

City Council Agenda and Explanatory Notes

Meeting Date: Monday, March 16, 2009 5:30 p.m.

(Public hearing detail – see pages 3-4, 9-10)

Pledge of Allegiance

Roll Call Present: _____ Late: _____ Absent: _____

Approval of Minutes of Monday, March 9, 2009

Presentations

Communications

Proclamations – (Series of 2009)

Proc. 8, Series of 2009, A proclamation honoring the life and work of Mrs. Sarah Lee Foster.

Sponsored by Councilmembers Hancock, Boigon, Garcia, López, Madison, and Johnson.

Proc. 9, Series of 2009, A proclamation recognizing the 35th annual Denver March Pow Wow.

Sponsored by Councilmembers Montero, López, Lehmann, Garcia, Johnson, Linkhart, and Robb.

Resolutions – (Series of 2009)

Res. 39, Series of 2009, A resolution appointing and re-appointing members of the Human Services Citizen Review Panel. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Appoints Dana Montano and re-appoints Rita B. Contreras and Sunni Rodgers to the Human Services Citizen Review Panel for terms ending January 31, 2011. The Committee approved filing this resolution by consent on 3-6-09.

Res. 40, 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 the law firm of King & Greisen, LLP, for attorney's fees, costs, and alleged physical injuries to Kevin Williams, in full payment and satisfaction of all claims in Civil Action No. 08-cv-02440-WYD-KLM in the United States District Court for the District of Colorado. (SAFETY)

Settles a claim involving the Police Department. This resolution was approved for filing at the Mayor-Council meeting on 3-10-09.

Bills for Introduction - (Series of 2009)

C.B. 159, Series of 2009, A bill for an ordinance approving a proposed Airport Use and Facilities Lease Agreement between the City and County of Denver and Mesaba Aviation, Inc., related to leased space at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves an Airport Use and Facilities Lease Agreement with Mesaba Aviation, Inc. an express partner of Northwest Airlines. Revenue would be based on flight activity. **The last regularly scheduled Council meeting within the 30-day review period is on 4-6-09.** The Committee approved filing this bill by consent on 3-6-09.

C.B. 160, Series of 2009, A bill for an ordinance approving a proposed Support Facilities Amendatory Lease Agreement between the City and County of Denver and Continental Airlines, Inc., related to air cargo space at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves an amendment to the Support Facilities Lease Agreement with Continental Airlines to allow the Manager of Aviation to take control of the Continental Airlines cargo facility. **The last regularly scheduled Council meeting within the 30-day review period is on 4-6-09.** The Committee approved filing this bill by consent on 3-6-09.

C.B. 161, Series of 2009, A bill for an ordinance approving a proposed Second Amendment to Airport Use and Facilities Lease Agreement between the City and County of Denver and Frontier Airlines, Inc., related to leased space at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves amendments to the Use and Facilities Lease Agreement with Frontier Airlines, Inc. to reduce its rent by \$3.6 million annually, to reduce Frontier's gates from 20 to 15, and to reduce their support and ticket counter space. **The last regularly scheduled Council meeting within the 30-day review period is on 4-6-09.** The Committee approved filing this bill by consent on 3-6-09.

C.B. 162, Series of 2009, A bill for an ordinance making a supplemental appropriation and transfer from the General Contingency Fund to the Human Services Special Revenue Fund and making appropriations from the Human Services Special Revenue Fund. (FINANCE)

Approves a \$2,457,000 supplemental appropriation to the Department of Human Services for continued direct child care services and other locally-funded community contracts related to homeless services for the year 2009. The Committee approved filing this bill at its meeting on 3-4-09.

C.B. 163, Series of 2009, A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Auditor. (FINANCE)

Approves a \$190,000 supplemental appropriation to the Auditor's Office to cover the portion of the City's annual external audit for the Department of Human Services. The Committee approved filing this bill at its meeting on 3-4-09.

