

City Council Agenda and Explanatory Notes

Meeting Date: Monday, February 2, 2009 5:30 p.m.

(Public hearing detail – see pages 6-7, 10)

Pledge of Allegiance

Roll Call Present: _____ Late: _____ Absent: _____

Approval of Minutes of Monday, January 26, 2009

Presentations

Communications

Proclamations – (Series of 2009)

Proc. 4, Series of 2009, A proclamation urging President Obama to establish an advisory body to the Office of Urban Policy.

Sponsored by Councilmembers Linkhart, Robb, Madison, López, Montero, Lehmann, and Boigon.

Resolutions – (Series of 2009)

Res. 13, Series of 2009, A resolution approving the Mayor's Reappointment to the Welfare Reform Board. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Appoints George Brantley to the Welfare Reform Board for a term ending January 1, 2013. The Committee approved filing this resolution by consent on 1-23-09.

Res. 14, Series of 2009, A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Twenty-Five Thousand Dollars (\$25,000.00) payable to Law Offices of Allen J. Kincaid and Dusty Lee Smith in full payment and satisfaction of all claims in Civil Action No. 07CV9107 in the District Court for the City and County of Denver. (PUBLIC WORKS)

Settles a claim involving the Public Works Solid Waste Division. This resolution was approved for filing at the Mayor-Council meeting on 1-27-09.

Res. 15, Series of 2009, A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the sum of Ten Thousand Dollars (\$10,000.00) payable to Trudy Trout and her attorneys, Faegre & Benson, LLP, in full payment and satisfaction of all claims in Claim No. 08-2205. (SAFETY)

Settles a claim involving the Police Department. This resolution was approved for filing at the Mayor-Council meeting on 1-27-09.

Res. 16, Series of 2009, A resolution approving the Mayor's Reappointments to the Citizen Oversight Board. (SAFETY)

Approve the mayoral reappointments of Samuel R. Freeman and Steven Foster of Denver, for terms expiring January 1, 2013, to the Citizen Oversight Board. The Committee approved filing this bill by consent on 1-23-09.

Bills for Introduction - (Series of 2009)

C.B. 50, Series of 2009, A bill for an ordinance changing the zoning classification for 274 South Monroe Street and 269-275 South Garfield Street to a Planned Unit Development District (PUD). (BLUEPRINT DENVER)

Appl. 2008I-00042. Changes the zoning of the 0.57-acre parcel at 274 S. Monroe and 275 S. Garfield from R-1 to PUD for multi-unit residential uses in Council District 10. **PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill at its meeting on 1-14-09.

C.B. 51, Series of 2009, A bill for an ordinance changing the zoning classification for 723 and 765 Delaware Street. (BLUEPRINT DENVER)

Appl. 2008I-00067. Changes the zoning of the 1.43-acre parcel at 723-765 Delaware from P-1 and H-2 with waivers to H-2 for a medical office building in Council District 9. **PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill at its meeting on 1-14-09.

C.B. 52, Series of 2009, A bill for an Ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and W2007 MVP Denver, LLC, for the renewal lease for courts at 1515 Cleveland Place. (FINANCE)

Approves a lease with Sheraton Hotel dba W2007 MVP Denver, LLC for County Courts located at 1515 Cleveland Place in the amount of \$1,038,763.98. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 1-23-09.

C.B. 53, Series of 2009, A bill for an Ordinance approving a proposed Revival and Amendatory Agreement between the City and County of Denver and Sylvester Tally doing business as Coffee Etcetera. (FINANCE)

Approves a five-year revenue lease agreement with Sylvester Talley dba Coffee Etcetera in the amount of \$38,700. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 54, Series of 2009, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Lowry Assumption, LLC regarding oversight of soil disturbing activities within an area of Denver formerly known as the Lowry Air Force base. (GREENPRINT)

Amends the agreement with Lowry Assumption, LLC for environmental oversight of the former air force base to clarify that the final payment to the City is due no later than November 29, 2015, and remove language for earlier payments based on obtaining zoning approvals. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill at its meeting on 1-20-09.

