

City Council Agenda and Explanatory Notes

Meeting Date: Monday, January 26, 2009 5:30 p.m.

(Public hearing detail – see pages 4-5, 7-8)

Pledge of Allegiance

Roll Call Present: _____ Late: _____ Absent: _____

Approval of Minutes of Tuesday, January 20, 2009

Presentations

Communications

Proclamations – (Series of 2009)

Proc. 3, Series of 2009, A proclamation in appreciation of Felicia L. Diamond's work to make Colorado a better place to live.

Sponsored by Councilmembers Madison, López, Boigon, Garcia, and Lehmann.

Resolutions – (Series of 2009)

Res. 8, Series of 2009, A resolution agreeing to act as a reviewing entity for the state income tax credit program for qualifying rehabilitation projects under C.R.S. §39-22-514. (BLUEPRINT DENVER)

Authorizes the Landmark Preservation Commission to review applications for state income tax credits for qualifying improvements to appropriately designated structures on behalf of City Council. The Committee approved filing this resolution by consent on 1-23-09.

Res. 9, Series of 2009, A resolution approving the Mayor's Reappointment to the Board of Environmental Health. (GREENPRINT)

Approves the mayoral reappointment of Chris Wiant to the Board of Environmental Health for a term expiring December 31, 2013. The Committee approved filing this resolution by consent on 1-16-09.

Res. 10, Series of 2009, A resolution approving the Mayor's Reappointment and Appointments to the Colfax Business Improvement District Board of Directors. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Appoints J. Cleve Wortham, Matthew Holberton, and Tina Pachorek to the Colfax Business Improvement District Board of Directors for terms ending December 31, 2012. The Committee approved filing this resolution by consent on 1-16-09.

Res. 11, Series of 2009, A resolution approving the Mayor's Appointment to the Denver Asian Pacific-American Commission. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Appoints Dr. Avani Khatri to the Denver Asian Pacific-American Commission for a term ending January 22, 2011. The Committee approved filing this resolution by consent on 1-16-09.

Res. 12, Series of 2009, A resolution approving the Mayor's Reappointment and Appointment to the Regional Emergency Medical and Trauma Advisory Council (RETAC). (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Reappoints Dr. Christopher Colwell and appoints Dan Alexander to the Regional Emergency Medical and Trauma Advisory Council (RETAC) for terms ending December 31, 2011. The Committee approved filing this resolution by consent on 1-16-09.

Bills for Introduction - (Series of 2009)

C.B. 41, Series of 2009, A bill for an ordinance approving a proposed Design Services Agreement between the City and County of Denver and Humphries Poli Architects for architectural & engineering professional services for the police traffic operations & training facility. (BOND IMPLEMENTATION)

Approves a \$784,426 contract with Humphries/Poli Architects for a term from 12-01-08 to 02-30-11 for architectural and engineering professional services for the Police Traffic Operations & Training Facility. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.** The Committee approved filing this bill by consent on 10-31-08.

C.B. 42, Series of 2009, A bill for an ordinance approving an agreement between Jacobs Engineering Group, Inc. and the City & County of Denver for project management services for the construction of Public Works Operations at Decatur, Police Traffic Operations & Training Facility and Denver Municipal Animal Shelter. (BOND IMPLEMENTATION)

Approves a \$2,054,702 contract with Jacobs Engineering for project management services from 12-01-08 to 06-30-11 for the following bond projects: Relocation of Public Works Operations from Decatur; Police Traffic Operations & Training Facility; Denver Municipal Animal Shelter. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.** The Committee approved filing this bill by consent on 10-31-08.

C.B. 43, Series of 2009, A bill for an ordinance approving a proposed Contract between the City and County of Denver and Penhall Company related to miscellaneous airfield pavement joint rehabilitation services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a contract with Penhall Company in the amount of \$5,983,750 for a contract term ending December 31, 2009 for services related to airfield pavement joint seal rehabilitation work at DIA. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.** The Committee approved filing this bill by consent on 1-16-09.

