

City Council Agenda and Explanatory Notes

Meeting Date: Monday, March 9, 2009 5:30 p.m.

(Public hearing detail – see pages 6-7, 9-10)

Pledge of Allegiance

Roll Call Present: _____ Late: _____ Absent: _____

Approval of Minutes of Monday, March 2, 2009

Presentations

Communications

Proclamations – (Series of 2009)

Proc. 7, Series of 2009, A proclamation congratulating the Denver St. Patrick's Day Parade Committee on the occasion of the 47th annual parade on Saturday, March 14, 2009.

Sponsored by Councilmembers Madison, Faatz, Lehmann, López, Robb, Johnson, Montero, and Garcia.

Resolutions – (Series of 2009)

Res. 37, Series of 2009, A resolution laying out, opening and establishing as part of the city street system a certain parcel of land as part of Hampden Avenue near South Tamarac Street. (PUBLIC WORKS)

Dedicates a narrow strip of land as part of the south side of E. Hampden west of S. Tamarac in Council District 4. This resolution was approved for filing at the Mayor-Council meeting on 3-3-09.

Res. 38, Series of 2009, A resolution granting a revocable permit to Trison Development Corp., to encroach into the right-of-way with an 8" PVC drain pipe at 1284 Downing Street. (PUBLIC WORKS)

Grants a revocable permit to Trison Development Corp. to encroach into the right-of-way with an 8-inch PVC drain pipe at 1284 Downing in Council District 10. This resolution was approved for filing at the Mayor-Council meeting on 3-3-09.

Bills for Introduction - (Series of 2009)

C.B. 135, Series of 2009, A bill for an ordinance approving an agreement between Humphries Poli Architects, P.C. and the City & County of Denver that will provide design services for the new Green Valley Ranch Library. (BOND IMPLEMENTATION)

Approves a \$714,000 contract with Humphries Poli Architects for design and construction administration on the Green Valley Ranch Library project. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill at its meeting on 1-26-09.

C.B. 136, Series of 2009, A bill for an ordinance approving an on-call agreement between Interlock Construction Corporation and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with Interlock Construction Corporation through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 137, Series of 2009, A bill for an ordinance approving an on-call agreement between White Construction Group and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with White Construction Group through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 138, Series of 2009, A bill for an ordinance approving an on-call agreement between Tower I Construction Company and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with Tower I Construction through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 139, 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. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with FCI Constructors, Inc. through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 140, Series of 2009, A bill for an ordinance approving an on-call agreement between Haselden Construction, LLC and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call medium-scope construction services contract with Haselden Construction, Inc. through Dec. 31, 2013, with a maximum capacity of \$2.5 million and individual work orders limited to \$250,000 (Clerk's Filing No. 09-167). **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 141, Series of 2009, A bill for an ordinance approving an on-call agreement between Haselden Construction, LLC and the City & County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call large-scope construction services contract with Haselden Construction through Dec. 31, 2011, with a maximum capacity of \$5 million and individual work orders limited to \$400,000 (Clerk's Filing No. 09-171). **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 142, Series of 2009, A bill for an ordinance approving an on-call agreement between JE Dunn Rocky Mountain, Inc. and the City and County of Denver that will provide general construction services. (BOND IMPLEMENTATION)

Approves an on-call large-scope construction services contract with JE Dunn Rocky Mountain, Inc. through Dec. 31, 2011, with a maximum capacity of \$5 million and individual work orders limited to \$400,000. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 143, Series of 2009, A bill for an ordinance approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Electronic Data, Inc. for professional services to upgrade business processes and a Maximo enterprise asset management system at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves adding \$154,000 to the Electronic Data Inc. contract for services related to managing and servicing the Maximo System (purchasing and accounts payable activities) for DIA. The Committee approved filing this bill by consent on 2-27-09.

C.B. 144, Series of 2009, A bill for an ordinance approving a proposed Purchase Order between the City and County of Denver and Angenta Technologies for computer equipment at Denver International Airport. (ECONOMIC DEVELOPMENT)

Approves a \$579,878 contract with Angenta Technologies for purchase of 176 NEC 46" Monitors and 176 NEC Single Board Computers to be used for flight and gate information displays. The Committee approved filing this bill by consent on 2-27-09.