C.B. 55, Series of 2009, A bill for an Ordinance approving a proposed First Amendment and Modification Agreement between the City and County of Denver and Sheridan Homes, LLC. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves a HOME loan in the amount of \$173,100 to Sheridan Homes LLC (NEWSHD) for renovation expenses related to existing affordable housing located at 5375 West 10th Avenue (Jody Apartments) located in District 3. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill at its meeting on 9-23-08.

C.B. 56, Series of 2009, A bill for an ordinance making a rescission and transfer appropriation in the General Government Special Revenue Fund and an expenditure authorization in the Community Development Special Revenue Fund for the "Line of Credit Security Payment." (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Rescinds and appropriates \$149,290 to the General Government Special Revenue Fund and an expenditure authorization in the Community Development Special Revenue Fund for the Line of Credit Agreement with JP Morgan Chase as approved in CB 173, Series 2008. The Committee approved filing this bill by consent on 1-23-09.

C.B. 57, Series of 2009, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver, to provide mental health treatment services to chronically homeless individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves an agreement with Mental Health Center of Denver to extend the contract through March 31, 2009, and to add \$225,000 for mental health treatment services to chronically homeless individuals. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 1-23-09.

C.B. 58, Series of 2009, A bill for an ordinance approving a **Second Amendatory Agreement between the City and County of Denver and Warren Village, Inc., to provide housing services for chronic and episodic homeless persons.** (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves an agreement with Warren Village, Inc. to extend the contract through March 31, 2009, and to add \$75,000 for rental subsidies and supportive services to chronically and episodic homeless women. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 1-23-09.

C.B. 59, Series of 2009, A bill for an ordinance approving a **Second Amendatory Agreement between the City and County of Denver and Volunteers of America, Colorado Branch, to administer the “Family Motel Project”, which provides emergency lodging services for homeless families, single women, and respite care for persons recuperating from recent hospital stays.** (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Volunteers of America Colorado Branch contract to extend the agreement an additional 12 months through December 31, 2009, and to add \$561,000 for third year shelter and services to families and single women. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 1-2-09.

C.B. 60, Series of 2009, A bill for an ordinance approving a **License and Agreement between the City and County of Denver and the Colorado Museum of Natural History dba Denver Museum of Nature and Science to allow construction of a weather station within the City Park Golf Course.** (PUBLIC AMENITIES)

Approves a 5-year agreement with the Denver Museum of Nature & Science regarding installation of a weather station at a Denver Golf-approved site on City Park Golf Course, and providing for Denver Golf to receive \$120 annually for electrical service. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill at its meeting on 1-14-09.

C.B. 61, Series of 2009, A bill for an Ordinance approving a **Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and American Civil Constructors.** (PUBLIC AMENITIES)

Corrects the On-Call Contract with American Civil Constructors to reflect the approved maximum project amount which was increased to \$485,000 earlier this year; the total capacity of \$1.45 million does not change. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 62, Series of 2009, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and CTM, Inc., dba Colorado Total Maintenance. (PUBLIC AMENITIES)

Corrects the On-Call Contract with Colorado Total Maintenance to reflect the approved maximum project amount which was increased to \$485,000 earlier this year; the total capacity of \$1.45 million does not change. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 63, Series of 2009, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and T2 Construction. (PUBLIC AMENITIES)

Corrects the On-Call Contract with T2 Construction to reflect the approved maximum project amount which was increased to \$485,000 earlier this year; the total capacity of \$1.45 million does not change. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 64, Series of 2009, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and Richdell Construction. (PUBLIC AMENITIES)

Corrects the On-Call Contract with Richdell Construction to reflect the approved maximum project amount which was increased to \$485,000 earlier this year; the total capacity of \$1.45 million does not change. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 65, Series of 2009, A bill for an Ordinance approving a Second Amendment of an on-call landscape and irrigation services contract by and between the City and County of Denver and Goodland Construction. (PUBLIC AMENITIES)

Corrects the On-Call Contract with Goodland Construction to reflect the approved maximum project amount which was increased to \$485,000 earlier this year; the total capacity of \$1.45 million does not change. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 66, Series of 2009, A bill for an ordinance approving and providing for the execution of a proposed contract amendment between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "Traffic Signal Improvements" project and the funding therefor. (PUBLIC WORKS)

Allows the City to accept and appropriate \$1,505,605 in additional federal and state funds for the design and construction of 8 traffic signals on state highways in the city. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill at its meeting on 1-20-09.