C.B. 44, Series of 2009, A bill for an Ordinance adopting provisions for the implementation and administration of merit increases in fiscal year 2009 and for the cancellation of the 2009 incentive pay bonus. (GENERAL GOVERNMENT)

Cancels the 2009 employee bonus program and limits 2009 step increases to 2.25% regardless of the employee performance rating. The Committee approved filing this bill at its meeting on 1-13-09.

C.B. 45, Series of 2009, A bill for an ordinance approving an Amendatory Agreement between the City and County of Denver and Sequoia Voting Systems, Inc., to provide for additional costs incurred for the 2008 Primary and General Elections. (GENERAL GOVERNMENT)

Adds \$118,156.77 to the contract with Sequoia Voting Systems for additional costs incurred for the 2008 election including additional mail ballot packets due to increased demand, additional freight charges for printed ballots. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.** The Committee approved filing this bill by consent on 12-19-08.

C.B. 46, Series of 2009, A bill for an ordinance amending Chapter 54 of the Revised Municipal Code pertaining to parking for persons with mobility impairments. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends Chapter 54 of the Revised Municipal Code related to parking for persons with mobility impairments that would clarify parking rules and regulations which would specify that four-hour free parking applies to kiosk areas, a vehicle must move 100' when timed parking has expired, that a placard must be displayed in plain view on the "dash" of a vehicle, and that no one may park in the marked hashed lines designed for passenger entrance and egress. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.** The Committee approved filing this bill at its meeting on 1-13-09.

C.B. 47, Series of 2009, A bill for an Ordinance approving an Amendatory Agreement between the City and Denver Metro Chamber of Commerce dba Metro Denver Economic Development Corporation related to the WIRED Initiative grant. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Metro Denver Economic Development Corporation contract related to the Workforce Innovation in Regional Economic Development (WIRED) Initiative grant which includes a no-cost extension to the contract for one year through January 31, 2010. **The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09.** The Committee approved filing this bill by consent on 1-16-09.

C.B. 48, Series of 2009, A bill for an ordinance approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and NEWSED Community Development Corporation, Inc. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the contract with NEWSED Community Development Corporation to defer its monthly federally-funded loan payments 18 months beginning December 1, 2008 through May 1, 2010 to allow the organization time to find tenants and to develop a plan to make this commercial project viable. Payments will be resumed on June 1, 2010.

The last regularly scheduled Council meeting within the 30-day review period is on 2-17-09. The Committee approved filing this bill at its meeting on 1-13-09.

C.B. 49, Series of 2009, A bill for an ordinance vacating an alley generally bounded by Evans Avenue, East Asbury Avenue, High Street and Race Street, subject to certain reservations. (PUBLIC WORKS)

Vacates the alley bounded by Evans, Asbury, S. High and S. Race in Council District 7. This bill was approved for filing by consent of the Mayor-Council agenda on 1-20-09.

Tonight Council will hold required public hearings on C.B.s 723, 724, and 726, 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.

Recess

Council Reconvenes and Resumes its Regular Session

Final Consideration

C.B.s 723 and 724, 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. 723, Series of 2008, A bill for an ordinance changing the zoning classification for 2300 West 29th Avenue. (BLUEPRINT DENVER)**
Appl. 2008I-00063. Changes the zoning of the 0.12-acre parcel at 2300 W. 29th Ave. from PRV to R-MU-20 for retail and residential uses in Council District 9.

REQUIRED PUBLIC HEARING **C.B. 724, Series of 2008, A bill for an ordinance changing the zoning classification for 1855 West 29th Street and 2800 Arkins Court. (BLUEPRINT DENVER)**
Appl. 2008I-00059. Changes the zoning of the 1.9-acre parcel at 1855 W. 29th St. and 2800 Arkins Ct. from I-2 to R-MU-30 for retail and residential uses in Council District 9.

