

## City Council of Monday, October 21, 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\*\*

**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

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, October 21, 2013 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Mayor's Proposed 2014 Budget and Public Hearing Notice**

The Clerk and Recorder is instructed to publish a notice that: (1) the Mayor's Proposed Budget for 2014 is open for inspection from 8:30 a.m. to 5:00 p.m. on Mondays through Fridays in the City Council Office, Room 451 of the City and County Building located at 1437 Bannock Street starting the week of October 21, 2013; (2) at its regular meeting on Monday, October 28, 2013, which will begin at 5:30 p.m., the City Council will conduct a public hearing on the Mayor's Proposed Budget for 2014; and (3) any citizen may inspect the budget prior to or at the public hearing and register any objection to the budget prior to or at the public hearing on the budget, and the Council shall take any objections into consideration.

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

### **CP13-0737 A proclamation marking the 40th Anniversary of a Major Event in progress of Fair and Equal Treatment of Denver's Gay, Lesbian, Bisexual and Transgener (GLBT) People**

Sponsored by Councilmembers Kniech, Montero, Robb, Susman, Herndon, and Ortega.

## Resolutions

### Health, Safety, Education & Services

**CR13-0661 A resolution approving the Mayor's appointments to the Denver Latino Commission.**

Approves the Mayoral appointments of Victoria Lovato, Joseph Montoya, Tariana Navas-Nieves, Benilda Samuels, and Jose Silva to the Denver Latino Commission effective immediately and expiring January 1, 2015, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 10-3-13.

### Land Use, Transportation & Infrastructure

**CR13-0694 A resolution granting a revocable permit to SE Fillmore Place, LLC to encroach into the right-of-way at 2960 East 2nd Avenue.**

Grants a revocable permit to SE Fillmore Place, LLC to encroach into the public right-of-way with an Xcel transformer and a service connection cabinet on a concrete pad at 2960 E. 2nd Ave. on Milwaukee approximately 150 feet south of E. 2nd Ave. in Council District 10. The Committee approved filing this resolution by consent on 10-10-13.

**CR13-0695 A resolution granting a revocable permit to 212 South Broadway, LLC to encroach into the right-of-way at 218 South Broadway.**

Grants a revocable permit to 212 South Broadway, LLC to encroach into the public right-of-way with tables, chairs, gate, light fixtures, an airlock, and two sculptures at 218 S. Broadway in Council District 7. The Committee approved filing this resolution by consent on 10-10-13.

**CR13-0696 A resolution amending Resolution No. 59, Series of 2013, to include additional encroachments contained in the revocable permit issued to 1550 East 17th Avenue, LLC at 17th Avenue and Franklin Street.**

Amends Resolution No. 59, Series of 2013, granting a revocable permit to 1550 W. 17th Ave. LLC to include the following encroachments into the public right-of-way: steel roof with 5 columns, heating lamps, and ceiling fans at 1550 E. 17th Ave. in Council District 8. The Committee approved filing this resolution by consent on 10-10-13.

## **Bills for Introduction**

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

**CB13-0666 A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Communications Supply Corporation related to electrical parts specific to Denver International Airport inventory.**

Approves a three-year and four-month, \$230,000 master purchase order with Communications Supply Corporation for electrical parts specific to Denver International Airport inventory (0742A0112). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-03-13.

**CB13-0678 A bill for an ordinance approving 16 proposed PVCP Amendments to Agreement between the City and County of Denver and certain concession related to operations and leased space at Denver International Airport.**

Amends sixteen (16) concession contracts to incorporate the Premium Value Concession Program language to allow the concessionaires to participate in the program and to compete for a new agreement upon expiration of their contract term. The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

**CB13-0698 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and URS Corporation for transportation planning and engineering services related to the Peña Boulevard Corridor at Denver International Airport.**

Approves a 3-year, \$1,584,938 contract with URS Corporation for professional transportation planning and a finance study for the development of capacity enhancements for the Peña Blvd. Transportation Corridor (201309450). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill at its meeting on 10-16-13.

### **Government & Finance**

**CB13-0677 A bill for an ordinance amending D.R.M.C. Section 54-238, Child restraint systems, in order to reflect current state law.**

Amends the Denver Revised Municipal Code, Section 54-238, regarding child restraint systems to reflect current state law requiring restraints up to the age of eight (8). The Committee approved filing this bill by consent on 10-10-13.

**CB13-0679 A bill for an ordinance amending the City Retail Sales Tax Article, Article II, Chapter 53 of the Revised Municipal Code and the City Use Tax Article, Article III, Chapter 53 of the Revised Municipal Code to exempt purchases of aircraft parts, aircraft simulator parts, and rail carrier parts from taxation.**

Changes the sales and use tax of 3.62% in the City and County of Denver by phasing out its applicability to transportation utilities (airlines and rail) with a full exemption for these products by 2015. The Committee approved filing this bill at its meeting on 10-9-13.

