

## City Council of Monday, August 29, 2011

# 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  
Lauri Dannemiller..... Director  
Kelly Velez..... Council Secretary

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**\*\* REMINDER \*\***

As a courtesy to those in attendance,  
please  
**turn off your cell phones and  
pagers.**

### **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**

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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 29, 2011 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of Minutes of Monday, August 22, 2011**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

### **CP11-0637 A proclamation in recognition of Captain Jason Dahl, 9/11 hero, and the Jason Dahl Scholarship Fund.**

Sponsored by Councilmembers Faatz, Lehmann, Robb, Ortega, Susman, Herndon, and Brown.

## **Resolutions**

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

#### **CR11-0638 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Forty-Three Thousand Five Hundred Dollars (\$43,500.00), payable to the law offices of Darrell S. Elliott, P.C., in full payment and satisfaction of all claims by Marlena Ragsdale in Case No. 11-CV-1417. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Settles a claim involving the Street Maintenance Division of Public Works.

#### **CR11-0586 A resolution granting a revocable permit to COJOYO, LLC to encroach into the right-of-way with an entry way with steps at 1514 York Street. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Grants a revocable permit to COJOYO, LLC to encroach into the public right-of-way with a new accessible entry and steps for a restaurant at 1514 York St. in Council District 8. The Committee approved filing this resolution by consent on 8-18-11.

## **Bills for Introduction**

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

**CB11-0581 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Options, Inc., to provide employment and training services for an estimated 945 TANF participants. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Approves a 12-month, \$929,570 contract between the Office of Economic Development and Denver Options to provide employment and training services for an estimated 945 TANF participants. The last regularly scheduled Council meeting within the 30-day review period is on 9-19-11. The Committee approved filing this bill by consent on 8-18-11.

**CB11-0596 A bill for an ordinance amending Article I and Article II of Chapter 32, sections 32-5, 32-7 and 32-93, Denver Revised Municipal Code concerning licensing fees for medical marijuana businesses. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Exempts businesses that formerly paid an application fee for a medical marijuana dispensary license from paying another application fee for a medical marijuana center license. For any license that is issued on a two-year basis, authorizes the Director of Excise and Licenses to defer payment of the second year's annual license fee until the anniversary date of the license. The Committee approved filing this bill at its meeting on 8-17-11.

### **Government & Finance**

**CB11-0543 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GOVERNMENT & FINANCE)**

Approves classification notice #1343 regarding pay grade changes for Utility Worker, Senior Utility Worker, Equipment Operator, Parking Meter Collector, and Horticultural Worker and the abolishment of two operator positions - Semi Tractor Trailer Operator and Tow Truck Operator. The Committee approved filing this bill by consent on 8-18-11.

### **Health, Safety, Education & Services**

**CB11-0377 A bill for an ordinance approving a three (3) year lease of city-owned land to Running Creek Ranch for grazing livestock. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves leasing city-owned land for \$16,000 for three years to Running Creek Ranch for grazing livestock. The last regularly scheduled Council meeting within the 30-day review period is on 9-19-11. The Committee approved filing this bill by consent on 5-26-11.

**CB11-0583 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and ICLEI Local Governments for Sustainability, USA, Inc. for 80 square feet of office space in lieu of membership fees and benefits. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Authorizes the Department of Environmental Health to lease 80 square feet of office space to the International Council for Local Environmental Initiatives Governments for Sustainability in lieu of membership and services from the Council. The last regularly scheduled Council meeting within the 30-day review period is on 9-19-11. The Committee approved filing this bill by consent on 8-18-11.

**Land Use, Transportation & Infrastructure**

**CB11-0599 A bill for an ordinance approving a proposed agreement between the City and County of Denver and T2 Construction, Inc. for master plan and irrigation improvements at Swansea Park. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves a \$602,140 contract with T2 Construction for improvements at Swansea Park, a Better Denver Bond project, in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 9-19-11. The Committee approved filing this bill by consent on 8-18-11.

**Recap of Bills to be Called Out**

**Pre-Recess Announcement**

Tonight there will be a public hearing on Council Bill 565, relating to the Denver Zoning Code correcting an error in the plant husbandry use in the I-MX and I-A zone districts. Anyone wishing to speak on this matter must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Also, tonight Council is not required to sit as the Board of Equalization since the protest period ended and no protests were filed there will not be any hearings for the following maintenance districts: 15th Street Pedestrian Mall, 20th Street Pedestrian Mall, Consolidated Larimer Street Pedestrian Mall, Santa Fe Drive Pedestrian Mall A, Santa Fe Drive Pedestrian Mall B, Santa Fe Drive Pedestrian Mall C, Welton Street Pedestrian Mall, South Downing Street Pedestrian Mall, West 38th Avenue I Pedestrian Mall, West 32nd Avenue Pedestrian Mall, and the 44th Avenue and Eliot Street Pedestrian Mall.

**Recess**

**Council Reconvenes and Resumes its Regular Session**

## Bills for Final Consideration - Public Hearings

REQUIRED	<b>CB11-0565 A bill for an ordinance relating to the Denver Zoning Code correcting an error in the plant husbandry use in the I-MX and I-A zone districts. (LAND USE, TRANSPORTATION &amp; INFRASTRUCTURE)</b> Corrects a typographical error in the I-MX and I-A districts use table regarding the plant husbandry use. The Committee approved filing this bill by consent on 7-28-11.
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## Bills for Final Consideration

### Business, Workforce & Sustainability

**CB11-0456 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Sotheby's, Inc., for sale of four Clyfford Still works and authorizing officials of the City and County of Denver to take all action necessary to carry out the transactions contemplated hereby. (BUSINESS, WORKFORCE & SUSTAINABILITY)**

Authorizes the sale of four Clyfford Still paintings by Sotheby's Auction House with proceeds benefitting an endowment for the Clyfford Still Museum in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. This bill was approved for filing by Councilwoman Robb.

