

City Council Agenda and Explanatory Notes

Meeting Date: Monday, January 5, 2009 5:30 p.m.

(Public hearing detail – see pages 5-7, 10-12)

Pledge of Allegiance

Roll Call Present:_____ Late:_____ Absent:_____

Approval of Minutes of Monday, December 22, 2008

Presentations

Communications

Proclamations – (Series of 2009)

Proc. 1, Series of 2009, A proclamation welcoming the 103rd National Western Stock Show, Rodeo and Horse Show to Denver.

Sponsored by Councilmembers Montero, López, Brown, Lehmann, and Hancock.

Proc. 2, Series of 2009, A proclamation in recognition of The Colorado Lottery's Starburst Community Award to the Gates Tennis Center.

Sponsored by Councilmembers Lehmann, Robb, and López.

Resolutions – (Series of 2009)

Res. 1, Series of 2009, A resolution approving the Mayor's Appointment to the Denver Housing Authority Board of Directors. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves the appointment of Lisa Flores to the Denver Housing Authority Board of Directors for a term ending July 20, 2012. The Committee approved filing this resolution by consent on 12-19-08.

Res. 2, Series of 2009, A resolution appointing Mr. Neal Berlin to the Civil Service Commission. (SAFETY)

Approves the Council reappointment of Neal Berlin as a member of the Civil Service Commission for a term expiring 12-31-2010. The Committee approved filing this resolution by consent on 12-26-08.

Res. 3, Series of 2009, A resolution authorizing and approving the expenditure and payment from the appropriation account designated “liability claims”, the sum of Twenty Thousand Dollars (\$20,000.00), payable to Killmer, Lane & Newman, LLP in full payment and satisfaction of all claims in Claim No. 0812-006763. (SAFETY)

Settles a claim involving the Police Department. This resolution was approved for filing at the Mayor-Council meeting on 12-9-08.

Bills for Introduction - (Series of 2009)

C.B. 1, Series of 2009, A bill for an ordinance changing the zoning classification with waivers of parcels of land generally located in an area bounded by Speer Boulevard, West 27th Avenue, Bryant Street and west of Zuni Street. (BLUEPRINT DENVER)

Revised Appl. 2008I-00047. Changes the zoning of the 5.88-acre area around Speer and Alcott from PRV to R-MU-30 with waivers (height and off-street loading) for retail and residential uses in Council District 1. **This is a proposed replacement for C.B. 649, Series of 2008, adding the off-street loading waiver. PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing the original bill at its meeting on 12-10-08; the amended bill will be discussed by Committee on 1-14-09.

C.B. 2, Series of 2009, A bill for an ordinance approving an agreement between Tech Logic Corporation and the City & County of Denver that will provide a Radio Frequency Identification System for the Denver Public Library System. (BOND IMPLEMENTATION)

Approves a 2-year, \$1,750,000 contract with Tech Logic for Radio Frequency Identification of Denver Public Library materials providing more efficient circulation. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill by consent on 12-26-08.

C.B. 3, Series of 2009, A bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Diversified Underground, Inc. to provide consultant services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Amends the Utility Locate Service professional services contract with Diversified Underground, Inc. to add \$450,000 to the contract and to extend the contract through December 31, 2011 for utility locating services. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill at its meeting on 12-12-08.

C.B. 4 Series of 2009, A bill for an ordinance authorizing expenditures in the Employees Voluntary Salary Redirection Plan Special Trust Fund for Uninsured Medical Expense, Dependent Care Expense, and Qualified Parking Expense. (GENERAL GOVERNMENT)

Approves 2009 spending authority of \$3,621,018 for Uninsured Medical Care, \$1,104,522 for Dependent Care, and \$134,396 for the Qualified Parking Program paid for with employee contributions. The Committee approved filing this bill by consent on 12-26-08.

C.B. 5, Series of 2009, A bill for an ordinance authorizing expenditures from the Dental Self-Insurance Fund. (GENERAL GOVERNMENT)

Approves an appropriation for 2009 in the amount of \$8,169,000 for the Self-Insured Dental Fund for City employees funded at 62.4% City with the remainder employee-paid. The Committee approved filing this bill by consent on 12-26-08.

C.B. 6, 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 Colorado Trust concerning the "The Colorado Trust - Outreach and Enrollment for Children and Youth" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Accepts a grant in the amount of \$225,000 from Colorado Trust for helping to reach and enroll uninsured children who are eligible for public insurance programs and assistance in accessing health services. The Committee approved filing this bill by consent on 12-5-08.

C.B. 7, 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 "Food Stamp Program Participation" project and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves a grant agreement between the City and the US Dept. of Agriculture in the amount of \$705,976 for the 2008 Food Stamp Participation Program. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill by consent on 10-3-08.

