

## **City Council Agenda and Explanatory Notes**

**Meeting Date: Monday, June 29, 2009 5:30 P.M.**

(Public hearing detail – see pages 4-5, 9)

### **Pledge of Allegiance**

**Roll Call            Present:\_\_\_\_\_            Late:\_\_\_\_\_            Absent:\_\_\_\_\_**

### **Approval of Minutes of Monday, June 22, 2009**

### **Announcements**

### **Presentations**

### **Communications**

### **Proclamations – (Series of 2009)**

### **Resolutions – (Series of 2009)**

**Res. 72, Series of 2009, A resolution accepting and approving the plat of Stapleton Business Center North Filing No. 1. (PUBLIC WORKS)**

Approves the final plat for Stapleton Business Center North Filing No. 1 containing 76.5 acres at 56<sup>th</sup> Ave. and Havana in Council District 11. This resolution was approved for filing at the Mayor-Council meeting on 6-23-09.

### Bills for Introduction – Postponed (Series of 2009)

**C.B. 348, Series of 2009, A bill for an ordinance concerning the administrative assessment of civil penalties by the department of environmental health and fee setting regarding animals. (GREENPRINT)**

Authorizes the Department of Environmental Health to administratively assess civil penalties for certain violations of Chapter 8 (Animals), Article II of Chapter 27 (Housing Code) and Chapter 36 (Noise Control); and amend Chapter 8 (Animals) of the Denver Code and authorizes the Board of Environmental Health to establish fees for Animal Care and Control services, including vaccinations, licensing, permitting, animal impounding, pet adoption, and other services by rules and regulations, rather than by ordinance. Also restructures and adjusts certain fees for services provided by Animal Care & Control. The Committee approved filing this bill at its meeting on 4-21-09.

### Bills for Introduction - (Series of 2009)

**C.B. 359, Series of 2009, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and 3M Company to purchase and install a Selfcheck System for the Denver Public Library. (BOND IMPLEMENTATION)**

Approves a 2-year, \$823,562 contract with 3M for purchase and installation of 48 self-check-out stations and staff training at all 23 library facilities as part of the Radio Frequency Identification (RFID) system that will allow library patrons to check out library materials, and the system will automatically sort materials as returned. **The last regularly scheduled Council meeting within the 30-day review period is on 7-20-09.** The Committee approved filing this bill by consent on 6-19-09.

**C.B. 360, Series of 2009, A bill for an ordinance amending Ordinance No. 271, Series of 2009, concerning the “Preservation of Affordable Housing” project. (FINANCE)**

Amends Ordinance No. 271, Series of 2009, to correct the fund number of the Preservation of Affordable Housing project. The Committee approved filing this bill by consent on 6-19-09.

**C.B. 361, Series of 2009, A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and the Regents of the University of Colorado for employment and training services and family counseling services. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)**

Amends the contract with The Regents of the University of Colorado to add \$49,745 for the operation of Addiction Research and Treatment services for Temporary Assistance to Needy Families (TANF). **The last regularly scheduled Council meeting within the 30-day review period is on 7-20-09.** The Committee approved filing this bill by consent on 5-22-09.

**C.B. 362, Series of 2009**, A bill for an ordinance approving a **Second Amendatory Agreement between the City and County of Denver and Mental Health Center of Denver, to provide mental health treatment services and housing assistance to chronically homeless individuals.** (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a nine-month extension and adds \$702,301 to the Mental Health Center of Denver contract for continuing mental health treatment services and housing assistance to chronically homeless individuals. **The last regularly scheduled Council meeting within the 30-day review period is on 7-20-09.** The Committee approved filing this bill by consent on 6-19-09.

**C.B. 363, Series of 2009**, A bill for an ordinance approving a **proposed Agreement between the City and County of Denver and Live Nation Worldwide, Inc. (“Live Nation”), to provide Live Nation with an incentive to promote and book concerts and live events at the City’s venues.** (PUBLIC AMENITIES)

Extends for one year the Live Nation promoter commission agreement, which allows for sharing of rental revenue for qualifying events meeting minimum ticket sales and event booking at Red Rocks, Denver Coliseum, and the venues at Denver Performing Arts Center. **The last regularly scheduled Council meeting within the 30-day review period is on 7-20-09.** The Committee approved filing this bill by consent on 5-22-09.

**C.B. 364, Series of 2009**, A bill for an ordinance approving a **proposed Agreement between the City and County of Denver and AEG Live – Rocky Mountains, LLC (“AEG Live”), to provide AEG Live with an incentive to promote and book concerts and live events at the City’s venues.** (PUBLIC AMENITIES)

Extends for one year the AEG Live promoter commission agreement, which allows for sharing of rental revenue for qualifying events meeting minimum ticket sales and event booking at Red Rocks, Denver Coliseum, and the venues at Denver Performing Arts Center. **The last regularly scheduled Council meeting within the 30-day review period is on 7-20-09.** The Committee approved filing this bill by consent on 5-22-09.

