

City Council Agenda and Explanatory Notes

Meeting Date: Monday, May 18, 2009 5:30 P.M.

(Public hearing detail – see pages 5-6, 11-12)

Pledge of Allegiance

Roll Call Present:_____ Late:_____ Absent:_____

Approval of Minutes of Monday, May 11, 2009

Presentations

Communications

A letter dated May 18, 2009, from Claude Pumilia, Manager of Finance, in compliance with Section 20-93 of the Denver Revised Municipal Code, notifying Council of the Department of Finance's intent to issue City and County of Denver, Colorado, General Obligation Better Denver and Zoo Bonds, Series 2009A and City and County of Denver, General Obligation Various Purpose Bonds, Series 2009B in an amount not to exceed \$125,000,000. (FINANCE)

Under RMC 20-93.1 this matter, "...shall be assigned to the appropriate council committee. The council may in its discretion, within fifteen (15) days of reading by the city clerk of the notification, introduce and act upon a resolution stating council's intent to approve the issuance..."

Proclamations – (Series of 2009)

Bills for Introduction – Held in Committee (Series of 2009)

C.B. 234, Series of 2009, A bill for an ordinance concerning non-displacement of qualified workers under certain service contracts entered into by the City and County of Denver. (GENERAL GOVERNMENT)

Requires private contractors that enter into certain service contracts with the City and County of Denver to offer a right of first refusal of employment to qualified employees of a predecessor contractor who provided the same service in the same city building or facility. Requires the successor contractor to retain any employees hired in accordance with the requirements of the ordinance for a minimum of 90 days, subject to certain conditions and limitations. Defines the types of service contracts and service employees to whom the ordinance applies. Creates a private cause of action for employees to enforce the requirements of the ordinance. Excepts contracts entered into with local maintenance districts from the applicability of the ordinance. The Committee approved filing this bill at its meeting on 4-14-09.

Resolutions – (Series of 2009)

Res. 58, Series of 2009, A resolution approving the Denver City Council appointment to the Head Start Policy Council. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Appoints Dr. Martha M. Urioste as City Council's appointment to the Head Start Policy Council as the Early Childhood Education community representative, for a term effective immediately and expiring on July 31, 2010. Dr. Urioste replaces Ms. Renee Cisneros. The Committee approved filing this resolution by consent on 5-8-09.

Res. 59, Series of 2009, A resolution approving the Mayor's Appointments to the Denver Latino Commission. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Appoints Grace Lopez Ramirez, Christine Marquez-Hudson, and Michelle Martinez to the Denver Latino Commission for terms ending January 1, 2011. The Committee approved filing this resolution by consent on 5-8-09.

Res. 60, Series of 2009, A resolution approving the Mayor's Reappointment to the Denver Preschool Board of Directors. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Reappoints Diana Romero-Campbell to the Denver Preschool Program Board of Directors for a term ending March 12, 2011. The Committee approved filing this resolution by consent on 5-8-09.

Res. 61, Series of 2009, A resolution approving the Mayor's Reappointments to the Metropolitan Wastewater Reclamation District Board of Directors. (PUBLIC WORKS)

Approves the following mayoral re-appointments to the Metropolitan Wastewater Reclamation district Board of Directors for two year terms expiring June 30, 2011: Sam Atwood; Peter Baertlein; Margaret Medellin; Victor Padilla; and Celia Vanderloop. The Committee approved filing this resolution by consent on 5-8-09.

Res. 62, Series of 2009, A resolution approving the Mayor's Appointment to the Citizen Oversight Board. (SAFETY)

Approves the mayoral appointment of Carmen Messina Velasquez to the Citizen Oversight Board for a term expiring January 1, 2013. The Committee approved filing this resolution at its meeting on 5-6-09.