C.B. 8, Series of 2009, A bill for an ordinance approving an 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)

Extends the agreement with the University of Colorado through September 30, 2009, and adds \$281,696 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 1-26-09.** The Committee approved filing this bill by consent on 11-14-08.

C.B. 9, Series of 2009, A bill for an Ordinance approving an Amendatory Agreement between the City and County of Denver and Mike Quintana Sr. dba Sloans Lake Boxing Club to occupy the Gun Club Building at Sloan's Lake Park. (PUBLIC AMENITIES)

Approves a 1-year agreement allowing Mike Quintana to continue operation of the Sloans Lake Boxing Club in the Gun Club Building. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill by consent on 11-28-08.

C.B. 10, Series of 2009, A bill for an ordinance making rescissions and appropriations in the State Conservation Trust (Lottery) Fund for the River North Master Plan project. (PUBLIC AMENITIES)

Rescinds \$13,000 from the Dailey Park Master Plan budget and appropriates that amount to the River North Master Plan budget. The Committee approved filing this bill by consent on 12-26-08.

C.B. 11, 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 "Reconstruction of Broadway, Yale to Wesley" project and the funding therefor. (PUBLIC WORKS)

Amends the Intergovernmental Agreement with the Colorado Dept. of Transportation authorizing the City to accept and expend additional federal funds in the amount of \$3,067,255 for reconstruction of Broadway between Yale and Wesley. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill by consent on 11-28-08.

C.B. 12, Series of 2009, A bill for an ordinance approving an on-call agreement between Turner Construction Company and the City & County of Denver that will provide general construction services. (PUBLIC WORKS)

Approves an on-call construction services contract with Turner Construction with a maximum of \$5,000,000 to provide services, including negotiated pricing, competitive bidding, and performance of construction, on City renovation and remodeling projects, on as-needed basis. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill by consent on 12-19-08.

C.B. 13, 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. (PUBLIC WORKS)

Approves an on-call construction services contract with FCI Constructors with a maximum of \$5,000,000 to provide services, including negotiated pricing, competitive bidding, and performance of construction, on City renovation and remodeling projects, on as-needed basis. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill by consent on 12-19-08.

C.B. 14, Series of 2009, A bill for an ordinance making appropriations from the Capital Improvement Fund projects. (PUBLIC WORKS)

Appropriates \$403,368 from the 2009 Capital Improvement Fund contingency for reconciliation of the 1996 land exchange agreement with Trillium Corp. regarding land in the Central Platte Valley for Commons and Rockmont parks and Little Raven, Wewatta, 15th and 20th streets. The Committee approved filing this bill by consent on 12-26-08.

C.B. 15, Series of 2009, A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and Justice Benefits, Inc., for a no-cost extension. (SAFETY)

Approves a one year, no-cost extension for the contract with Justice Benefits International (JBI) through December 31, 2009 to assist the Sheriffs' Department with maximizing federal reimbursement for certain inmates. **The last regularly scheduled Council meeting within the 30-day review period is on 1-26-09.** The Committee approved filing this bill by consent on 12-19-08.

Tonight Council will required public hearings on C.B.s 632, 679, 680, 721, and 722, Series of 2008. 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. It is Council's intent to postpone final consideration with the public hearings of C.B.s 721 and 722, Series of 2008, to Tuesday, January 20, 2009.

Recess

Council Reconvenes and Resumes its Regular Session

Final Consideration

C.B.s 632, 679, and 680, Series of 2008, 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. 632, Series of 2008, A bill for an ordinance changing the zoning classification for 2159 Downing Street to a Planned Unit Development District (PUD).** (BLUEPRINT DENVER)
 Appl. 2008I-00024. Changes the zoning of the 0.18-acre parcel at 2159 Downing from R-4 to PUD for reuse of a commercial building in Council District 8.

REQUIRED PUBLIC HEARING **C.B. 679, Series of 2008, A bill for an ordinance changing the zoning classification for 99 South Garfield Street to a Planned Unit Development District (PUD).** (BLUEPRINT DENVER)
 Appl. 2008I-00046. Changes the zoning of the 0.43-acre parcel at 99 S. Garfield from R-1 to PUD for six residential units in Council District 10.

REQUIRED PUBLIC HEARING **C.B. 680, Series of 2008, A bill for an ordinance changing the zoning classification for East First Avenue and Fillmore Place to a Planned Unit Development District (PUD).** (BLUEPRINT DENVER)
 Appl. 2008I-00036. Changes the zoning of the 2.26-acre parcel at 1st Avenue and Fillmore from PUD 363 to PUD for retail, residential, and parking garage in Council District 10.

