

## City Council of Monday, July 23, 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..... Clerk

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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 720-337-2000.

### 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, July 23, 2012 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

Kaiser Permanente, sponsor of the Colfax Marathon, will honor the recipients of the Government Cup awards.

## **Communications**

## **Proclamations**

## **Bills for Introduction**

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

#### **CB12-0516 A bill for an ordinance approving a proposed Lease Agreement between the City and County of Denver and U.S. Government General Services Administration for office space for the Transportation Securities Administration at Denver International Airport.**

Extends the lease agreement with the US government for 17,887 sq. ft. of office space on Concourse A for the Transportation Security Administration for another 5 years with two optional 5-year extensions providing \$1,617,108 annually in rental revenue (201102621). The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

## **Government & Finance**

### **CB12-0469 A bill for an Ordinance amending Section 20-76(b) of Division 3 of Article IV of Chapter 20, Treatment of Employees Associated with City Contracts.**

Amends Section 20-76(b) of the Denver Revised Municipal Code to enable the City to agree to pay future increases in prevailing wages in service agreements. The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

### **CB12-0470 A bill for an Ordinance amending Section 20-84(b) of Division 3.5 of Article IV of Chapter 20, Treatment of Employees Associated with City Contracts.**

Amends Section 20-84(b) of the Denver Revised Municipal Code to enable the City to assume responsibility for future increases in living wage rates in certain circumstances. The Committee approved filing this bill at its meeting on 7-11-12.

### **CB12-0520 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Insight Public Sector, Inc., as Oracle's reseller for database software maintenance. This software is utilized by numerous agencies throughout the City and County of Denver for data collection and management.**

Authorizes a payment of \$537,558.14 to Insight as Oracle's reseller for database software maintenance, data collection and management, and extends the contract through August 29, 2013 (EAPPS 0000002462). The last regularly scheduled Council meeting within the 30-day period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

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

### **CB12-0519 A bill for an ordinance approving a proposed Assignment and 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 acknowledge the transfer of operations from Clayton Family Futures to Clayton Early Learning, Trustee, George W. Clayton Trust, and to assign the Agreement to George W. Clayton Trust.**

Changes the name of the Head Start delegate agency from Clayton Educare to Clayton Early Learning, Trustee, George W. Clayton Trust and transfers all assets, grants, and contracts to same trust (MOEAI-201205670-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-12-12.

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

### **CB12-0512 A bill for an ordinance approving an agreement between ASH and WHITE CONSTRUCTION CO. and the City & County of Denver for the West Denver New Branch Library.**

Approves a \$5,656,000 contract with Ash and White Construction Co. to construct the new, 27,000 square foot, LEED silver certified West Denver Library, a Better Denver Bond project at Colfax and Irving in Council District 1 (201204517). The last regularly scheduled Council meeting within the 30-day review period is on 8-13-12. The Committee approved filing this bill by consent on 7-5-12.

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

### **Pre-Recess Announcement**

Tonight Council's agenda includes two required public hearings on zoning map amendments. These are CB12-0462 for 4800 Verbena Street and 4801 Willow Street, and on CB12-0463 for 5001 Willow Street. However, due to technical issues, it is Council's intent to continue these public hearings to Monday, August 13. If you are here to speak on either matter, Council asks that you hold your comments until this date.

### **Recess**

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

### **Bills for Final Consideration - Public Hearings**

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

### **CB12-0462 A bill for an ordinance changing the zoning classification for property located at approximately 4800 Verbena Street and 4801 Willow Street.**

Changes the zoning classification from M-MX-5 (Master Planned context, mixed use, 5 stories) to M-RX-5 (Master Planned context, residential mixed use, 5 stories) of property at approximately 4800 N. Verbena and 4801 N. Willow in Council District 11. The Committee reviewed this bill at its meeting on 6-12-12; due to lack of a quorum, Councilwoman Robb filed the bill.

**CB12-0463 A bill for an ordinance changing the zoning classification for property located at approximately 5001 Willow Street.**

Changes the zoning classification from M-RH-3 (Master Planned context, Row House, 3 stories) to M-RX-5 (Master Planned context, Residential Mixed Use, 5 stories) on property located at approximately 5001 N. Willow in Council District 11. The Committee reviewed this bill at its meeting on 6-12-12; due to lack of a quorum, Councilwoman Robb filed the bill.

## **Bills for Final Consideration**

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

**CB12-0502 A bill for an ordinance approving a proposed Eighth Amendment to Agreement between the City and County of Denver and Quiz-DIA for the operation of a concession at Denver International Airport.**

Amends the lease agreement with Quiz-DIA to allow concessionaire to hold over on a month-to-month basis upon expiration of its term and continue providing service to the public at 100% of rental rate until a Request for Proposals can be issued (AC-39013-08) (ACON). The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. The Committee approved filing this bill by consent on 7-5-12.

