

City Council Agenda and Explanatory Notes

Meeting Date: Tuesday, February 17, 2009 5:30 p.m.

(Public hearing detail – see page 9)

Pledge of Allegiance

Roll Call Present: _____ Late: _____ Absent: _____

Approval of Minutes of Monday, February 9, 2009

Presentations

Communications

Proclamations – (Series of 2009)

Resolutions – (Series of 2009)

Res. 26, Series of 2009, A resolution approving the Mayor's Reappointments to the Denver American Indian Commission. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves the re-appointments of Larry Left Hand Bull, Amber Belindo, Ernest House, Carol Berry, and Donna Langston to the Denver American Indian Commission for terms ending January 11, 2011. The Committee approved filing this resolution by consent on 2-6-09.

Res. 27, Series of 2009, A resolution approving the Mayor's Appointment to the Denver Commission on Aging. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves the appointment of Muriel Arvay to the Denver Commission on Aging for a term ending January 3, 2011. The Committee approved filing this resolution by consent on 2-6-09.

Res. 28, Series of 2009, A resolution approving a resolution setting the public hearing on the approval of the Service Plan for Alameda Station Metropolitan District, City and County of Denver, Colorado. (PUBLIC WORKS)

Sets a public hearing on the proposed Service Plan for Alameda Station Metropolitan District for the March 9, 2009, City Council meeting as required under state statutes. This resolution was approved for filing by Councilwoman Johnson.

Res. 29, Series of 2009, 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. 11. (PUBLIC WORKS)

Dedicates as public rights-of-way the following streets in Stapleton Filing No. 11, generally between E. 26th Ave., Martin Luther King, Jr. Blvd., Fulton St., and Beeler St.: E. 26th, E. 27th, E. 28th, E. 29th avenues; 28th Pl.; MLK Blvd.; Clinton, Dayton, Emporia, Elmira, Florence, and Fulton streets; Clinton Way and Emporia Ct. in Council District 11. This resolution was approved for filing at the Mayor-Council meeting on 2-10-09.

Res. 30, Series of 2009, 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. 13. (PUBLIC WORKS)

Dedicates as public rights-of-way portions of Beeler St., Northfield Blvd. and Dallas St. located in Stapleton Filing No. 13, generally between Beeler, Havana, Northfield/47th Ave. and 51st. Ave. in Council District 11. This resolution was approved for filing at the Mayor-Council meeting on 2-10-09.

Res. 31, Series of 2009, A resolution approving the Mayor's Appointment to the Citizen Oversight Board. (SAFETY)

Approves the mayoral appointment of Mary Davis to the Citizen Oversight Board for a four year term effective immediately and expiring January 1, 2013. The Committee approved filing this bill at its meeting on 2-4-09.

Bills for Introduction - (Series of 2009)

C.B. 82, Series of 2009, A bill for an ordinance approving a petition for minor boundary adjustment transferring jurisdiction over land currently situated in Arapahoe County to the City and County of Denver and approving an intergovernmental agreement with Arapahoe County setting forth the terms of the minor boundary adjustment. (BLUEPRINT DENVER)

Approves a minor boundary adjustment that moves two parcels totaling 1.23 acres at 7699 and 7701 Belleview from Arapahoe County to Denver in Council District 4. The Committee approved filing this bill at its meeting on 1-28-09.

C.B. 83, Series of 2009, A bill for an ordinance approving an agreement between Tsiouvaras Simmons Holderness, Inc. and the City & County of Denver that will provide design engineering services for the reconstruction of Broadway Boulevard from the south approach of Iowa Avenue to the north approach of Wesley Avenue. (BOND IMPLEMENTATION)

Approves a \$2.4 million contract with Tsiouvaras Simmons Holderness for the reconstruction of Broadway from Iowa to Wesley, and Evans, Broadway to Delaware. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill on consent on 2-6-09.

C.B. 84, Series of 2009, A bill for an ordinance approving an agreement between Vend-One, Inc. and the City & County of Denver that will provide a no cost extension of time to allow for the transition of vending services for the City. (ECONOMIC DEVELOPMENT)

Approves a four month, no-cost extension to the Vend-One contract for vending services through June 30, 2009. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 2-6-09.