C.B. 164, Series of 2009, A bill for an Ordinance approving a proposed First Amendment to Lease and Agreement between the City and County of Denver and Denver Center for the Performing Arts, to enable funding of improvements to the Helen Bonfils Theatre Complex through appropriations by City Council. (PUBLIC AMENITIES)

Amends the lease agreement with Denver Center for the Performing Arts to reflect the current practice of transfer of seat tax revenue generated at the Helen Bonfils Theatre Complex to DCPA for capital improvements at those theaters. **The last regularly scheduled Council meeting within the 30-day review period is on 4-6-09.** The Committee approved filing this bill by consent on 3-6-09.

C.B. 165, 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 Colorado Designsapes. (PUBLIC AMENITIES)

Corrects the on-call contract with Colorado Designsapes to reflect the approved maximum project amount, which was increased to \$485,000 but not reflected in the contract; the total capacity of \$1.45 million does not change. **The last regularly scheduled Council meeting within the 30-day review period is on 4-6-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 166, Series of 2009, A bill for an ordinance vacating a portion of an alley at approximately 31st Street and Curtis Street, subject to certain reservations.

Vacates the northern 9 feet of the east-west alley between Curtis and Arapahoe south of 31st Street in Council District 8. This ordinance was approved for filing at the Mayor-Council meeting on 3-10-09.

C.B. 167, Series of 2009, A bill for an ordinance approving an agreement between Pinkard Construction Company and the City & County of Denver that will provide design/build services for the Central Platte Project. (PUBLIC WORKS)

Approves a \$27,914,961 design/build contract with Pinkard Construction Company for the new Public Works campus at 1271 W. Bayaud. **The last regularly scheduled Council meeting within the 30-day review period is on 4-6-09.** The Committee approved filing this bill at its meeting on 3-3-09.

Tonight Council will hold a one-hour courtesy public hearing on C.B. 147, Series of 2009, and a combined public hearing on C.B.s 155, 156, 157, and 158, Series of 2009. 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

- COURTESY PUBLIC HEARING ONE-HOUR **C.B. 147, Series of 2009**, A bill for an ordinance relating to Chapter 49 (Streets, Sidewalks and Public Ways), allowing certain temporary signs in the right-of-way. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)
Amends Chapter 49 of the Denver Revised Municipal Code to allow certain temporary signs – “sandwich boards” – in the right-of-way. Signage boards must be approved by the Manager of Public Works for permitting purposes and the signage must conform to criteria outlined in code pertaining to placement (visibility and safety), size of signage, advertising, and Business Improvement District participation. In addition, a \$50.00 annual permitting fee will be imposed effective January 1, 2010.
- REQUIRED PUBLIC HEARING COMBINED **C.B. 155, Series of 2009**, A bill for an ordinance naming the courthouse building located at 520 West Colfax Avenue as the Lindsey-Flanigan Courthouse. (SAFETY)
Names the courthouse at the new justice center campus the Lindsey-Flanigan Courthouse.
- REQUIRED PUBLIC HEARING COMBINED **C.B. 156, Series of 2009**, A bill for an ordinance naming the detention center building located at 490 West Colfax Avenue as the Van Cise-Simonet Detention Center. (SAFETY)
Names the detention center at the new justice center campus the Van Cise-Simonet Detention Center.
- REQUIRED PUBLIC HEARING COMBINED **C.B. 157, Series of 2009**, A bill for an ordinance naming the jury room in the Lindsey-Flanigan Courthouse the Judge Roger Cisneros Jury Assembly Room. (SAFETY)
Names the jury room in the Lindsey-Flanigan Courthouse the Judge Roger Cisneros Jury Assembly Room.
- REQUIRED PUBLIC HEARING COMBINED **C.B. 158, Series of 2009**, A bill for an ordinance naming the plaza between the Lindsey-Flanigan Courthouse and the Van Cise-Simonet Detention Center as Tooley Plaza. (SAFETY)
Names the plaza at the new justice center campus Tooley Plaza.