**C.B. 365, Series of 2009**, A bill for an Ordinance **revoking the existing revocable permit granted by Ordinance No. 1095, Series of 1994, to encroach into South Valentia Street.** (PUBLIC WORKS)

Revokes the permit granted to Lighthouse at the Breakers homeowners association in 1994 to encroach into the public right-of-way of S. Valentia near Mississippi because the encroachments have been removed in Council District 5. This bill was approved for filing at the Mayor-Council meeting on 6-23-09.

**C.B. 366, Series of 2009**, A bill for an ordinance **vacating portions of an alley behind 1830-48 West 38th Avenue, 1837-25 West 37th Avenue, 3704 Shoshone Street, and 3711-29 Quivas Street, with reservations.** (PUBLIC WORKS)

Vacates the U-shaped alley north of W. 27<sup>th</sup> Ave. between Shoshone and Quivas in Council District 9. This bill was approved for filing at the Mayor-Council meeting on 6-23-09.

**C.B. 367, Series of 2009, A bill for an ordinance relinquishing certain easements established in Ordinance No. 355, Series of 2000 at West 29<sup>th</sup> Avenue and Inca Street.** (PUBLIC WORKS)

Relinquishes easements in previously vacated W. 29<sup>th</sup> Ave. west of Inca in Council District 9. This bill was approved for filing at the Mayor-Council meeting on 6-23-09.

Tonight Council will hold required public hearings on C.B.s 721 and 722, Series of 2008, and C.B.s 287 and 288, 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.

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**Recess**

**Council Reconvenes and Resumes its Regular Session**

**Final Consideration**

C.B.s 287 and 288, 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. 721, Series of 2008, A bill for an ordinance designating the CU Medical Center Children's Psychiatric Day Care Building, located at 4301 East 8<sup>th</sup> Avenue, as a structure for preservation. (BLUEPRINT DENVER)**

Designates the CU Medical Center Children's Psychiatric Day Care Building, 4301 E. 8<sup>th</sup> Avenue, as a structure for preservation in Council District 5.

REQUIRED PUBLIC HEARING **C.B. 722, Series of 2008, A bill for an ordinance designating the John F. Kennedy Childhood Development Center/ B.F. Stolinsky Research Labs, located at 4399 East 8<sup>th</sup> Avenue, as a structure for preservation. (BLUEPRINT DENVER)**

Designates the John F. Kennedy Development Center, 4399 E. 8<sup>th</sup> Avenue, as a structure for preservation in Council District 5.

REQUIRED PUBLIC HEARING **C.B. 287, Series of 2009, A bill for an ordinance changing the zoning classification for approximately 2107-11 West 29th Avenue. (BLUEPRINT DENVER)**

Appl. 2008I-00066. Changes the zoning of the 0.16-acre parcel at 2107-2111 W. 29<sup>th</sup> Ave. from R-3 to MS-1 to conform zoning to existing commercial use and prepare for potential redevelopment in compliance with neighborhood plans in Council District 9.

REQUIRED PUBLIC HEARING **C.B. 288, Series of 2009, A bill for an ordinance changing the zoning classification, with a waiver and a condition, for 7050 and 7080 Tower Road. (BLUEPRINT DENVER)**

Appl. 2009I-00007. Changes the zoning of the 2.25-acre parcel at 7050-7080 Tower from Gateway to C-MU-20 with waiver and condition for commercial development in Council District 11.

**C.B. 343, Series of 2009, A bill for an ordinance approving a Third Amendment to Cooperative Service Agreement between the City and County of Denver and USDA–APHIS Wildlife Services to extend the contract for performing certain wildlife control measures at Denver International Airport. (ECONOMIC DEVELOPMENT)**

Approves the annual USDA Wildlife Services agreement between the US Dept. of Agriculture, Animal and Plant Inspection Services and DIA to manage the Wildlife Hazard Management Plan that defines the objectives, plan of action, and budget for the Wildlife Services program to be conducted beginning July 1, 2009 and continuing through June 30, 2010. The agreement will add \$352,090 and add one year to the contract through June 30, 2010. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 344, Series of 2009, A bill for an Ordinance approving a proposed Third Amendment to Sublease between the City and County of Denver and Norac, Inc., to extend the term of a lease for office space at 2390 Ulster Street. (FINANCE)**

Renews the existing lease with NORAC, Inc. for two years in the amount of \$462,250 for Channel 8. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 345, Series of 2009, A bill for an ordinance establishing new funds in the Gateway Impact Fees Special Trust Funds, authorizing the transfer of cash from various Gateway Special Trust Funds to the Capital Improvements Fund and making an appropriation in the Capital Improvements Fund. (FINANCE)**

Establishes new trust funds to accept monies from Gateway Regional Metropolitan District and Denver High Point at DIA Metropolitan District in accordance with executed agreements and to appropriate the funds received from both districts, as well as Gateway Impact Fees, for mutual projects in the Gateway area.