**CB12-0503 A bill for an ordinance amending section 24-510 of the Denver Medical Marijuana Code concerning the issuance of optional premises cultivation licenses in locations where cultivation is occurring as a compliant or non-conforming use under the zoning code.**

Amends the City's medical marijuana code, due to delays in processing the applications submitted in August of 2010, to allow the Director of Excise and Licenses to issue optional premises cultivation licenses to applicants who were lawfully in the pipeline for approval under existing state and city laws when applications were submitted to the State and who meet all other requirements for licensing but which are now in compliant or non-conforming locations under the new zoning, since the current language requires such licenses to be issued by July 1, 2012. The Committee approved filing this bill by consent on 7-5-12.

### **Government & Finance**

**CB12-0507 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Muzak LLC, to procure a performance audio system for the Boettcher Concert Hall.**

Approves a purchase order with Muzak in the amount of \$635,602.48 for the purchase, installation and testing of the performance audio systems for the Boettcher Concert Hall. The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. (THTRS-0000002823). The Committee approved filing this bill by consent on 7-5-12.

## Health, Safety, Education & Services

**CB12-0386 A bill for an ordinance approving a proposed Fourth Amendatory Agreement by and between the City and County of Denver and Xerox State & Local Solutions, Inc. f/k/a ACS State & Local Solutions, Inc., to extend the term of the agreement and to appropriate additional funds.**

Approves a fourth amendment to the ACS State & Local Solutions, Inc. contract to extend the term through June 30, 2013 and to add \$1,340,700 for services related to the Photo Radar System (CE8110704). The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. The Committee approved filing this bill by consent on 5-17-12.

**CB12-0455 A bill for an ordinance approving a proposed Amendatory Agreement by and between the City and County of Denver and Qwest Communications Company, LLC dba CenturyLink QCC to provide maintenance service changes for the City's 911 phone switches, to extend the term of the agreement and to add additional funds.**

Approves a first amendment to the CenturyLink QCC agreement for 911 and support system modifications for a total contract amount of \$1,366,616.04 and to extend the agreement through June 29, 2013 (CE76017-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. The Committee approved filing this bill by consent on 6-7-12.

**CB12-0504 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 "Emergency Solutions Grant (ESG) FY12" program and the funding therefor.**

Accepts the Emergency Solutions Grant provided by the U.S. Department of Housing and Urban Development (HUD) in the amount of \$687,541 for fiscal year 2012 to meet emergency services for those individuals in poverty (SOC SV-201206392). The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. The Committee approved filing this bill by consent on 7-5-12.

**CB12-0505 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) FY12-13" program and the funding therefor.**

Accepts the 2012-2013 Community Service Block Grant from the Colorado Department of Local Affairs in the amount of \$1,458,570 for poverty and homelessness programs. The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. The Committee approved filing this bill by consent on 7-5-12.

**CB12-0506 A bill for an ordinance approving a proposed Agreement by and between the City and County of Denver and Sierra Detention Systems, Inc., to provide warranty and maintenance for the Sierra Security System installed in the Denver Detention Center and Lindsay Flannigan Courthouse.**

Approves a contract with Sierra Security System in the amount of \$1,222,330 for maintenance of the electronics equipment at the court house and detention center facility through December 31, 2014 (SHERF-201103350-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. The Committee approved filing this bill by consent on 7-5-12.

**Land Use, Transportation & Infrastructure**

**CB12-0511 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 "38th and Blake Pedestrian Improvements" project and the funding therefor.**

Approves an Intergovernmental Agreement with Colorado Dept. of Transportation regarding \$1,224,000 in Federal Surface Transportation Improvement funds to reimburse the City for pedestrian improvements on Blake St. north and south of the bridge over 38th near the Platte River in Council Districts 8 and 9 (201205634). The last regularly scheduled Council meeting within the 30-day review period is on 8-6-12. The Committee approved filing this bill by consent on 7-5-12.

**Adjourn**

## **Pending**

### **From 8-6-12**

**CR12-0533 A resolution to set a public hearing relating to the creation of the Federal Boulevard Business Improvement District and approval of the District's 2013 Operating Plan and 2013 Budget.**

Required Public Hearing  
Final Consideration

### **For 8-13-12**

**CR12-0471 A resolution to set a public hearing relating to the approval of the Ironworks Foundry Urban Redevelopment Plan for August 13, 2012.**

Required Public Hearing  
Final Consideration

### **For 8-20-12**

**CB12-0365 A bill for an ordinance prohibiting the advertising of medical marijuana in proximity to schools, child care centers, and parks.**

No Public Hearing  
Final Consideration