C.B. 85, Series of 2009, A bill for an ordinance approving a proposed On Call Service Agreement between the City and County of Denver and D&D Water Service, Inc. related to oil well services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves an on-call service contract with D&D Water Services, LLC for oil and gas services at Denver International Airport in the amount of \$1,075,000 through November 1, 2011. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 2-6-09.

C.B. 86, Series of 2009, A bill for an ordinance approving a proposed On Call Service Agreement between the City and County of Denver and Matco Well Services related to oil well services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves an on-call service contract with MATCO Well Service for oil and gas services at Denver International Airport in the amount of \$2,250,000 through November 1, 2011. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 2-6-09.

C.B. 87, Series of 2009, A bill for an ordinance approving a Denver Union Station Project Authority Services Agreement between the City and County of Denver and the Denver Union Station Project Authority. (FINANCE)

Approves the Denver Union Station Project Authority Services Agreement between the City and County of Denver and the Denver Union Station Project Authority regarding loan and reimbursement commitments for expenses related to the Denver Union Station project. This is the companion bill to C.B. 88, Series of 2009. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill at its meeting on 2-4-09.

C.B. 88, Series of 2009, A bill for an ordinance establishing a "Denver Union Station Project Seed Capital" program in the General Government Special Revenue Fund and the means for authorizing expenditures from such fund and making a supplemental appropriation from the General Contingency Fund and transfer to and appropriation within the General Government Special Revenue Fund. (FINANCE)

Establishes a Denver Union Station Project Seed Capital program in the General Government Special Revenue Fund and authorizes a supplemental in the amount of \$1.5 million from the General Contingency Fund into the General Government Special Revenue Fund and authorizes expenditures from that fund to the Denver Union Station Project Authority for operating expenses related to the Denver Union Station project which must be paid back to the City in 2009 as outlined in the Denver Union Station Project Authority Services Agreement. This is the companion bill to C.B. 87, Series of 2009. The Committee approved filing this bill at its meeting on 2-4-09.

C.B. 89, Series of 2009, A bill for an ordinance authorizing the transfer of funds from the Environmental Health and Safety Special Revenue Fund to the General Fund effective for calendar year 2009. (FINANCE)

Transfers \$39,273 from the Environmental Health and Safety Special Revenue Fund to the General Fund as part of the 2009 budget savings proposals. The Committee approved filing this bill at its meeting on 2-4-09.

C.B. 90, Series of 2009, A bill for an ordinance authorizing the transfer of funds from the Electronic Home Detention Special Revenue Fund to the General Fund effective for calendar year 2009. (FINANCE)

Transfers \$800,000 from the Electronic Home Detention Special Revenue Fund to the General Fund as part of the 2009 budget savings proposals. The Committee approved filing this bill at its meeting on 2-4-09.

C.B. 91, Series of 2009, A bill for an ordinance concerning the regulation of campaigns and elections. (GENERAL GOVERNMENT)

Revises Denver election and campaign finance law to clarify who is subject to campaign finance reporting including incumbents and former office holders who have remaining campaign funds; requires incumbents running for re-election to file a new financial disclosure form; replaces references to city clerk with Clerk and Recorder and authorizes the Clerk and Recorder to delegate administration of campaign finance laws within her/his department; clarifies that in an election year incumbents who are not running for re-election are *not* required to file monthly reports but must file an annual report; changes the reporting day for reports closest to an election by one day to allow for posting of reports prior to the weekend before the election; clarifies that the beginning balance on any campaign report includes carry-over funds from prior reporting periods or election cycles; requires campaign finance reports to be posted on the city website one business day after the filing deadline by January 1, 2011; aligns use of campaign funds by candidates, office holders, and former office holders more consistently with state provisions; allows use of funds for any state ballot question or those from local jurisdictions that share territory with the city; allows cancellation of city elections with no ballot items; and defines residency requirements to run for city office. The Committee approved filing this bill at its meeting on 2-10-09.

C.B. 92, Series of 2009, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority, to provide housing, case management, and residential substance abuse treatment services. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Denver Health and Hospital Authority contract to extend the agreement three months through March 31, 2009 and to add \$75,000 for services needed to stabilize and place homeless individuals with substance abuse in independent housing. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 12-19-08.