**CB13-0704 A bill for an ordinance approving a proposed Purchase and Sale Agreement between the City and County of Denver and East 38th Avenue Properties, LLC, for the acquisition and disposition of certain land and buildings located at 3821-3851 Steele Street (otherwise known as 38th and York).**

Approves the purchase and sale of an industrial/warehouse property located at 3821-3851 Steele Street (otherwise known as 38th and York). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

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

**CB13-0686 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 Department of Health and Human Services concerning the "Head Start FY13-14" program and the funding therefor.**

Amends the United States Department of Health and Human Services grant agreement to accept the Federal Head Start grant in the amount of \$4,182,673 to operate the Denver Great Kids Head Start program through the Office of Children's Affairs (201313087). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-3-13.

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

**CB13-0638 A bill for an ordinance relinquishing the easement granted to the City on June 1, 1974 in the Deed of Easement recorded with the Denver Clerk and Recorder in Book 893 at Page 79 generally located at Bryant Street and Front View Crescent.**

Relinquishes the easements established in Ordinance number 394, Series of 1957 at Bryant St. and Front View Crescent for redevelopment in Council District 1. The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 9-19-13.

**CB13-0663 A bill for an ordinance changing the zoning classification for 850 North Kalamath Street.**

Changes the zoning classification of 850 Kalamath from PUD (Planned Unit Development) #582 to G-MU-3 (General Urban Context, Multi-Unit, 3 stories) in Council District 9. A PUBLIC HEARING WILL BE HELD AT LEAST FOUR WEEKS AFTER PUBLICATION. The Committee approved filing this bill at its meeting on 10-8-13.

**CB13-0672 A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and OZ Architecture of Denver, Inc.**

Amends the on-call contract with OZ Architects to extend the term two years and add \$480,000, for a new total of \$960,000, as provided for in initial agreement, for professional architectural, engineering, and related technical services (201205580). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-3-13.

**CB13-0681 A bill for an ordinance approving a Temporary Construction License Agreement For Crane Rights, Construction Staging, Hammerhead and Trail Construction Activities from the City and County of Denver to Centennial Ventures IV, LLC at 1644 Platte Street.**

Approves of a Temporary Construction License Agreement regarding construction materials staging, crane rights, and street closures for Nichols Development in relation to construction at 1644 Platte St. in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

**CB13-0682 A bill for an ordinance approving a Parking Agreement For Art Hotel And Broadway Office Building, a Temporary Construction License Agreement For Construction Staging And Temporary Closures and an Air Rights, Mechanical Equipment, Foundations And Columns, And Pedestrian Access Permanent Easement, all relating to the Denver Cultural Center Parking Garage and the adjacent hotel/office project at 1201 Broadway.**

Grants a permanent easement, a parking agreement, and a temporary license agreement related to the ART Hotel at 1201 Broadway in Council District 10. The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

**CB13-0689 A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Colorado Designscapes, Inc., for construction of the new park between Newton and Osceola streets along Alameda.**

Approves a \$1,077,000 contract with Colorado Designscapes, Inc. for construction of the new park between Newton and Osceola streets along Alameda in Council District 3 (201312203). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

**CB13-0690 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, to add additional funds.**

Adds \$250,000 of Wastewater enterprise funds and \$250,000 of Urban Drainage and Flood Control District funds, for a new total of \$1,200,000, to the agreement for improvements along Cherry Creek from Monaco to Iliff in Council District 6 (201103770-02). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

**CB13-0691 A bill for an ordinance approving a proposed Fifth 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.**

Approves a no-cost extension for 6 months, through December 2014, of the contract with Xerox State & Local Solutions, Inc. for provision of Parking Management information systems and citation issuance, allowing for the completion of the competitive selection process and transition to a new contract/vendor (CE75006-5). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

**CB13-0692 A bill for an ordinance approving an Agreement between the City and County of Denver and Stantec Consulting Services, Inc.**

Approves a 2-year, \$720,315 contract with Stantec Consulting Services for traffic analysis and retiming of 225 traffic signals (201312883). The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

**CB13-0693 A bill for an ordinance relinquishing the easement reserved in Ordinance No. 56, Series of 1936.**

Relinquishes certain easements established in Ordinance Number 56 Series of 1936 near 711 Park Avenue West for redevelopment in Council District 8. The last regularly scheduled Council meeting within the 30-day review period is on 11-12-13. The Committee approved filing this bill by consent on 10-10-13.

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

## **Pre-Recess Announcement**

Council is not required to sit as the Board of Equalization tonight. Since no protests were filed, there will not be any hearings for the following maintenance districts: South Downing Street Pedestrian Mall, West 38th Avenue I Pedestrian Mall, Golden Triangle Pedestrian Mall, Broadway Pedestrian Mall A, Broadway Pedestrian Mall B, Phase II Broadway Pedestrian Mall, South Broadway (Arizona to Iowa) Local Maintenance District, and the Tennyson (38th to 44th) Local Maintenance District. No hearings are required.