**C.B. 346, Series of 2009, A bill for an Ordinance approving an Amendment of an on-call professional services agreement by and between the City and County of Denver and CH2M Hill, Inc. (FINANCE)**

Approves a three-year extension and adding \$1,500,000 to the CH2M Hill agreement for on-call professional services contract for various city agencies. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 347, Series of 2009, A bill for an ordinance approving the Mayor's Reappointment to the Board of Ethics. (GENERAL GOVERNMENT)**

Approves the reappointment of Lori Mack to the Board of Ethics.

**C.B. 349, 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 United States of America concerning the "Shelter Plus Care Housing First FY09-10" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes acceptance of \$842,484 from the US Dept. of Housing & Urban Development for the Shelter Plus Care Housing First Project to provide rental assistance for the homeless. This contract will end on March 31, 2010. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 350, Series of 2009**, A bill for an ordinance approving the application for and acceptance of that certain grant award to the City and County of Denver, acting by and through the Department of Human Services, from the U.S. Dept. of Housing and Urban Development concerning the Homeless Prevention and Rapid Re-Housing Program under the American Recovery and Reinvestment Act of 2009 and waiving the requirement that the final grant agreement be approved by the Council. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes acceptance of ARRA funding in the amount of \$3,769,259 for the Homeless Prevention and Rapid Re-housing Program for the Dept. of Human Services. This bill will authorize a waiver of the City Council approval to execute the funding within 15 days of receipt of the monies. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 351, Series of 2009**, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Regents of the University of Colorado, a Body Corporate, Acting on Behalf of the University of Colorado Health Sciences Center, Addiction Research and Treatment Services (ARTS) and The Haven, to provide for substance abuse treatment services related to the Denver Entire Family Focused Comprehensive Treatment (EFFECT) Grant. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Reduces the contract with the University of Colorado, Addiction Research and Treatment Services by \$30,000 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 7-13-09.**

**C.B. 352, Series of 2009**, A bill for an ordinance approving an Agreement between the City and County of Denver and OnePoint HRO, LLC, to provide payroll services for youth employment programs. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves a contract between the City and One Point HRO to provide payroll services for youth participants through October 31, 2009. This money is funded by the ARRA in the amount of \$781,500. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 353, Series of 2009, A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Southwest Airlines Co., to extend the term of the Agreement. (PUBLIC AMENITIES)**

Approves a one-year extension, through Dec. 2009, with two one-year options, of the agreement with Southwest Airlines for marketing and sponsorship rights at Red Rocks Amphitheatre, for which SWA will pay Theatres & Arenas \$100,000. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 354, Series of 2009, A bill for an ordinance approving an on call agreement between Colon-Collawn Construction, LLC and the City & County of Denver to provide general construction services. (PUBLIC WORKS)**

Approves a 4-year, on-call, small scope construction services contract with Colon-Collawn Construction, requiring at least 25% of work to be by certified Small Business Enterprise. Maximum contract amount is \$1.5 M; most work orders are limited to \$75,000. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 355, Series of 2009, A bill for an ordinance approving a proposed Contract and Agreement between the City and County of Denver and Hallmark, Inc. for 2009 on-call structural and safety repairs, phase I. (PUBLIC WORKS)**

Approves 1-year on-call construction contract with Hallmark, Inc. with a maximum contract value of \$750,000 and a term of one year for various work orders to repair structural and safety elements on transportation facilities. **The last regularly scheduled Council meeting within the 30-day review period is on 7-13-09.**

**C.B. 356, Series of 2009, A bill for an ordinance vacating portions of an alley between West 34<sup>th</sup> Avenue, West 35<sup>th</sup> Avenue, North Tejon Street, and North Shoshone Street, with reservations. (PUBLIC WORKS)**

Vacates the alley between W. 34<sup>th</sup> Ave, W. 35<sup>th</sup> Ave, Shoshone and Tejon in Council District 9.

**C.B. 357, Series of 2009, A bill for an ordinance vacating the L-shaped alley bordered by 33<sup>rd</sup> Street, Walnut Street and Blake Street, with reservations. (PUBLIC WORKS)**

Vacates the alley between W. 33rd St, Walnut and Blake in Council District 9.

**C.B. 358, Series of 2009, A bill for an ordinance vacating the portion of Boundary Place between South Dexter Street and South Dahlia Street, with reservations. (PUBLIC WORKS)**

Vacates the portion of Boundary Place between S. Dexter and S. Dahlia in Council District 4.

**Announcement**

**Adjourn**

## Bills for Final Consideration

9

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 07-13-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
312 of 09	Blueprint Denver	Final Consid.	Appl. 2009I-00002. Changes the zoning of a sliver of each of six parcels near W. 32 <sup>nd</sup> Ave. and Meade from R-2 to B-2 to correct an error in the zoning map in Council District 1.	6-8-09	Yes

### Bills Pending 07-20-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
342 of 09	Blueprint Denver	Final Consid.	Appl. 2008I-00079. Changes the zoning of two parcels totaling 1.23 acres at 7699 and 7701 Belleview from Arapahoe County zoning to B-8 to conform to Denver zoning in Council District 4.	6-22-09	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.		

