

City Council Agenda and Explanatory Notes

Meeting Date: Monday, February 1, 2010 5:30 P.M.

(Public hearing detail – see pages 5-7, 10)

Pledge of Allegiance

Roll Call Present: _____ Late: _____ Absent: _____

Approval of Minutes of Monday, January 25, 2010

Announcements

Presentations

Communications

Proclamations – (Series of 2010)

Resolutions – (Series of 2010)

Res. 32, Series of 2010, A resolution approving the Mayor's Reappointment and Appointments to the Downtown Denver Business Improvement District Board of Directors. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Re-appoints Michael Zoellner and appoints Josh Fine and Ed Blair to the Downtown Denver Business Improvement District Board of Directors for terms ending December 31, 2012 and appoints Josh Comfort to the Downtown Denver Business Improvement District Board of Directors for a term ending December 31, 2011. The Committee approved filing this resolution by consent on 1-22-10.

Res. 33, Series of 2010, A resolution granting a revocable permit to Chaffee Parks Senior Residential, LLLP, to encroach into the right-of-way with a soil nail shoring system at West 46th Avenue and Tejon Street. (PUBLIC WORKS)

Grants a revocable permit to Chaffee Parks Senior Residential to encroach into the right-of-way with soil nail shoring system at W. 46th Ave. and Tejon in Council District 9. This resolution was approved for filing at the Mayor-Council meeting on 1-26-10.

Res. 34, Series of 2010, A resolution laying out, opening and establishing as part of the city street system, as part of the streets listed below, certain real property in Stapleton Filing No. 9. (PUBLIC WORKS)

Dedicates land as part of the public right-of-way of Syracuse (from Martin Luther King Jr. Blvd. to E. 35th Ave.) and Roslyn Way (from Martin Luther King Jr. Blvd. to Syracuse) within Stapleton Filing No. 9 in Council District 11. This resolution was approved for filing at the Mayor-Council meeting on 1-26-10.

Res. 35, Series of 2010, A resolution laying out, opening and establishing as part of the city street system, as part of the streets listed below, certain real property in Stapleton Filing No. 17. (PUBLIC WORKS)

Dedicates land as part of the public right-of-way of 25th Ave; 24th Ave; 23rd Ave; Ulster; Uinta; Valentia; and Spruce Way within Stapleton Filing No. 17 in Council District 11. This resolution was approved for filing at the Mayor-Council meeting on 1-26-10.

Bills for Introduction - (Series of 2010)

C.B. 66, Series of 2010, A bill for an ordinance approving a proposed Third Amendment to Airfield Use and Cargo Facilities Lease Agreement between the City and County of Denver and United Parcel Service Co., related to leased space at Denver International Airport. (ECONOMIC DEVELOPMENT)

Extends the term of the lease with United Parcel Service from February 28, 2010 to December 31, 2010. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill by consent on 1-22-10.

C.B. 67, Series of 2010, A bill for an ordinance approving a proposed Agreement Rapid Unscheduled Repairs for HVAC between the City and County of Denver and CS Group, Inc. related to maintenance services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a two-year, \$3.5 million contract with CS Group, Inc. for Emergency Chiller Services. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill by consent on 1-22-10.

C.B. 68, Series of 2010, A bill for an ordinance approving a proposed Third Amendment to Agreement between the City and County of Denver and Honeywell International, Inc., Honeywell Building Solutions concerning professional services for building automation control at Denver International Airport. (ECONOMIC DEVELOPMENT)

Adds \$250,000 to the contract with Honeywell Building Solutions to improve efficiency and functionality of existing automation systems. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill by consent on 1-22-10.

C.B. 69, Series of 2010, A bill for an ordinance approving a proposed Second Amendment to Agreement between the City and County of Denver and Siemens Industry, Inc. related to the Explosive Detection Baggage Screening System at Denver International Airport. (ECONOMIC DEVELOPMENT)

Adds \$45 million and extends the contract with Siemens Corporation for 36 months to move its Explosion Detection System Baggage Screening System from the garage to the terminal area at Denver International Airport. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill at its meeting on 1-20-10.