C.B. 135, Series of 2009, A bill for an ordinance approving an agreement between Humphries Poli Architects, P.C. and the City & County of Denver that will provide design services for the new Green Valley Ranch Library. (BOND IMPLEMENTATION)

Approves a \$714,000 contract with Humphries Poli Architects for design and construction administration on the Green Valley Ranch Library project. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 136, Series of 2009, A bill for an ordinance approving an on-call agreement between Interlock Construction Corporation and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with Interlock Construction Corporation through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 137, Series of 2009, A bill for an ordinance approving an on-call agreement between White Construction Group and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with White Construction Group through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 138, Series of 2009, A bill for an ordinance approving an on-call agreement between Tower I Construction Company and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with Tower I Construction through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 139, Series of 2009, A bill for an ordinance approving an on-call agreement between FCI Constructors, Inc. and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with FCI Constructors, Inc. through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 140, Series of 2009, A bill for an ordinance approving an on-call agreement between Haselden Construction, LLC and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with Haselden Construction, Inc. through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000 (Clerk's Filing No. 09-167). **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 141, Series of 2009, A bill for an ordinance approving an on-call agreement between Haselden Construction, LLC and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call large-scope construction services contract with Haselden Construction through Dec. 31, 2011, with a maximum capacity of \$5 million and individual work orders limited to \$400,000 (Clerk's Filing No. 09-171). **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 142, Series of 2009, A bill for an ordinance approving an on-call agreement between JE Dunn Rocky Mountain, Inc. and the City and County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call large-scope construction services contract with JE Dunn Rocky Mountain, Inc. through Dec. 31, 2011, with a maximum capacity of \$5 million and individual work orders limited to \$400,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 143, Series of 2009, A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Electronic Data, Inc. for professional services to upgrade business processes and a Maximo enterprise asset management system at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves adding \$154,000 to the Electronic Data Inc. contract for services related to managing and servicing the Maximo System (purchasing and accounts payable activities) for DIA. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 144, Series of 2009, A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Angenta Technologies for computer equipment at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a \$579,878 contract with Angenta Technologies for purchase of 176 NEC 46" Monitors and 176 NEC Single Board Computers to be used for flight and gate information displays. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 145, Series of 2009, A bill for an ordinance authorizing the issuance of City and County of Denver, Colorado, Excise Tax Revenue Refunding Bonds, Series 2009A, for the purpose of defraying the cost of refunding, paying and discharging the City and County of Denver, Colorado, Excise Tax Revenue Bonds, Series 2001B now outstanding; authorizing the execution of certain agreements and providing other details in connection therewith; ratifying action previously taken relating thereto; providing other matters relating thereto; and providing the effective date thereof. (FINANCE)

Authorizes the Manager of Finance to issue approximately \$74 million of Denver's Colorado Excise Tax Revenue Refunding Bonds, Series 2009A to refund the outstanding \$74 million of Denver's Colorado Excise Tax Revenue Refunding Bonds, Series 2001B. The refunding is necessary due to the ratings downgrade of FSA insurance supporting the 2001B bonds and because the Dexia Credit Local contract will not be renewed.

C.B. 146, Series of 2009, A bill for an ordinance authorizing the issuance of City and County of Denver, Colorado, Excise Tax Revenue Refunding Bonds, Series 2009B, for the purpose of defraying the cost of refunding, paying and discharging the City and County of Denver, Colorado, Excise Tax Revenue Refunding Bonds, Series 1999A now outstanding; authorizing the execution of certain agreements and providing other details in connection therewith; ratifying action previously taken relating thereto; providing other matters relating thereto; and providing the effective date thereof. (FINANCE)

Authorizes the Manager of Finance to issue approximately \$38.2 million of Denver's Colorado Excise Tax Revenue Refunding Bonds, Series 2009B to refund Denver's outstanding Colorado Excise Tax Revenue Refunding Bonds, Series 1999A. The refunding is being undertaken to provide debt service savings due to lower interest costs.

