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## Public Works Committee Meeting Summary

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**June 17, 2008**

**1:30 p.m.**

**Conference Room 391**

**Members Present:** Johnson, López, Nevitt

**Members Absent:** Brown, Lehmann

**Others Present:** Robb

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Agenda: HC Peck Contract Amendment (action)  
Authorize acquisition of ROW for Federal, Alameda to 6<sup>th</sup> Ave. (action)  
Municipal Separate Storm Sewer System (MS4) Permit (briefing)

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### **1. Amend H.C. Peck Contract for Real Estate Services for Land Acquisition**

#### Committee Action

The Committee approved amending the contract with HC Peck real estate services related to land acquisition for right-of-way to add \$1.1 million, bringing the total to \$1.5 million.

#### Summary of Discussion

Steve Wirth, Facilities Planning & Management, said the City has had a \$400,000 annual contract with HC Peck since 2002 to do this work as needed. With the addition of the bond projects, the City will need much more help. The additional funds will come from the bond projects. The proposed amendment would add \$1.1 million, bringing the total to \$1.5 million.

Peck is certified by CDOT to handle real estate acquisition services, including title searches & commitments; negotiations; closing; relocations; and other services on behalf of the City for federal highway projects.

The process for an amicable acquisition is:

- Identify the parcels required to build the selected alternative improvements.
- An appraiser prepares an appraisal of the property.
- City Attorney and Colorado Dept. of Transportation review and approve the appraisal.
- The property owner is contacted and discussions are held.
- Once a price is agreed upon, a contract is prepared and the sale is executed.

Most discussion related to relocation services and Federal Blvd. Councilman López made the following points:

- The Office of Economic Development will be involved in the relocation.
- It is important to the community that as many of the businesses as possible be relocated on the Federal corridor in the general area in order to maintain the community.
- The community wants the corridor to retain its diversity of languages and types of businesses.
- Some existing businesses along Federal are interested in helping with relocation of other businesses, and he wanted to know if this was possible. Karen Aviles, Assistant City Attorney, said businesses could be sub-consultants to Peck if it were done legally through a Request for Proposals process.
- Outreach will need to be in several languages. Crissy Fanganello, Public Works, said the Colorado Dept. of Transportation will help with outreach and will work in the languages necessary.

## **2. Authorization to acquire right-of-way for Federal between Alameda and 6<sup>th</sup>**

### Committee Action

The Committee approved filing the ordinance authorizing acquisition of properties required for the improvements along Federal Blvd. between Alameda and 6<sup>th</sup> Ave. and asked for written clarification from the Manager of Public Works regarding the policy governing the maintenance responsibility for street trees planted with bond funds.

### Summary of Discussion

Crissy Fanganello, Public Works, said that the Environmental Assessment (EA) for this project took over two years, with many meetings with the neighborhoods along the corridor as well as with the business and property owners. The preferred alternative is fairly conservative while still addressing all of the safety concerns. The EA was approved in December 2007. The Finding of No Significant Impact was issued in February 2008, and now the project can move forward.

The initial analysis indicates that 21 total parcels and 67 partial parcels will be required, and once this ordinance is approved HC Peck will begin work on those properties. Ms. Fanganello said that the property owners and businesses have known for over a year that they would probably be among the ones asked to negotiate with the City, and it is now time to move forward and talk with them more specifically. This stage will take 12 to 18 months.

Councilman López asked if Public Works brought a map showing the parcels. Ms. Fanganello said no, but the map has not changed. She added that there may be fewer total parcels needed as the engineering work is completed.

Other items discussed included:

- Addition of lanes here falls under the Strategic Transportation Plan's definition of "lane balancing" so it does not contradict the Plan's "no new lane miles" philosophy.
- Trees will be planted in the new medians where the median can be at least 16 feet wide, per Parks & Recreation's standard. Parks & Recreation will maintain median trees.

- The program calls for 8-foot attached sidewalks, which does not leave room for street trees.
- Sidewalks will be widened to 13 feet where possible
- Adjacent property owners must sign an agreement stating they will maintain the street trees or none will be planted.
- Adjacent property owners may form a district and tax themselves to pay for electricity and water and tree maintenance.

Councilwoman Robb said the Colfax property owners were told that individual agreements were not satisfactory for trees purchased with bond funds. The owners were required to form a district. She asked for written clarification on the policy to ensure that it is the same everywhere.

Councilman Nevitt urged taking the long view and do the project right. If the sidewalks should be 13-foot wide, we should construct 13-foot sidewalks now. People will live with these improvements for a long time. He cited compromises made on the Evans overpass that left no room for pedestrians and bikes.

He also suggested putting in the conduit for water and electric for tree maintenance so that it is in place should a district be formed. Roger Mutz, Public Works, said that had been tried, and when the district was formed, it wanted the trees in different places.

Councilman Lopez added the following:

- Federal Blvd. will have a business district in place.
- Federal must be treated just like University, without compromises.
- The project must include multi-modal transportation needs, such as good crosswalks.
- We need to get creative with zoning designations and adopt something like Main Street for Federal to slow it down.
- The project on Federal south of Florida has been very slow; this one must be more efficient.
- Relocation assistance must be assured.
- Public outreach must be increased.

### **3. Municipal Separate Storm Sewer System (MS4) Permit**

Reza Kazemian, Director of Operations for Wastewater Management, updated the Committee on the Municipal Separate Storm Sewer System Permit, or MS4. This permit is issued by the State on the authority of the US Environmental Protection Agency and requires monitoring quality of the water Denver returns to the S. Platte River through runoff and the storm drainage system. The discussion included the following:

- Denver's first permit was issued in 1996 but was extended to 2003 when DIA was added; Denver's next permit goes through 2013 but extends the compliance schedule to 2018.
- Under the new permit, Denver will develop and implement a new management plan that identifies processes for reducing loading of E. coli into the S. Platte River.
- The major new target is bacteria that support E. coli colonies; target is concentration below 126 cfu (colony-forming unit) per 100 ml.

- The city has many storm drainage basins (like water sheds) but 8 of them are of priority importance because they have the worst records of compliance.
- Outfalls are monitored weekly with the goal of removing specific outfalls from further requirements through positive results. Removal requires 11 positive samples over one year or quarterly for 3 years.
- Activities include:
  - Management areas include commercial, residential and industrial uses; illicit discharge; construction sites; street runoff;
  - Inspection of storm sewer lines with cameras;
  - Cleaning lines with high-powered flushing;
  - Installation of markers at in-takes that say “No Dumping”;
  - Programs to educate the public not to dump dog waste, paint, etc. in the storm sewer; and
  - Keep wildlife from living in the storm sewers.
- The program costs \$11 million annually; funded by Wastewater Management.
- The point of the permit program is to ensure that S. Platte River water is of the highest possible quality for the communities down stream.