C.B. 70, Series of 2010, A bill for an ordinance making an appropriation from the Golf Enterprise Fund. (FINANCE)

Appropriates \$300,000 from the Denver Golf Enterprise Fund to the Wellshire Inn Restaurant project at the Wellshire Golf Course. The Committee approved filing this bill by consent on 1-22-10.

C.B. 71, Series of 2010, A bill for an ordinance amending Ordinance No. 759, Series of 2009, concerning the “Denver Water Irrigation Projects”. (FINANCE)

Corrects Ordinance. No. 759, Series of 2009 (C.B. 739, Series of 2009) to amend the project number from RJ020 to RJ030 due to an administrative error. The Committee approved filing this bill by consent on 1-22-10.

C.B. 72, Series of 2010, A bill for an ordinance making a supplemental appropriation from the General Contingency Fund, a transfer to the Capital Improvements and Capital Maintenance Fund and an appropriation from the Capital Improvements and Capital Maintenance Fund. (FINANCE)

Approves a \$450,000 supplemental from the 2010 General Fund contingency for the relocation of the southeast radio tower currently located on top of the Four Points Sheraton Hotel located at Hampden and I-25. The Committee approved filing this bill at its meeting on 1- 20-10.

C.B. 73, Series of 2010, A bill for an ordinance authorizing expenditures in the Culture and Recreation Special Revenue Fund and authorizing the transfer of cash from the Theatres and Arenas Special Revenue Fund to the Figaro System Special Revenue Fund. (FINANCE)

Approves a \$553,000 appropriation from the Theatres and Arenas Special Revenue Fund balance to prepay and retire a debt obligation on the Figaro Lease Purchase contract. The Committee approved filing this bill at its meeting on 1- 20-10.

C.B. 74, Series of 2010, A bill for an ordinance making appropriations from the State Conservation Trust Fund Projects. (FINANCE)

Approves an appropriation in the amount of \$300,000 from the State Conservation Trust Fund (SCTF) contingency for the purchase of a new software system for the Parks & Recreation system. This is a companion bill to C.B. 75, Series of 2010. The Committee approved filing this bill at its meeting on 1- 20-10.

C.B. 75, Series of 2010, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and US eDirect, Incorporated for the purchase of point of sale software system. (FINANCE)

Approves a contract with US eDirect, Inc. in the amount of \$683,880 for the purchase of a Point of Sale (POS) software system to be used throughout Parks and Recreation system. This is a companion bill to C.B. 74, Series of 2010. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill at its meeting on 1- 20-10.

C.B. 76, Series of 2010, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc., to provide funds for implementing program activities related to the Neighborhood Stabilization Program (NSP). (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves an agreement with Denver Neighborhood Revitalization, Inc. (DNR) in the amount of \$1,060,000 to implement the Neighborhood Stabilization Program (NSP) to address the effects of abandoned and foreclosed properties. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill by consent on 10-16-09.

C.B. 77, Series of 2010, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Bayaud Payroll Services, LLC, to provide comprehensive payroll services and administrative support for certain employment and training programs under the HIRE Colorado Program. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves a contract with Bayaud Payroll Services LLC in the amount of \$882,000 for a contract term beginning January 2, 2010 through August 31, 2010 for comprehensive payroll services for HIRE Colorado participants enrolled in "Green Job" work programs. The funding is provided by HIRE Colorado. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill by consent on 12-11-09.

C.B. 78, Series of 2010, A bill for an ordinance approving an agreement between Recycled Materials Company, Inc. and the City & County of Denver for the Parkhill Pond, Phase II Project. (PUBLIC WORKS)

Approves a \$1,074,658.77 contract with Recycled Materials Company for construction of a storm water detention pond in north Denver. **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill by consent on 1-22-10.