## **Recess**

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

### **Bills for Final Consideration**

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

**CB13-0561 A bill for an ordinance approving a proposed Eighth Amendment to Agreement between the City and County of Denver and Skyport Development Company, LLC concerning subleasing and management of concessions on the mezzanine level of Concourse B at Denver International Airport.**

Amends the Skyport Development Company, LLC agreement regarding (i) recapture of previously leased premises, (ii) the nature and amount of Skyport's additional investment in the B Mezzanine commons area, (iii) how the City and Skyport will share the cost of the additional investment in the B Mezzanine commons area and the improvement incentives offered to new subtenants, and (iv) the changes to the rent payable by Skyport at Denver International Airport (AC-69004). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-13. The Committee approved filing this bill by consent on 8-22-13.

**CB13-0668 A bill for an ordinance approving a proposed Second Amendment to Agreement between the City and County of Denver and PetroPro Engineering, Inc. for the management of the oil and gas wells at Denver International Airport.**

Adds two years and \$2,988,060 to the on-call professional services agreement with PetroPro for the management and operation of 76 oil and gas wells at Denver International Airport (CE 66003-02). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-13. The Committee approved filing this bill by consent on 10-3-13.

## Government & Finance

**CB13-0664 A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Dell Marketing, L.P., for computer equipment, peripherals and related services.**

Approves a two-year, \$150,000 master purchase order with Dell Marketing, L.P. for computer equipment, peripherals and related services (0506A0113). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-13. The Committee approved filing this bill by consent on 10-3-13.

**CB13-0665 A bill for an ordinance approving a proposed amendment to a Master Purchase Order between the City and County of Denver and Graybar Electric Company to extend the term for telecommunication hardware.**

Approves a two-year, \$150,000 master purchase order with Graybar Electric Company for telecommunication hardware (5761U0110). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-13. The Committee approved filing this bill by consent on 10-3-13.

**CB13-0669 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.**

Adds the classification of Environmental Public Health Investigator III (810-E) to the City Classification and Pay Plan. The Committee approved filing this bill by consent on 10-3-13.

**CB13-0670 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.**

Adds the classifications of Aviation Security Agent (613-C) and Senior Aviation Security Agent (614-C) to the City Classification and Pay Plan. The Committee approved filing this bill by consent on 10-3-13.

## Health, Safety, Education & Services

**CB13-0667 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 "Colorado Prevention Partnership for Success" program and the funding therefor.**

Accepts and appropriates the Colorado Prevention Partnership for Success grant from the Colorado Department of Human Services' Division of Behavioral Health in the amount of \$400,000 for fiscal year 2013-2014 for a total funding of \$1,846,328 for substance abuse prevention strategies for youth (GC00018 (6)). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-13. The Committee approved filing this bill by consent on 10-3-13.

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

### **CB13-0654 A bill for an ordinance vacating an alley bounded by Blake Street, Walnut Street, 28th Street and 29th Street, with reservations.**

Vacates an alley bounded by Blake, Walnut, 28th and 29th streets to help reduce litter, graffiti, and dumping, after determining the alley is not needed for access, service or transportation in Council District 9. The Committee approved filing this bill by consent on 9-26-13.

### **CB13-0656 A bill for an ordinance approving a Contract between the City and County of Denver and Mark Young Construction, Inc.**

Approves a \$1,424,013, 123-day contract with Mark Young Construction for replacement of spotlight booths and concession stands in Red Rocks Amphitheater. The last regularly scheduled Council meeting within the 30-day review period is on 11-4-13. The Committee approved filing this bill by consent on 9-26-13.

### **CB13-0671 A bill for an ordinance approving an amendatory agreement between Wember, Inc. and the City & County of Denver for the West Denver Library Project.**

Amends the contract with Wember, Inc. to extend the term through June 2015 and adds \$280,372, for a new total of \$726,372, for Professional Project Management Services on the new Rudolfo Corky Gonzales Library construction in Council District 1 (201102693). The last regularly scheduled Council meeting within the 30-day review period is on 11-4-13. The Committee approved filing this bill by consent on 10-3-13.

## **Announcement**

On Monday, October 28, 2013, City Council will convene as the Ex-Officio Board of Directors of the 14th Street General Improvement District in order to act on the District's proposed 2014 Work Plan, Budget and Mill Levy Certification. And, on Monday, October 28, Council will convene as the Board of Directors of the Gateway Village General Improvement District, hold a public hearing on the District's proposed 2014 Budget, Work Plan and Mill Levy Certification, and approve those documents. Also, dependent upon publication there will be a required public hearing on CB13-0663, changing the zoning classification for 850 North Kalamath Street, on Monday, November 18, 2013. Any protests against CB13-0663 must be filed with the Council Offices no later than Tuesday, November 12, 2013.

## **Adjourn**

## **Pending**

**For 10-28-13**

**CB13-0555 A bill for an ordinance changing the zoning classification for 2137 Glenarm Place.**

Required Public Hearing  
Final Consideration

**CB13-0565 A bill for an ordinance changing the allowable uses for the District Plan for PUD-602 located at 1700–1718 East 6th Avenue.**

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