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 8th Avenue, as a structure for preservation.** (BLUEPRINT DENVER)
 Designates the CU Medical Center Children's Psychiatric Day Care Building, 4301 E. 8th 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 8th Avenue, as a structure for preservation. (BLUEPRINT DENVER)

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

C.B. 731, Series of 2008, A bill for an ordinance approving a proposed Contract between the City and County of Denver and American Civil Constructors for Washington Park irrigation renovation. (BOND IMPLEMENTATION)

Approves a \$947,570 contract with American Civil Constructors for all work necessary to install a new irrigation pump system at Washington Park. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

C.B. 732, Series of 2008, A bill for an ordinance approving a proposed Contract between the City and County of Denver and John Rohrer Contracting Company, Inc. related to parking structure moisture protection services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a contract with John Rohrer Contracting Company in the amount of \$7,762,701.40 for a total contract term of 260 days from the notice to proceed date for parking structure protection services.

C.B. 733, Series of 2008, A bill for an ordinance making a supplemental appropriation from the General Contingency Fund to the Office of the Clerk and Recorder and the Department of Public Works. (FINANCE)

Approves a supplemental request in the amount of \$465,000 from the General Fund Contingency Reserve for the Elections Division (\$165,000) and Public Works-Street Maintenance (\$300,000) for costs associated with the 2008 Presidential election and increased fuel costs.

C.B. 734, Series of 2008, A bill for an ordinance making rescissions and appropriations in the General Fund, Department of Finance appropriation. (FINANCE)

Approves rescissions and appropriations in the Dept. of Finance totaling \$530,000.

C.B. 735, Series of 2008, A bill for an ordinance making rescissions and appropriations in the General Fund, Department of Public Works appropriation. (FINANCE)

Approves rescissions and appropriations in the Dept. of Public Works totaling \$350,000.

C.B. 736, Series of 2008, A bill for an ordinance approving a proposed Equipment Lease Purchase Agreement between the City and County of Denver and All American Investment Group, LLC for lease of an excise tax system. (FINANCE)

Authorizes a capital lease purchase agreement with All American Investment Group, LLC (AAIG) in the amount of \$4.1 million (including interest \$4,904,512.66) for purchase of the FAST LLC Version 7.0 Gen Tax software. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

C.B. 737, Series of 2008, A bill for an ordinance approving an Agreement between the City and County of Denver and FAST Enterprises, LLC for software licensing and implementation services provided by FAST Enterprises. (FINANCE)

Approves a vendor agreement with FAST Enterprises, LLC (FAST) to obtain, install, and configure FAST Version 7.0 Gen Tax software. This is a companion lease purchase agreement with the vendor who will be paid by AAIG for the tax collection system. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

C.B. 738, Series of 2008, A bill for an ordinance approving an Agreement between the City and County of Denver and FAST Enterprises, LLC, retaining the Contractor to provide software maintenance subscription and support services for “GenTax Software Version 7.0”. (FINANCE)

Authorizes a maintenance and support contract with FAST Enterprises, LLC (FAST) in the amount of \$4,850,000 to provide services and maintenance for five years for the FAST Version 7.0 Gen Tax software for the City’s Tax Collection System. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

C.B. 739, Series of 2008, 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 pay grade for Golf Starter/Ranger from 605-G to 310-Y and creates Golf/Pro Shop Assistant at 600-G.

C.B. 740, Series of 2008, 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)

Creates Payroll Supervisor (811-V), Payroll Accountant (809-V), Lead Payroll Associate (808-V), Senior Payroll Associate (807-V), and Payroll Associate (615-V) classifications as part of the consolidation of payroll functions in the Controller's Office, within the Department of Finance and revises the Information Technology (IT) occupational group according to a recent review of such classifications and their compensation.

C.B. 741, Series of 2008, A bill for an ordinance amending the salary of the District Attorney. (GENERAL GOVERNMENT)

Sets the salary for the District Attorney as follows: 2009: \$177,000; 2010: \$187,000; 2011: \$197,000; and 2012: \$207,000.

C.B. 742, Series of 2008, A bill for an ordinance authorizing the issuance and sale of an amount not to exceed \$6,000,000 of City and County of Denver, Colorado Variable Rate Demand Industrial Development Revenue Bonds (Brass Smith/Kevry Project) Series 2009 for the purpose of providing financing for the acquisition of a site and the substantial rehabilitation and improvement of an existing manufacturing facility thereon, and to pay certain expenses of such bond issue; approving and authorizing execution of a trust indenture, a financing agreement and a purchase contract with respect to the 2009 bonds; making findings and determinations with respect to the project and the 2009 bonds; authorizing the execution and delivery of related documents; and repealing all action heretofore taken in conflict herewith. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves issuance of an amount not to exceed \$6 million of the City's Industrial Development Revenue Bonds (Private Activity Bonds) for Brass Smith, LLC to finance land acquisition, build-out, and equipment costs for expansion of their facilities and services. The bonds would be issued as Variable Rate Demand Obligations (VRDO) to provide greater flexibility and manageable interest rates.