Bills for Introduction - (Series of 2009)

C.B. 279, Series of 2009, A bill for an ordinance making a rescission from the Contingency Fund and a transfer to and appropriation from the Public Safety Special Revenue Fund for the Diversion and Youth Development Special Revenue Fund. (FINANCE)

Authorizes a supplemental appropriation from the General Contingency Fund of \$194,000 to the Safe City Diversion and Youth Development Special Revenue Fund to fund 2008 encumbrance balances that were rolled forward into 2009. This is a housekeeping transaction. The Committee approved filing this bill by consent on 5-8-09.

C.B. 280, Series of 2009, A bill for an ordinance approving a proposed Amendatory Funding and Assignment Agreement between the City and County of Denver and the Denver Zoological Foundation, Inc. relating to funding of construction at the Denver Zoological Gardens. (FINANCE)

Amends the Zoo Facilities Agreement to allow the Zoological Foundation to utilize \$26.5 million of un-issued General Obligation Bonds authorized by voters in 1999. The amendment will allow the construction of the new Asian Tropics exhibit project to move forward and to give the Foundation additional time to complete its fundraising activities to raise its portion of the matching requirement (total portion is \$55 million) by 2013.

The last regularly scheduled Council meeting within the 30-day review period is on 6-8-09. The Committee approved filing this bill at its meeting on 5-6-09.

C.B. 281, Series of 2009, A bill for an ordinance authorizing the issuance of City and County of Denver, Colorado, General Obligation Better Denver and Zoo Bonds, Series 2009A, for the purpose of financing and/or refinancing and defraying the cost of acquiring, constructing, installing and improving various civic facilities and the Denver Zoological Gardens, together with all necessary, incidental or appurtenant properties, facilities, equipment and costs, and authorizing the issuance of City and County of Denver, Colorado, General Obligation Various Purpose Bonds, Series 2009B for the purpose of defraying the cost of refunding, paying and discharging the City and County of Denver, Colorado, General Obligation Various Purpose Bonds, Series 2000 now outstanding; providing for the levy of general ad valorem taxes to pay the principal of and interest on the Bonds; 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 making other provisions relating thereto. (FINANCE)

Authorizes issuance of \$125 million of the City's General Obligation Bonds, Series 2009 A & B. Series 2009A bonds will be used to pay off outstanding Commercial Paper balances and additional project funding for Better Denver bond projects and to fund up to \$26.5 million of the remaining 1999 Zoo Bond authorization to help finance the Asian Tropics exhibit. Series 2009B bonds will refund outstanding Series 2000 Various Purpose Bonds to reduce debt service payments and to lower interest rates. The Committee approved filing this bill at its meeting on 5-6-09.

C.B. 282, Series of 2009, A bill for an ordinance amending section 54-813, Denver Revised Municipal Code, concerning the requirements for release of a motor vehicle from impoundment. (GENERAL GOVERNMENT)

Exempts certain parties including victims of automobile theft, rental car companies, and automobile lien holders such as credit unions and other vehicle financing enterprises from requirements related to posting a \$2,500 bond to release a car impounded when a driver is found to be driving without a valid license. The Committee approved filing this bill at its meeting on 5-6-09.

C.B. 283, Series of 2009, A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Suncor Energy USA, Incorporated, for asphalt binder. (PUBLIC WORKS)

Approves a \$3,725,000 purchase order for asphalt binder from Suncor Energy USA Inc for production of asphalt at the City's asphalt plant for the 2009 paving season. **The last regularly scheduled Council meeting within the 30-day review period is on 6-8-09.** The Committee approved filing this bill by consent on 4-24-09.

C.B. 284, 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 "Colfax Avenue, Tremont Street and 13th Street, Delaware Street" project and the funding therefor. (PUBLIC WORKS)

Approves a contract with CDOT allowing the City to receive and expend an additional \$661,000 in federal funds to reconstruct the intersection of Colfax, Tremont, 13th and Delaware. **The last regularly scheduled Council meeting within the 30-day review period is on 6-8-09.** The Committee approved filing this bill by consent on 5-8-09.