C.B. 148, Series of 2009, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to provide rental assistance services to eligible homeless individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a two-month extension to the Colorado Coalition for the Homeless contract through March 31, 2009 for services to the homeless for need rental assistance. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 149, Series of 2009, A bill for an ordinance approving a Fifth Amendatory Agreement between the City and County of Denver and Denver Rescue Mission, to provide room and board to homeless men discharged from hospitals and to single women and families. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Denver Rescue Mission contract to extend the agreement twelve months through December 31, 2009 and to add \$146,000 for room and board assistance to homeless men discharged from hospitals and single women and families. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 150, Series of 2009, A bill for an ordinance approving a Fourth Amendatory Agreement between the City and County of Denver and Mile High United Way, to provide services for the Youth Mentoring Program Collaborative Initiative. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a budget reduction to the Mile High United Way agreement in the amount of \$127,305.56 bringing the total agreement amount to \$2,899,494.44 through May 31, 2009 for the Youth Mentoring Program Collaborative Initiative. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 151, Series of 2009, A bill for an ordinance authorizing and approving (i) the use of an amount not to exceed \$25,000,000 of Private Activity Bond Volume Cap Allocation for the purpose of making a mortgage credit certificate election; and (ii) the MCC Program Administration Agreement and the MCC Program Guidelines. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves the issuance of an amount not to exceed \$25 million in Private Activity Bond Volume Cap for the purpose of issuing \$31,250,000 in Mortgage Credit Certificates (MCC) and approves the Program Administrator Agreement for the MCC Program. The MCC Program will benefit low and moderate income home buyers and will assist with refinancing subprime loans. This is related to the Federal Home Economic Recovery Act (HERA) legislation.

C.B. 152, Series of 2009, A bill for an Ordinance approving a proposed Contract to Exchange Property between the City and County of Denver and the Clyfford Still Museum. (PUBLIC AMENITIES)

Approves several property transactions, including exchanges, an alley vacation, an alley dedication, and use agreement, between the City and the Clyfford Still Museum to accommodate construction at the southeast corner of E. 13th Ave. and Bannock. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

C.B. 153, Series of 2009, A bill for an ordinance vacating South Clermont Street north of Harvard Avenue, subject to certain reservations. (PUBLIC WORKS)

Vacates S. Clermont Street north of Harvard in Council District 6.

C.B. 154, Series of 2009, A bill for an ordinance approving a proposed Contract by and between the City and County of Denver and P&H Equipment for 2009 Contract Hauling, Phase I. (PUBLIC WORKS)

Approves an \$874,380 construction contract with P & H Equipment for the 2009 contract hauling of asphalt, mill tailings, or other as directed by the Street Maintenance. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.**

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 Pending 03-23-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
101 of 09	Blueprint Denver	Final Consid.	Appl. 2008I-00027. Changes the zoning of the 1.13-acre parcels at 1901 W. 34 th and 3400-3434 Tejon from B-3 and R-2 to PUD for multi-unit residential uses in Council District 9.	2-23-09	Yes
102 of 09	Blueprint Denver	Final Consid.	Appl. 2006I-00008. Changes the zoning of the 0.62-acre parcel at 3801 E. 40 th Ave. from I-1 to R-MU-30 for commercial mixed use with some residential in Council District 9.	2-23-09	Yes
103 of 09	Blueprint Denver	Final Consid.	Appl. 2007I-00097. Changes the zoning of the 8.02-acre parcel at 26 th Ave. and Moline from R-1 to R-MU-20 for mixed residential uses and neighborhood retail in Council District 11.	2-23-09	Yes

Bills Pending 03-31-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
125 of 08	FasTracks	Held in Committee 1st Reading	Adopts the Sheridan Station Area Plan as a supplement to the Denver Comprehensive Plan 2000 to guide land use, urban design and mobility improvements and investments around the light rail station. The Committee approved filing this bill at its meeting on 2-17-09.	3-2-09	No

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