C.B. 145, Series of 2009, A bill for an ordinance authorizing the issuance of City and County of Denver, Colorado, Excise Tax Revenue Refunding Bonds, Series 2009A, for the purpose of defraying the cost of refunding, paying and discharging the City and County of Denver, Colorado, Excise Tax Revenue Bonds, Series 2001B now outstanding; 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 providing the effective date thereof. (FINANCE)

Authorizes the Manager of Finance to issue approximately \$74 million of Denver's Colorado Excise Tax Revenue Refunding Bonds, Series 2009A to refund the outstanding \$74 million of Denver's Colorado Excise Tax Revenue Refunding Bonds, Series 2001B. The refunding is necessary due to the ratings downgrade of FSA insurance supporting the 2001B bonds and because the Dexia Credit Local contract will not be renewed. The Committee approved filing this bill by consent on 2-13-09.

C.B. 146, Series of 2009, A bill for an ordinance authorizing the issuance of City and County of Denver, Colorado, Excise Tax Revenue Refunding Bonds, Series 2009B, for the purpose of defraying the cost of refunding, paying and discharging the City and County of Denver, Colorado, Excise Tax Revenue Refunding Bonds, Series 1999A now outstanding; 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 providing the effective date thereof. (FINANCE)

Authorizes the Manager of Finance to issue approximately \$38.2 million of Denver's Colorado Excise Tax Revenue Refunding Bonds, Series 2009B to refund Denver's outstanding Colorado Excise Tax Revenue Refunding Bonds, Series 1999A. The refunding is being undertaken to provide debt service savings due to lower interest costs. The Committee approved filing this bill by consent on 2-13-09.

C.B. 147, Series of 2009, A bill for an ordinance relating to Chapter 49 (Streets, Sidewalks and Public Ways), allowing certain temporary signs in the right-of-way. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends Chapter 49 of the Denver Revised Municipal Code to allow certain temporary signs – “sandwich boards” – in the right-of-way. Signage boards must be approved by the Manager of Public Works for permitting purposes and the signage must conform to criteria outlined in code pertaining to placement (visibility and safety), size of signage, advertising, and Business Improvement District participation. In addition, a \$50.00 annual permitting fee will be imposed effective January 1, 2010. The Committee approved filing this bill at its meeting on 2-24-09.

C.B. 148, Series of 2009, A bill for an ordinance approving a Second Amendatory Agreement between the City and County of Denver and Colorado Coalition for the Homeless, to provide rental assistance services to eligible homeless individuals. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a two-month extension to the Colorado Coalition for the Homeless contract through March 31, 2009 for services to the homeless for need rental assistance. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 149, Series of 2009, A bill for an ordinance approving a Fifth Amendatory Agreement between the City and County of Denver and Denver Rescue Mission, to provide room and board to homeless men discharged from hospitals and to single women and families. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the Denver Rescue Mission contract to extend the agreement twelve months through December 31, 2009 and to add \$146,000 for room and board assistance to homeless men discharged from hospitals and single women and families. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 150, Series of 2009, A bill for an ordinance approving a Fourth Amendatory Agreement between the City and County of Denver and Mile High United Way, to provide services for the Youth Mentoring Program Collaborative Initiative. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes a budget reduction to the Mile High United Way agreement in the amount of \$127,305.56 bringing the total agreement amount to \$2,899,494.44 through May 31, 2009 for the Youth Mentoring Program Collaborative Initiative. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 151, Series of 2009, A bill for an ordinance authorizing and approving (i) the use of an amount not to exceed \$25,000,000 of Private Activity Bond Volume Cap Allocation for the purpose of making a mortgage credit certificate election; and (ii) the MCC Program Administration Agreement and the MCC Program Guidelines. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves the issuance of an amount not to exceed \$25 million in Private Activity Bond Volume Cap for the purpose of issuing \$31,250,000 in Mortgage Credit Certificates (MCC) and approves the Program Administrator Agreement for the MCC Program. The MCC Program will benefit low and moderate income home buyers and will assist with refinancing subprime loans. This is related to the Federal Home Economic Recovery Act (HERA) legislation. The Committee approved filing this bill at its meeting on 2-24-09.