C.B. 285, Series of 2009, A bill for an ordinance approving a proposed Seventh Amendatory Agreement between the City and County of Denver and Urban Drainage and Flood Control District, for funding of Feasibility Study and Land Acquisition for Sun Valley and Zuni Reaches of the Upper Central Platte Valley Project. (PUBLIC WORKS)

Amends the agreement with Urban Drainage & Flood Control District for construction of the South Platte River Sun Valley-Zuni Reach River Project to add \$2,498,128.56 in UDFCD funding for a new total contract amount of \$16,998,128.56. **The last regularly scheduled Council meeting within the 30-day review period is on 6-8-09.** Councilwoman Johnson approved filing this bill, and it is on the Committee's consent agenda for the week of 5-11-09.

C.B. 286, Series of 2009, A bill for an ordinance approving an amendatory agreement between Reilly Johnson Architecture and the City & County of Denver that will extend the term of the contract and add additional funds for design services for the Denver County Jail New Housing Units. (SAFETY)

Adds \$306,905 to the contract with Reilly Johnson Architecture, Inc for additional services related to Denver Justice Center Smith Road master plan and housing unit design. **The last regularly scheduled Council meeting within the 30-day review period is on 6-8-09.** The Committee approved filing this bill by consent on 5-8-09.

Tonight Council will hold required public hearings on C.B.s 218, 219, 220, and 221, 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

C.B.s 218, 219, 220, and 221, Series of 2009, 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. 218, Series of 2009, A bill for an ordinance changing the zoning classification of 2300-2358 Welton Street and 580 24th Street.** (BLUEPRINT DENVER)
Appl. 2008I-00083. Changes the zoning of a 1.1-acre area at 2300-2358 Welton and 580 24th Street from B-8 to MS-3 in Council District 8.

REQUIRED PUBLIC HEARING **C.B. 219, Series of 2009, A bill for an ordinance changing the zoning classification of 2100-2160 and 2200-2250 Welton Street and 600-602 Park Avenue West.** (BLUEPRINT DENVER)
Appl. 2008I-00084. Changes the zoning of a 3-acre area at 2100-2160 Welton, 2200-2250 Welton and 600-602 Park Avenue West from B-8 to B-8-A in Council District 8.

REQUIRED PUBLIC HEARING **C.B. 220, Series of 2009, A bill for an ordinance changing the zoning classification of approximately 3301 Humboldt.** (BLUEPRINT DENVER)
Appl. 2008I-00080. Changes the zoning of a 0.3-acre parcel at 3301 Humboldt from R-2 to B-2 for a residential structure in Council District 8.

REQUIRED PUBLIC HEARING **C.B. 221, Series of 2009, A bill for an ordinance changing the zoning classification of 2900, 3000 and 3100 Blocks of Downing Street.** (BLUEPRINT DENVER)
Appl. 2009I-00008. Changes the zoning of a 2.88-acre area in the 2900, 3000 and 3100 blocks of Downing from B-4 to MS-2 to accommodate higher density in Council District 8.

C.B. 247, Series of 2009, AS AMENDED, a bill for an ordinance approving a proposed Professional Services Agreement between the City and County of Denver and J.F. Sato and Associates, Inc. for project management and construction administration for Civic Center historic features, general trail improvements, and work at Berkley Lake Park, Babi Yar Park, Ruby Hill Park and Sloan's Lake Park. (BOND IMPLEMENTATION)

Approves a \$700,000 contract with J.F. Sato for project management and construction administration for Civic Center historic features and several other parks and trails projects. **The last regularly scheduled Council meeting within the 30-day review period is on 5-18-09.** Amended 5-11-09 to amend the bill title to refer correctly to the projects the contractor will be administering.