C.B. 93, Series of 2009, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Arapahoe House, Inc., to provide substance abuse treatment and evaluation services for the Denver EFFECT grant project. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Extends the agreement with Arapahoe House, Inc. through September 30, 2009 and adds \$272,166 to the contract for services related to the Denver Entire Family Focused Comprehensive Treatment (EFFECT) grant. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 11-14-08.

C.B. 94, Series of 2009, A bill for an ordinance approving a Third Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to provide outreach services to Denver's homeless population. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Colorado Coalition for the Homeless agreement to add \$231,250 and to extend the contract three months through March 31, 2009. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 2-6-09.

C.B. 95, Series of 2009, 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 Workforce Investment Act (WIA) Title I Adult PY06/FY07, the WIA Title I Youth PY06 and the WIA Title I Dislocated Worker PY06/FY07 programs and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Rescinds funds from the Workforce Investment Act (WIA) PY06/FY07 allocated from the State of Colorado as follows: WIA adult program (-\$224,699.50), WIA dislocated Worker Program (-\$70,233.21), and the Youth Program (-\$50,158.83). **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 2-6-09.

C.B. 96, Series of 2009, 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 Workforce Investment Act (WIA) Title I Adult PY07/FY08, the WIA Title I Youth PY07 and WIA Title I Dislocated Workers FY08 program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Rescinds funds from the Workforce Investment Act (WIA) PY07/FY08 allocated from the State of Colorado as follows: WIA adult program (-\$51,416.50), WIA dislocated Worker Program (-\$176,487.03), and the Youth Program (-\$75,238.25). **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 2-6-09.

C.B. 97, Series of 2009, A bill for an ordinance approving a Second Amendment to Contract for Exchange, Purchase and Sale of Real Property between the City and County of Denver and Trillium Corporation. (PUBLIC WORKS)

Amends the contract with Trillium Corporation regarding land trades in the Central Platte Valley to account for the final reconciliation and provide for the reconciliation payment of \$403,368 to Trillium. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill at its meeting on 2-3-09.

C.B. 98, Series of 2009, A bill for an ordinance approving an Amendment to Soil Remediation agreement with between the City and County of Denver, the Trillium Corporation and the Central Platte Valley Metropolitan District. (PUBLIC WORKS)

Amends the soil remediation agreement among Trillium Corporation, the Central Platte Valley Metropolitan District, and the City regarding final land trades in the Central Platte Valley. The Committee approved filing this bill at its meeting on 2-3-09.

C.B. 99, Series of 2009, A bill for an ordinance amending Article XIV, Traffic Violations Bureau, of Chapter 54 of the Revised Municipal Code to increase the ability to collect outstanding parking fines for vehicles in which the owner is not found in motor vehicle records. (PUBLIC WORKS)

Provides for due process by allowing notice of unpaid citations to be posted on a vehicle when no mailing address is available from the Department of Motor Vehicles. The Committee approved filing this bill at its meeting on 2-3-09.

C.B. 100, Series of 2009, A bill for an Ordinance approving a license agreement with Cricket Communications, Inc. for the installation and operation of a cellular site and tower at Denver Fire Department Station 7 in the City and County of Denver. (SAFETY)

Approves a license agreement with Cricket Corporation for the installation and operation of a cellular site and tower at Denver Fire Department Station 7 (2195 W. 38th Avenue - 80211) for the following yearly revenues: Year 1 - \$19,200; Year 2 - \$19,776; Year 3 \$20,369.28; Year 4 - \$20,980.36; Year 5 - \$21,609.77. **The last regularly scheduled Council meeting within the 30-day review period is on 3-9-09.** The Committee approved filing this bill by consent on 1-23-09.

Recess

Council Reconvenes and Resumes its Regular Session

Final Consideration

C.B. 74, Series of 2009, A bill for an Ordinance approving a proposed Amendatory Lease Agreement between the City and County of Denver and Denver Health and Hospital Authority for the lease of City-owned property at approximately 3900 Grape Street. (FINANCE)

Approves a lease extension for 12 months to Denver Health & Hospital Authority in the amount of \$51,000 for property located at 3900 Grape Street until the new Park Hill Clinic is constructed. **The last regularly scheduled Council meeting within the 30-day review period is on 3-2-09.**

C.B. 75, Series of 2009, 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. (GENERAL GOVERNMENT)

Approves classification and pay grade changes recommended by the Career Service Authority in the agency's notices numbers 1284, 1285, 1286, 1287, 1288, and 1289.