### Government & Finance

**CB11-0566 A bill for an ordinance amending the classification and pay plan for employees in the Career Service and for certain employees not in the Career Service. (GOVERNMENT & FINANCE)**

Amends the Classification and Pay Plan by 1) adding Forensic Laboratory Technician, Special Education Teaching Assistant and Special Education Teaching Assistant Supervisor; 2) changing pay grades of Deputy City Attorney and Deputy Manager of Parks & Recreation; and 3) changing title and pay grade of Director of the Mayor's Office of Economic Development to Director of the Denver Office of Economic Development. The Committee approved filing this bill by consent on 8-11-11.

**CB11-0576 A bill for an ordinance approving a proposed purchase by the City & County of Denver for insurance renewals through Marsh USA, Inc. (GOVERNMENT & FINANCE)**

Approves annual Insurance Policy Renewals for the City and DIA in an amount not to exceed \$4,354,438, the amount anticipated for 2011. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 8-11-11.

**CB11-0579 A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Kone, Inc., related to City-owned elevator preventative maintenance and emergency services. (GOVERNMENT & FINANCE)**

Amends the contract with Kone Inc. for City-owned elevator preventative maintenance and emergency services to extend for 2 years and add \$316,635 for a new total of \$752,000 over 5 years, define emergency and clarify travel time to and from job sites. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 8-11-11.

**CB11-0600 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 regular biennial school board election of November 1, 2011, a proposed amendment to the Charter of the City and County of Denver. (GOVERNMENT & FINANCE)**

Submits a proposed Charter amendment to the voters at the November 1, 2011 special municipal election to allow the Auditor to designate duties to a deputy. The bill must pass no later than August 29, 2011 in order to meet the deadlines for the November ballot. The Committee approved filing this bill at its meeting on 8-17-11.

**Health, Safety, Education & Services**

**CB11-0487 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Community Education Centers for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves a \$400,000 supplemental contract with Community Education Centers for residential and non-residential community corrections services. The last regularly scheduled Council meeting within the 30-day period is on 9-12-11. The Committee approved filing this bill by consent on 6-30-11.

**BR11-0534 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Community Education Centers for residential and non-residential community corrections services. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Approves an agreement with Community Education Centers for residential and non-residential community corrections services. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 7-21-11.

**CB11-0578 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) FY11-12" program and the funding therefor. (HEALTH, SAFETY, EDUCATION & SERVICES)**

Accepts \$1,040,491.22 awarded to Denver Human Services under the FY 2011-2012 Community Service Block Grant program. The last regularly scheduled Council meeting within the 30-day period is on 9-12-11. The Committee approved filing this bill by consent on 8-11-11.

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

**CB11-0527 A bill for an ordinance approving an amendatory agreement between Brodart Co. and the City & County of Denver to provide cost effective and timely provisions of library collections and vendor services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the contract with Brodart to provide books to Denver Public Library by adding \$1,415,000 for a new total of \$2.2 million (\$1.1 million per branch) as part of the Better Denver Bond Projects funding construction of the Stapleton and West Denver branches in Council District 11 and 1. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 7-21-11.

**CB11-0528 A bill for an ordinance approving an amendatory agreement between Midwest Tape, LLC and the City & County of Denver to provide cost effective and timely provisions of library collections and vendor services. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Amends the contract with Midwest Tape to provide audio visual materials to Denver Public Library by adding \$1,015,000 for a new total of \$1,800,000 (\$900,000 per branch) as part of the Better Denver Bond Project funding the new West Denver and Stapleton branch libraries in Council Districts 1 and 11. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 7-21-11.

**CB11-0574 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 "Colorado Center Bike/Pedestrian Bridge" project and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Approves an Intergovernmental Agreement with the Colorado Department of Transportation allowing the City to receive and expend \$1,510,000 in first-phase funding for construction of the pedestrian bridge over I-25 near the Colorado Center transit station in Council District 6. The last regularly scheduled Council meeting within the 30-day review period is on 9-12-11. The Committee approved filing this bill by consent on 8-11-11.

**CB11-0575 A bill for an ordinance creating a Fund Number in the Grant/Other Capital Projects Fund for the "Broadway, Asbury to Iowa" project, and the funding therefor. (LAND USE, TRANSPORTATION & INFRASTRUCTURE)**

Establishes a capital grant fund and appropriates budget of \$3,532,000 for the Broadway reconstruction project from Iowa to Asbury in Council District 7. The Committee approved filing this bill by consent on 8-11-11.

**Adjourn**

**Pending**

**CB11-0283 A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations.**

**CB11-0558 A bill for an ordinance amending Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue.**

Bills Pending 9/12/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0558	LAND USE, TRANSPORTATION & INFRASTRUCTURE	Final Consid.	A bill for an ordinance amending Ordinance No. 433, Series of 2008 relating to the rezoning of 2851 West 52nd Avenue.	8/4/2011 8/9/2011 8/15/2011	YES

Bills Pending 10/3/2011					
CB #	Committee	Status	Description	Continued From	Hearing
CB11-0283	LAND USE, TRANSPORTATION & INFRASTRUCTURE	1st Reading - Held in Committee	A bill for an ordinance vacating a portion of Forest St., at approximately 43rd Ave., with reservations.	6/16/2011 6/21/2011 6/27/2011 8/1/2011	YES