C.B. 67, Series of 2009, A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Colorado Strijpe Wright, Ltd. for traffic Signage replacement and installation services. (PUBLIC WORKS)

Extends for one year and increases the maximum amount from \$980,000 to \$1,480,000 for the annual on-call contract with American Barricade, a division of Colorado Strijpe Wright, for upgrading street name signs and replacing faded and damaged roadway signs. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill at its meeting on 1-20-09.

C.B. 68, Series of 2009, A bill for an ordinance relinquishing the easement as created by the original Lowry Filing No. 10 subdivision plat map. (PUBLIC WORKS)

Relinquishes an easement created in Lowry Filing No. 10 in Council District 5. This bill was approved for filing by consent of the Mayor-Council agenda on 1-27-09.

C.B. 69, Series of 2009, A bill for an ordinance approving a License Agreement between the City and County of Denver and Verizon Wireless LLC to construct and operate cell tower facilities at Denver Fire Department Station #21. (SAFETY)

Approves a license agreement with Verizon Wireless LLC for installation and operation of a cellular site and tower at Fire Station 21 located at 1500 E. Virginia Avenue. **The last regularly scheduled Council meeting within the 30-day review period is on 2-23-09.** The Committee approved filing this bill by consent on 10-6-08.

C.B. 70, Series of 2009, A bill for an ordinance making rescissions and appropriations in the Capital Improvements Fund for the Denver County Jail Building 19 Showers project. (SAFETY)

Rescinds \$303,050 in unused funds from the County Jail Employee Parking Lot project, \$50,000 from the County Jail Fire Alarm Panel project, and \$183,800 from the County Jail Parole Visit and Conference rooms' project and re-appropriates towards construction of 19 showers at the County Jail. The Committee approved filing this bill by consent on 1-23-09.

Tonight Council will hold required public hearings on C.B. 1, Series of 2009, and C.B. 649, Series of 2008. 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.

Recess

Council Reconvenes and Resumes its Regular Session

Final Consideration

C.B. 1, Series of 2009, and 649, Series of 2008, 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 2009, AS AMENDED, a bill for an ordinance changing the zoning classification with waivers of parcels of land generally located in an area bounded by Speer Boulevard, West 27th Avenue, Bryant Street and west of Zuni Street. (BLUEPRINT DENVER)

Revised Appl. 2008I-00047. Changes the zoning of the 5.88-acre area around Speer and Alcott from PRV to R-MU-30 with a waiver (height) for retail and residential uses in Council District 1. **Amended 1-26-09** to change the language to reflect the revised application by striking the waiver regarding the location of the required off-street loading spaces and making other conforming changes.

REQUIRED PUBLIC HEARING

C.B. 649, Series of 2008, A bill for an ordinance changing the zoning classification of parcels of land generally located in an area bounded by Speer Boulevard, West 27th Avenue, Bryant Street and west of Zuni Street. (BLUEPRINT DENVER)

Appl. 2008I-00047. Changes the zoning of the 5.88-acre area around Speer and Alcott from PRV to R-MU-30 with a waiver for retail and residential uses in Council District 1.