C.B. 76, Series of 2009, A bill for an ordinance approving a proposed Health Care Provider Agreement for the 2009 Medical Benefit for City and County of Denver employees between the City and County of Denver and Denver Health Medical Plan, Inc. (GENERAL GOVERNMENT)

Approves the 2009 agreement with Denver Health to provide medical benefits for city employees. **The last regularly scheduled Council meeting within the 30-day review period is on 3-2-09.**

C.B. 77, Series of 2009, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Colorado Health Network, Inc., D/B/A Colorado AIDS Project, Inc., to provide assistance for housing and supportive services to persons living with HIV/AIDS. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves an agreement with Colorado AIDS Project (CAP) in the amount of \$1,091,230 for a contract term ending December 31, 2009, to provide housing assistance and supportive services to individuals and families affected by HIV/AIDS. **The last regularly scheduled Council meeting within the 30-day review period is on 3-2-09.**

C.B. 78, Series of 2009, A bill for an ordinance approving a proposed Donation Agreement between the City and County of Denver and Patricia Alice Still Estate providing for the donation of 400 artworks by Clyfford Still and of the archives of Clyfford Still. (PUBLIC AMENITIES)

Allows the City to accept donation of 400 works of art by painter Clyfford Still to join the 2,000 bequeathed to the City in 2004, making the City owner of nearly the entire Clyfford Still Archive. **The last regularly scheduled Council meeting within the 30-day review period is on 3-2-09.**

C.B. 79, Series of 2009, A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and HCA-HealthOne, LLC, relating to additional sponsorship benefits and payments. (PUBLIC AMENITIES)

Extends through Dec. 31, 2010, the sponsorship agreement with HealthONE whereby Theatres & Arenas annually receives \$140,000 from HealthONE for sponsorship rights at Red Rocks Amphitheater and a presence on the marquees at the Denver Performing Arts Center. **The last regularly scheduled Council meeting within the 30-day review period is on 3-2-09.**

C.B. 80, Series of 2009, A bill for an ordinance relinquishing certain easements as created by the plat of Southmoor Park Filing No. 2. (PUBLIC WORKS)

Relinquishes some of the easements established in Southmoor Park Filing No. 2 to accommodate new retail development at Hampton and Poplar in Council District 4. **The last regularly scheduled Council meeting within the 30-day review period is on 3-2-09.**

C.B. 81, Series of 2009, A bill for an ordinance relinquishing certain easements established in Ordinance No. 239, Series of 1950. (PUBLIC WORKS)

Relinquishes some of the easements established in 1950 between Ringsby Court and the BNSF Railway to accommodate new construction in the TAXI development in Council District 9. **The last regularly scheduled Council meeting within the 30-day review period is on 3-2-09.**

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 for Final Consideration

Bills Pending 03-02-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
50 of 09	Blueprint Denver	Final Consid.	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.	2-2-09	Yes
51 of 09	Blueprint Denver	Final Consid.	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.	2-2-09	Yes

Bills Pending 03-09-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
71 of 09	Blueprint Denver	Final Consid.	Appl. 2008I-00075. Changes the zoning of the 0.39-acre parcel at 2765 S. Federal from PUD 586 to PUD to increase the number of community corrections beds at this facility in Council District 2.	2-9-09	Yes
72 of 09	Blueprint Denver	Final Consid.	Appl. 2008I-00078. Changes the zoning of the 0.29-acre parcel at 1555 York from MS-2 to R-4 for parking for Church in the City in Council District 8.	2-9-09	Yes
73 of 09	Blueprint Denver	Final Consid.	Appl. 2008I-00071. Changes the zoning of the 0.29-acre parcel at 2001-2019 E. 17 th Ave. from R-4/OD-9 to MS-1 to allow existing commercial uses in Council District 8.	2-9-09	Yes

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