C.B. 262, Series of 2009, A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Wenk Associates, Inc. for planning, design and related consulting to include design and engineering of a plumbed restroom structure which was not included in the original master plan for Parkfield Lake Park. (BOND IMPLEMENTATION)

Amends the Parkfield Lake Park design contract with Wenk Associates to include the design and engineering of a plumbed restroom and add \$22,290, for a new total of \$619,477. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 263, Series of 2009, A bill for an ordinance approving a proposed Design Services Agreement with RNL Design, Inc. for the Eastside Human Services Building. (BOND IMPLEMENTATION)

Approves a \$1,050,000 design and construction administration contract with RNL Design for the new Eastside Human Services building to be constructed at 3821 Steele. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 264, Series of 2009, A bill for an ordinance approving an agreement between Tower I Construction Company and the City & County of Denver that will provide the upgrade and expansion of Westwood Child development Center. (BOND IMPLEMENTATION)

Approves a \$1,265,200 construction contract with Tower 1 Construction for the Westwood Child Care expansion and upgrade project. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 265, Series of 2009, A bill for an ordinance approving a proposed Support Facilities Lease Agreement between the City and County of Denver and Swissport Cargo Services, LP, related to leased space at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a Support Facilities Lease Agreement between Swissport Cargo Services, LP and the City and County of Denver. This is a revenue Agreement between Swissport and the City for space in the Joint Use Cargo Building. The term of the lease is May 1, 2009 to December 31, 2010, but can be canceled with 30 days written notice. Swissport handles cargo for Lufthansa. Swissport subleased space from United in United's cargo building, but the sublease will be terminated by United, effective May 2, 2009. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 266, 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)

Changes Judicial Assistant III pay grade from 616-C to 617-C, Judicial Assistant IV from 618-L to 619-L, County Court Parking Magistrate from 618-L to 619, and Deputy Manager of Aviation for Operations from 817-A to 818-A. L; Abolishes Administrative Hearings Technician and Deputy Manager of Aviation for Public Safety and Security.

C.B. 267, 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 occupational group adjustments to the pay ranges based on the annual market survey.

C.B. 268, Series of 2009, A bill for an Ordinance amending the annual implementation of pay plan adjustments for employees in the Career Service and for certain employees not in Career Service. (GENERAL GOVERNMENT)

Changes the implementation date of pay grade adjustments (bumps) for classifications found to be 10% or more below market to January 1, 2010 to coincide with departmental budget cycles.

C.B. 269, Series of 2009, A bill for an ordinance approving a Third Amendatory Agreement between the City and County of Denver and Catholic Charities and Community Services of the Archdiocese of Denver, Inc., to administer a TANF housing program for eligible homeless families. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Adds \$187,220 to an agreement with Catholic Charities for the continuation of services provided to TANF-eligible homeless families. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 270, 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 project based rental assistance and supportive services for the chronically homeless. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a nine-month extension through December 31, 2009 to an agreement with Colorado Coalition for the Homeless, and to increase the contract by \$440,508 for rental and supportive services to chronically homeless persons. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 271, Series of 2009, A bill for an ordinance approving a Fourth Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to provide comprehensive housing and supportive services to chronically homeless individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a nine-month extension through December 31, 2009 to an agreement with Colorado Coalition for the Homeless, and to increase the contract by \$267,750 for services to the chronically homeless individuals who primarily reside in downtown Denver. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 272, Series of 2009, A bill for an ordinance approving a Third Amendatory Agreement between the City and County of Denver and Aspen Family Services, Inc., to support the transfer of the administration of the Denver Child Care Assistance Program to the Denver Department of Human Services. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes an increase of \$277,298 to an agreement with Aspen Family Services and approves a three-month extension through June 30, 2009 to support the transfer of all child care intake, eligibility, and redetermination responsibilities back to the Denver Department of Human Services (DDHS). **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 273, Series of 2009, A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Orion Specialty Contractors, LLC for cyclical maintenance and repair on coating surfaces for pools, spray parks, locker room, shower rooms, restrooms and fountains. (PUBLIC AMENITIES)