C.B. 41, Series of 2009, A bill for an ordinance approving a proposed Design Services Agreement between the City and County of Denver and Humphries Poli Architects for architectural & engineering professional services for the police traffic operations & training facility. (BOND IMPLEMENTATION)

Approves a \$784,426 contract with Humphries/Poli Architects for a term from 12-01-08 to 02-30-11 for architectural and engineering professional services for the Police Traffic Operations & Training Facility. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.**

C.B. 42, Series of 2009, A bill for an ordinance approving an agreement between Jacobs Engineering Group, Inc. and the City & County of Denver for project management services for the construction of Public Works Operations at Decatur, Police Traffic Operations & Training Facility and Denver Municipal Animal Shelter. (BOND IMPLEMENTATION)

Approves a \$2,054,702 contract with Jacobs Engineering for project management services from 12-01-08 to 06-30-11 for the following bond projects: Relocation of Public Works Operations from Decatur; Police Traffic Operations & Training Facility; Denver Municipal Animal Shelter. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.**

C.B. 43, Series of 2009, A bill for an ordinance approving a proposed Contract between the City and County of Denver and Penhall Company related to miscellaneous airfield pavement joint rehabilitation services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a contract with Penhall Company in the amount of \$5,983,750 for a contract term ending December 31, 2009 for services related to airfield pavement joint seal rehabilitation work at DIA. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.**

C.B. 44, Series of 2009, A bill for an Ordinance adopting provisions for the implementation and administration of merit increases in fiscal year 2009 and for the cancellation of the 2009 incentive pay bonus. (GENERAL GOVERNMENT)

Cancels the 2009 employee bonus program and limits 2009 step increases to 2.25% regardless of the employee performance rating.

C.B. 45, Series of 2009, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Sequoia Voting Systems, Inc., to provide for additional costs incurred for the 2008 Primary and General Elections. (GENERAL GOVERNMENT)

Adds \$118,156.77 to the contract with Sequoia Voting Systems for additional costs incurred for the 2008 election including additional mail ballot packets due to increased demand, additional freight charges for printed ballots. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.**

C.B. 46, Series of 2009, A bill for an ordinance amending Chapter 54 of the Revised Municipal Code pertaining to parking for persons with mobility impairments. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends Chapter 54 of the Revised Municipal Code related to parking for persons with mobility impairments that would clarify parking rules and regulations which would specify that four-hour free parking applies to kiosk areas, a vehicle must move 100' when timed parking has expired, that a placard must be displayed in plain view on the "dash" of a vehicle, and that no one may park in the marked hashed lines designed for passenger entrance and egress. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.**

C.B. 47, Series of 2009, A bill for an Ordinance approving an Amendatory Agreement between the City and Denver Metro Chamber of Commerce dba Metro Denver Economic Development Corporation related to the WIRED Initiative grant. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Metro Denver Economic Development Corporation contract related to the Workforce Innovation in Regional Economic Development (WIRED) Initiative grant which includes a no-cost extension to the contract for one year through January 31, 2010. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.**

C.B. 48, Series of 2009, A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and NEWSED Community Development Corporation, Inc. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the contract with NEWSED Community Development Corporation to defer its monthly federally-funded loan payments 18 months beginning December 1, 2008 through May 1, 2010 to allow the organization time to find tenants and to develop a plan to make this commercial project viable. Payments will be resumed on June 1, 2010. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.**

C.B. 49, Series of 2009, A bill for an ordinance vacating an alley generally bounded by Evans Avenue, East Asbury Avenue, High Street and Race Street, subject to certain reservations. (PUBLIC WORKS)

Vacates the alley bounded by Evans, Asbury, S. High and S. Race in Council District 7.

Announcement

There will be public hearings on C.B. 50 and 51, Series of 2009, on March 2, 2009. Any protests against C.B. 50 or 51, Series of 2009, must be filed in the Council Office no later than Monday, February 23, 2009.

Adjourn

<p>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.</p>
--

Bills for Final Consideration

Bills Pending 04-20-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
721 of 08	Blueprint Denver	Final Consid.	Designates the CU Medical Center Children's Psychiatric Day Care Building, 4301 E. 8 th Avenue, as a structure for preservation in Council District 5.	1-20-09	Yes
722 of 08	Blueprint Denver	Final Consid.	Designates the John F. Kennedy Development Center, 4399 E. 8 th Avenue, as a structure for preservation in Council District 5.	1-20-09	Yes