C.B. 743, Series of 2008, A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and Nobel/Sysco Food Services Company. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves the following amendments to the Nobel-Sysco Food Services contract: modifies Section 1 of the agreement to define those employees Sysco may include in its total base employee count (incentive formula) as those employees who report to the facility at least monthly, reside within seventy-five miles of the facility, and have no office other than the facility; modifies Section 2 of the Agreement to allow for the application of Sysco in 2011 for a tax incentive payment on employment rate and taxes paid in 2010; and modifies Section 4 of the Agreement to provide a no-cost extension of the contract for one year through July 31, 2011. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

C.B. 744, Series of 2008, 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 "Colorado Prevention Partners-Strategic Prevention Framework State Incentive FY08-09" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION) Authorizes an appropriation in the amount of \$150,000 for the Colorado Prevention Partners Program for the 2008-09 program year for the prevention of underage drinking and enhancing the prevention program services. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

C.B. 745, Series of 2008, A bill for an Ordinance approving an Amendment to a Concession License Agreement granted by the City and County of Denver to Wellshire LLC for the operation of a food and beverage service at Wellshire Golf Course. (PUBLIC AMENITIES)

Extends the concession agreement with Wellshire LLC regarding operation of food and beverage service at the Wellshire Golf Course for 5 years. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

C.B. 746, Series of 2008, A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Jacobs Engineering Group, Inc. for on-call design services. (PUBLIC WORKS)

Extends the on-call annual professional services contract with Jacobs Engineering Group (formerly Carter Burgess) for one year with an annual maximum of \$500,000 and total maximum of \$2.5 M. **The last regularly scheduled Council meeting within the 30-day review period is on 1-12-09.**

Announcement

Dependent upon publication there will be a public hearing on C.B. 1, Series of 2009, on February 2, 2009. Any protests against C.B. 1, Series of 2009, must be filed in the Council Office no later than noon Monday, January 26, 2009.

Adjourn

<p>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.</p>
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Bills for Final Consideration

Bills Pending 01-20-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
725 of 08	Blueprint Denver	Final Consid.	Appl. 2008I-00074-LA-1185. Amends the code to allow "residence for older adults" in the B-2 zone district.	12-22-08	Yes
727 of 08	Blueprint Denver	Final Consid.	Changes the zoning of a portion of the former CU Health Sciences Center campus from R-3 to R-MU-20 with waivers for residential mixed use in Council District 10.	12-22-08	Yes Combined
728 of 08	Blueprint Denver	Final Consid.	Changes the zoning of a portion of the former CU Health Sciences Center campus from R-3 and H-1-A to C-MU-10 with waivers for mixed uses in Council District 5 and 10.	12-22-08	Yes Combined
729 of 08	Blueprint Denver	Final Consid.	Changes the zoning of a portion of the former CU Health Sciences Center campus from R-3 to R-MU-30 with waivers for residential mixed uses in Council District 5.	12-22-08	Yes Combined
730 of 08	Blueprint Denver	Final Consid.	Changes the zoning of a portion of the former CU Health Sciences Center campus from H-1-A to R-MU-30 with waivers for residential mixed uses in Council District 10.	12-22-08	Yes Combined

Bills Pending 01-26-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
723 of 08	Blueprint Denver	Final Consid.	Appl. 2008I-00063. Changes the zoning of the 0.12-acre parcel at 2300 W. 29 th Ave. from PRV to R-MU-20 for retail and residential uses in Council District 9.	12-22-08	Yes
724 of 08	Blueprint Denver	Final Consid.	Appl. 2008I-00059. Changes the zoning of the 1.9-acre parcel at 1855 W. 29 th St. and 2800 Arkins Ct. from I-2 to R-MU-30 for retail and residential uses in Council District 9.	12-22-08	Yes
726 of 08	Blueprint Denver	Final Consid.	Appl. 2008I-00081-LA-1186. Adds "assisted living facility" as a defined use, allows the use in several zone districts (some with special review) and establishes parking standards.	12-22-08	Yes

Bills Pending 02-02-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
649 of 08	Blueprint Denver	Final Consid.	Appl. 2008I-00047. Changes the zoning of the 5.88-acre area around Speer and Alcott from PRV to R-MU-30 with a waiver for retail and residential uses in Council District 1.	12-22-08	Yes

