Inc. for on-call Traffic Engineering Services for a maximum contract capacity of \$1,500,000 over the three years, and the 10% Disadvantaged Business Enterprise (DBE) goal is exceeded with 73% commitment (201311549). The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 6-27-13.

CB13-0495 A bill for an ordinance relinquishing the easement to the City established in an instrument recorded in the City records at Book 8377, Page 115, and a portion of the utility easement established in the Pavlakis Subdivision by Ordinance No. 397, Series of 1955.

Relinquishes certain easements in the Pavlakis Subdivision at 1460 S. Holly Street in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 7-25-13.

CB13-0519 A bill for an ordinance relinquishing the easements reserved by the City in Ordinance No. 98, Series of 1948 and Ordinance No. 814, Series of 2006 and granted to the City in the easements established in the City's records at Book 7747, Page 222 and Book 9773, Page 124 at approximately vacated 14th Avenue, Cottonwood Street and Quivas Street.

Relinquishes the easements established in Ordinance number 98, Series 1948 (Quivas St.), Ordinance 814 (14th Ave.), Series of 2006, Book 7747 (utility and sanitary), page 222, and Book 9773 page 124 (utility) at 14th Ave. and Quivas St. near Cottonwood St. in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 8-26-13. The Committee approved filing this bill by consent on 8-1-13.

Announcement

Dependent upon publication, on Monday, September 16, 2013, Council will hold a required public hearing on CB13-0527, changing the zoning classification for 4735 Florence Street, and a required public hearing on CB13-0540, changing the zoning classification for 3057 West Kentucky Avenue. Any protests against CB13-0527 or CB13-0540 must be filed with the Council Offices no later than Monday, September 9, 2013.

Adjourn