C.B. 79, Series of 2010, A bill for an ordinance approving a license agreement with Verizon Wireless LLC for the installation and operation of a cellular site and tower at Denver Fire Station 29 (4800 Himalaya Way). (SAFETY)

Approves a license agreement with Verizon Wireless LLC for the installation and operation of a cellular site and tower at Denver Fire Department Station 29 (4800 Himalaya Way). **The last regularly scheduled Council meeting within the 30-day review period is on 2-22-10.** The Committee approved filing this bill by consent on 7-10-09.

Tonight Council will hold a required public hearing on C.B. 1 (changes the zoning of the 0.2-acre parcel at 5020 and 5038 W. 29th Ave. from R-1 to MS-1 to allow commercial use in an existing commercial structure in Council District 1), and a combined public hearing on C.B. 2 (changing the zoning classification, with two waivers, at approximately 2093 Central Park Boulevard), C.B. 3 (changing the zoning classification, with waivers and a condition at Stapleton), C.B. 4 (changing the zoning classification, with waivers, at approximately 11500 East 26th Avenue), and C.B. 5 (changing the zoning classification, with waivers, at various parcels at Stapleton), Series of 2010. Anyone wishing to speak on any of these matters must see the Council Secretary to receive a speaker card to fill out and return to her during the recess of Council.

Recess

Council Reconvenes and Resumes its Regular Session

Final Consideration

C.B.s 1, 2, 3, 4, and 5, Series of 2010, approve zoning map amendments. The Council is required by law to conduct hearings on zoning map amendments, and Council’s actions are subject to court review. In order to provide a record for court review, testimony is recorded and any items presented to the Council are marked as exhibits and become a part of the record. They may be picked up from the Council Secretary after 30 days or after the conclusion of any court cases. Speakers should begin their remarks by telling the Council their names and cities of residence, and if they feel comfortable doing so, their home addresses.

REQUIRED PUBLIC HEARING **C.B. 1, Series of 2010, A bill for an ordinance changing the zoning classification of 5020 and 5038 West 29th Avenue.** (BLUEPRINT DENVER)
 Appl. 2009I-00028. Changes the zoning of the 0.2-acre parcel at 5020 and 5038 W. 29th Ave. from R-1 to MS-1 to allow commercial use in an existing commercial structure in Council District 1.

REQUIRED PUBLIC HEARING **C.B. 2, Series of 2010, A bill for an ordinance changing the zoning classification, with two waivers, at approximately 2093 Central Park Boulevard.** (BLUEPRINT DENVER)
 COMBINED Appl. 2009I-00030. Changes the zoning of the 6.75-acre parcel at 2093 Central Park Blvd. at Stapleton from R-MU-20 with waivers to C-MU-20 with waivers for mixed use development in Council District 11.

REQUIRED PUBLIC HEARING **C.B. 3, Series of 2010, A bill for an ordinance changing the zoning classification, with waivers and a condition at Stapleton.** (BLUEPRINT DENVER)
 COMBINED Appl. 2009I-00031. Changes the zoning of a 94-acre area at approximately 8200 Martin Luther King Blvd. at Stapleton from C-MU-20 with waivers and conditions to C-MU-20 with waivers and a condition for mixed use development in Council District 11.

REQUIRED PUBLIC HEARING **C.B. 4, Series of 2010, A bill for an ordinance changing the zoning classification, with waivers, at approximately 11500 East 26th Avenue.** (BLUEPRINT DENVER)
 COMBINED Appl. 2009I-00032. Changes the zoning of the 14.41-acre parcel at 11500 E. 26th Ave. at Stapleton from R-MU-20, OS-1 and R-1 to C-MU-20 with waivers for mixed use development in Council District 11.

REQUIRED PUBLIC HEARING **C.B. 5, Series of 2010, A bill for an ordinance changing the zoning classification, with waivers, at various parcels at Stapleton.**
(BLUEPRINT DENVER)
COMBINED Appl. 2009I-00034. Changes the zoning of a 78.97-acre area at approximately 11300 Havana Way at Stapleton from R-MU-20 and R-MU-20 with waivers to R-MU-20 with waivers for mixed use development in Council District 11.