Amends the contract with Orion Specialty for maintenance and repair for pools, locker rooms, and fountains to extend it for one year to Sept. 18, 2010, increase the maximum contract to \$890,000, and increase the per project maximum to \$160,000. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 274, Series of 2009, A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "Colfax/Welton/Galapago Intersection Reconstruction" project and the funding therefor. (PUBLIC WORKS)

Allows the City to receive and expend \$950,000 in federal funds for the design and environmental work to reconstruct the intersection of Colfax, Welton and Galapago. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 275, 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, the Kaiser Foundation Health Plan, Inc., and Kaiser Foundation Hospitals concerning the "Living Streets" program and the funding therefor. (PUBLIC WORKS)

Accepts and authorizes expenditure of a \$40,000 grant awarded by Kaiser Foundation Health Plan and Kaiser Foundation Hospitals for the education and engagement portion of the Living Streets Initiative between August 22, 2008 and August 22, 2009.

C.B. 276, Series of 2009, A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Central Parking System, Incorporated, for the operation of the Cultural Center Parking Garage. (PUBLIC WORKS)

Extends the contract with Central Parking to operate the parking garage at the Cultural Center through September 30, 2009, to facilitate issuance of a Request for Proposals for management of both this facility and the Denver Performing Arts Center garage. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 277, Series of 2009, A bill for an ordinance approving an amendatory agreement between Jacobs Project Management Company and the City & County of Denver for extension of project management services for the Denver Justice Center and Smith Road campuses. (SAFETY)

Adds \$306,905 to the contract with Reilly Johnson Architecture, Inc for additional services related to Denver Justice Center Smith Road master plan and housing unit design. **The last regularly scheduled Council meeting within the 30-day review period is on 6-1-09.**

C.B. 278, Series of 2009, A bill for an ordinance making rescissions and transfer appropriation from the E-911 Trust Fund to the "COPS Interoperable Communications Technology FY04-05" Special Revenue Fund. (SAFETY)

Adds \$53,258 in E911 Trust Fund monies to the existing City cash match of \$1,750,000 for the COPS Interoperable Communications Technology Grant to cover required match.

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 06-01-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
217 of 09	Blueprint	Final Consid.	Appl. 2008I-00068. Changes the zoning of the 0.38-acre parcel at 885 S. Colorado from B-2 with waivers and conditions to B-2 to allow a drive-through at the existing bank in Council District 6.	4-20-09	Yes
249 of 09	FasTracks	Final Consid.	Approves the Alameda Station Area Plan as part of the City's comprehensive plan.	5-11-09	Yes Courtesy

Bills Pending 06-08-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
125 of 09	FasTracks	Final Consid.	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.		Yes Courtesy
245 of 09	Blueprint	Final Consid.	Appl. 2008I-00015. Changes the zoning of the 0.14-acre parcel at 270 S. Madison from R-1 to PUD in Council District 10.	5-4-09 5-11-09	Yes
246 of 09	Blueprint Denver	Final Consid.	Appl. 2008I-00057. Changes the zoning of the 0.57-acre parcel at 151-175 S. Harrison from R-1 to PUD in Council District 10.	5-4-09 5-11-09	Yes

Bills for Final Consideration

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Bills Pending 06-29-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
721 of 08	Blueprint	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.	4-20-09	Yes
722 of 08	Blueprint	Final Consid.	Designates the John F. Kennedy Development Center, 4399 E. 8 th Avenue, as a structure for preservation in Council District 5.	4-20-09	Yes

Bills Pending 10-19-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
			Notification that 2010 Proposed Budget is available for inspection.		

Bills Pending 10-26-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
			Public hearing on the 2010 Proposed Budget.		

Bills Pending 11-02-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
			Councilmembers may offer amendments to the 2010 Proposed Budget.		

Bills Pending 11-09-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
			Councilmembers vote to adopt or reject the 2010 Proposed Budget.		