REQUIRED PUBLIC HEARING **C.B. 726, Series of 2008, A bill for an ordinance relating to Chapter 59 (Zoning), adding the use “assisted living” correcting references to nursing homes and making conforming changes. (BLUEPRINT DENVER)**
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.

C.B. 32, Series of 2009, A bill for an Ordinance approving a proposed Second Amendatory Lease Agreement between the City and County of Denver and United Church of Montbello. (FINANCE)
Renews the lease with United Church of Montbello for one year in the amount of \$1.00 for a food bank located in the Arie P. Taylor Building located at 4685 Peoria Street. **The last regularly scheduled Council meeting within the 30-day review period is on 2-9-09.**

C.B. 33, Series of 2009, A bill for an ordinance authorizing the Mayor and other proper officials to enter into a contractual agreement with the United States of America, Department of Housing and Urban Development, for an "Emergency Shelter FY09" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes the acceptance of \$205,141 from the U.S. Dept. of Housing & Urban Development for the 2009 Emergency Shelter Grant Program. **The last regularly scheduled Council meeting within the 30-day review period is on 2-9-09.**

C.B. 34, Series of 2009, A bill for an ordinance authorizing the Mayor and other proper officials to enter into a contractual agreement with the State of Colorado for a "Community Services Block Grant FY09-10" program and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes an agreement and appropriation of \$493,450 for the Community Services Block Grant program year 2009-2010 beginning March 1, 2009, with the Colo. Dept. of Local Affairs. **The last regularly scheduled Council meeting within the 30-day review period is on 2-9-09.**

C.B. 35, Series of 2009, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Urban Peak, to provide homeless prevention services for youth and adult individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Urban Peak contract to extend the agreement three months and to add \$60,000 for homeless prevention services for youth and adult individuals. **The last regularly scheduled Council meeting within the 30-day review period is on 2-9-09.**

C.B. 36, Series of 2009, A bill for an ordinance vacating an alley adjacent to 2734 W. 35th Ave. and 2724 W. 35th Ave., without reservations. (PUBLIC WORKS)

Vacates the alley south of 2734 and 2724 W. 35th Ave., between Clay and Decatur streets, in Council District 9.

C.B. 37, Series of 2009, A bill for an Ordinance designating certain properties as being required for public use and authorizing use and acquisition thereof by negotiation or through condemnation proceedings. (PUBLIC WORKS)

Authorizes negotiation and purchase, or condemnation if necessary, of parcels, partial parcels, temporary construction easements; conveyance of remnant parcels; and temporary use of City-owned land for construction of the Federal Boulevard Road & Sidewalk Improvement Project between 6th Avenue and Alameda. **The last regularly scheduled Council meeting within the 30-day review period is on 2-9-09.**

C.B. 38, Series of 2009, A bill for an ordinance approving a Grant Agreement between the City and County of Denver and the State of Colorado, to improve the homeland security capabilities of Denver and the entities who are part of the UASI Working Group. (SAFETY)

Accepts and appropriates a \$6,091,600 Urban Area Security Initiative grant to improve the homeland security capabilities of Denver and the entities in the UASI Working Group. **The last regularly scheduled Council meeting within the 30-day review period is on 2-9-09.**

C.B. 39, Series of 2009, A bill for an Ordinance approving a proposed Agreement between the City and County of Denver and the State of Colorado, Judicial Department concerning certain Denver County Court fee revenue. (SAFETY)

Companion bill to C.B. 40, Series of 2009. Approves a new intergovernmental agreement between the County Court and the Judicial Department of Colorado regarding revenue sharing of fees and surcharges. **The last regularly scheduled Council meeting within the 30-day review period is on 2-9-09.**

C.B. 40, Series of 2009, A bill for an ordinance concerning county court fees. (SAFETY)

Companion bill to C.B. 39, Series of 2009. Changes the Municipal Code provisions regarding state/county court revenue sharing to comply with the new intergovernmental agreement.

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 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
1 of 09	Blueprint Denver	Final Consid.	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.	1-5-09	Yes

Bills for Final Consideration

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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