C.B. 52, Series of 2010, A bill for an ordinance amending Ordinance 690, Series of 2008, which placed a moratorium on certain development in the area of West Washington Park bounded by approximately the alley east of Broadway, I-25, Clarkson and Alameda, by extending the moratorium until December 31, 2010.
(BLUEPRINT DENVER)

Extends the existing moratorium to Dec. 31, 2010, on certain construction in the area described above located in Council District 7 to correspond with the potential adoption of a new zoning code and implementation dates. The Committee approved filing this bill at its meeting on 1-13-10.

C.B. 53, Series of 2010, A bill for an ordinance amending the Clements Historic District period of significance and adding periods of significance to the Larimer Square, 9th Street Park, Smith’s Ditch, Old Highlands Business District, East Park Place and Wyman Historic Districts. (BLUEPRINT DENVER)

Adds a period of significance for each of the historic districts listed below, up to and including the stated year: Larimer Square: 1915; 9th Street Park: 1930; Smith’s Ditch: 1870; Old Highland Business district: 1895; East Park Place: 1920; and Wyman: 1955; and corrects the date for Clements to read 1930. The Committee approved filing this bill at its meeting on 1-13-10.

C.B. 54, Series of 2010, A bill for an ordinance modifying Chapter 30, Landmark Preservation, to create certificates of appropriateness, correct errors, change fee setting and modify procedures. (BLUEPRINT DENVER)

Creates a certificate of appropriateness for approved work on designated structures; brings some review and appeal procedures in line with others; and clarifies and corrects language. The Committee approved filing this bill at its meeting on 1-13-10.

C.B. 55, Series of 2010, A bill for an ordinance, amending Chapter 10, Buildings and Building Regulations, of the Denver Revised Municipal Code to add a provision regulating maintenance of fences and walls. (BLUEPRINT DENVER)

Adds maintenance standards for fences and walls and provides for enforcement. The Committee approved filing this bill at its meeting on 1-13-10.

C.B. 56, Series of 2010, 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 Colorado Health Foundation concerning the "Denver Healthy Food Access" program and the funding therefor. (GREENPRINT)

Accepts \$506,270 in grant funds from the Colorado Health Foundation over three years for a Denver Healthy Food Access Project. **The last regularly scheduled Council meeting within the 30-day review period is on 2-16-10.** The Committee approved filing this bill by consent on 12-11-09.

C.B. 57, Series of 2010, A bill for an ordinance approving an Agreement between the City and County of Denver and Denver Rescue Mission, to provide emergency housing for homeless adults for a three year term. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a thirty-six month agreement with the Denver Rescue Mission through December 31, 2012 in the amount of \$613,200 for respite care and emergency housing for homeless adults who are unable to stay in shelters due to medical conditions. **The last regularly scheduled Council meeting within the 30-day review period is on 2-16-10.** The Committee approved filing this bill by consent on 12-18-09.

C.B. 58, Series of 2010, A bill for an ordinance approving a Fifth Amendatory Agreement between the City and County of Denver and Volunteers of America, for providing continued support services for Denver Housing Authority's Public Housing Program. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a twelve month extension to an agreement with Volunteers of America through December 31, 2010 and adds \$120,000 for supportive services to homeless families as they transition into stable housing. **The last regularly scheduled Council meeting within the 30-day review period is on 2-16-10.** The Committee approved filing this bill by consent on 12-18-09.

C.B. 59, Series of 2010, A bill for an ordinance approving a proposed Amended Commitment Schedule of the Promissory Note granted by the City and County of Denver for the benefit of the U.S. Department of Housing and Urban Development ("HUD") concerning the "Section 108 Taxi Building III, LLC" loan and repayment thereof. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves modifying the City's Section 108 loan repayment schedule with the U.S. Dept. of Housing and Urban Development (HUD) related to the Taxi Building III development project to do the following: to pay interest-only payments through August 1, 2012 in the amount of \$100,000; annual principal payments in the amount of \$100,000 shall begin August 1, 2012 and shall continue until August 1, 2013, and annual principal payments in the amount of \$400,000 shall begin August 1, 2014 and shall continue annually until the loan is paid in full (interest payments will also be paid with the principal payments). **The last regularly scheduled Council meeting within the 30-day review period is on 2-16-10.** The Committee approved filing this bill at its meeting on 1-12-10.

C.B. 60, Series of 2010, A bill for an ordinance approving a proposed First Amendment and Modification Agreement by and between the City and County of Denver, Taxi Building III, LLC, and Morton Zeppelin related to the commercial development at 3457 Ringsby Court to modify the terms & conditions. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves amending the Taxi Building III, LLC loan contract to modify its loan repayment schedule to do the following: beginning October 1, 2011 and on each quarterly payment date thereafter, Borrower shall make, in addition to quarterly payments of interest, payments of principal in the amount of \$25,000.00 until July 1, 2013; on October 1, 2013, Borrower shall make quarterly payments of interest and payments of principal in the amount of \$100,000.00 until paid in full; and the entire unpaid balance of principal and accrued interest shall be due and payable on or before August 1, 2028. **The last regularly scheduled Council meeting within the 30-day review period is on 2-16-10.** The Committee approved filing this bill at its meeting on 1-12-10.

C.B. 61, Series of 2010, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Neighborhood Development Collaborative, Inc., to provide funds to be utilized for implementing program activities related to the Neighborhood Stabilization Program (NSP). (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves an agreement with Neighborhood Development Collaborative, Inc. (NDC) in the amount of \$2,481,520 to implement the Neighborhood Stabilization Program (NSP) to address the effects of abandoned and foreclosed properties. **The last regularly scheduled Council meeting within the 30-day review period is on 2-16-10.** The Committee approved filing this bill by consent on 10-16-09.

C.B. 62, Series of 2010, A bill for an ordinance vacating the alley between Glenarm Place, Welton Street, 13th Street and 14th Street, with reservations. (PUBLIC WORKS)

Vacates the alley between Glenarm, Welton, 13th and 14th streets, as requested by the Denver Athletic Club, reserving a perpetual easement. This bill was approved for filing at the Mayor-Council meeting on 1-19-10.

C.B. 63, Series of 2010, A bill for an ordinance approving an on-call amendatory agreement between JE Dunn Construction Company and the City & County of Denver to increase the maximum amount of a work order for the McNichols Project. (PUBLIC WORKS)

Increases the allowable work order amount from \$400,000 to a maximum of \$800,000 to ensure that JE Dunn Construction is able to continue progress on the interior renovation of the McNichols Building for completion for events this summer. **The last regularly scheduled Council meeting within the 30-day review period is on 2-16-10.** The Committee approved filing this bill by consent on 1-15-10.

C.B. 64, Series of 2010, A bill for an ordinance amending Division 5, VEHICLE IMPOUNDMENT HEARINGS to include provisions for conducting hearings related to bond forfeiture and hearings on whether bond is required pursuant to D.R.M.C. 54-813(c). (SAFETY)

Creates procedures: 1) to appeal certain vehicle impoundment bonding requirements when an individual was legally licensed at the time of vehicle seizure, and 2) to forfeit bonds for subsequent violations with a bonded vehicle. The Committee approved filing this bill at its meeting on 1-6-10.

C.B. 65, Series of 2010, A bill for an ordinance approving an amendment to license agreement with Verizon Wireless LLC for its cellular site at Denver Fire Station 28. (SAFETY)

Changes the agreement with Verizon Wireless LLC regarding its cellular site at Denver Fire Department Station 28 (4306 S. Wolff Street) to accommodate a larger property area for upgrading equipment. The Committee approved filing this bill by consent on 1-8-10.

Announcement

Adjourn

The Council Chamber 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.

Bills Pending 06-14-10

C.B. #	Committee	Status	Description	Continued From	Hearing?
400 of 09	Blueprint Denver	Final Consid.	Appl. 2009I-00010. Changes the zoning of the 1.36-acre parcel at 3733, 3789, 3601 Walnut and 1420 38 th Street from R-MU-30 with height waiver and B-4 to R-MU-30 in Council District 8.	8-24-09 10-5-09 12-14-09	Yes Continued