C.B. 152, Series of 2009, A bill for an Ordinance approving a proposed Contract to Exchange Property between the City and County of Denver and the Clyfford Still Museum. (PUBLIC AMENITIES)

Approves several property transactions, including exchanges, an alley vacation, an alley dedication, and use agreement, between the City and the Clyfford Still Museum to accommodate construction at the southeast corner of E. 13th Ave. and Bannock. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill at its meeting on 1-14-09.

C.B. 153, Series of 2009, A bill for an ordinance vacating South Clermont Street north of Harvard Avenue, subject to certain reservations. (PUBLIC WORKS)

Vacates S. Clermont Street north of Harvard in Council District 6. This bill was approved for filing at the Mayor-Council meeting on 3-3-09.

C.B. 154, Series of 2009, A bill for an ordinance approving a proposed Contract by and between the City and County of Denver and P&H Equipment for 2009 Contract Hauling, Phase I. (PUBLIC WORKS)

Approves an \$874,380 construction contract with P & H Equipment for the 2009 contract hauling of asphalt, mill tailings, or other as directed by the Street Maintenance. **The last regularly scheduled Council meeting within the 30-day review period is on 3-31-09.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 155, Series of 2009, A bill for an ordinance naming the courthouse building located at 520 West Colfax Avenue as the Lindsey-Flanigan Courthouse. (SAFETY)

Names the courthouse at the new justice center campus the Lindsey-Flanigan Courthouse. **PUBLIC HEARING AT LEAST ONE WEEK FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill at its meeting on 2-18-09.

C.B. 156, Series of 2009, A bill for an ordinance naming the detention center building located at 490 West Colfax Avenue as the Van Cise-Simonet Detention Center. (SAFETY)

Names the detention center at the new justice center campus the Van Cise-Simonet Detention Center. **PUBLIC HEARING AT LEAST ONE WEEK FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill at its meeting on 2-18-09.

C.B. 157, Series of 2009, A bill for an ordinance naming the jury room in the Lindsey-Flanigan Courthouse the Judge Roger Cisneros Jury Assembly Room. (SAFETY)

Names the jury room in the Lindsey-Flanigan Courthouse the Judge Roger Cisneros Jury Assembly Room. **PUBLIC HEARING AT LEAST ONE WEEK FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill by consent on 2-27-09.

C.B. 158, Series of 2009, A bill for an ordinance naming the plaza between the Lindsey-Flanigan Courthouse and the Van Cise-Simonet Detention Center as Tooley Plaza. (SAFETY)

Names the plaza at the new justice center campus Tooley Plaza. **PUBLIC HEARING AT LEAST ONE WEEK FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill by consent on 2-27-09.

Tonight Council will hold required public hearings on C.B.s 71, 72, 73, and 129, 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 71, 72, and 73, 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. 71, Series of 2009, A bill for an ordinance changing the zoning classification for 2765 South Federal Boulevard to a Planned Unit Development District (PUD).** (BLUEPRINT DENVER)
Appl. 2008I-00075. Changes the zoning of the 0.39-acre parcel at 2765 S. Federal from PUD 586 to PUD to increase the number of community corrections beds at this facility in Council District 2.

REQUIRED PUBLIC HEARING **C.B. 72, Series of 2009, A bill for an ordinance changing the zoning classification for 1555 York Street.** (BLUEPRINT DENVER)
Appl. 2008I-00078. Changes the zoning of the 0.29-acre parcel at 1555 York from MS-2 to R-4 for parking for Church in the City in Council District 8.

REQUIRED PUBLIC HEARING **C.B. 73, Series of 2009, A bill for an ordinance changing the zoning classification for 2001-2019 East 17th Avenue.** (BLUEPRINT DENVER)
Appl. 2008I-00071. Changes the zoning of the 0.29-acre parcel at 2001-2019 E. 17th Ave. from R-4/OD-9 to MS-1 to allow existing commercial uses in Council District 8.

REQUIRED PUBLIC HEARING **C.B. 129, Series of 2009, A bill for an ordinance approving the Service Plan for the creation of Alameda Station Metropolitan District.** (PUBLIC WORKS)
Approves the Alameda Station Metro District Service Plan for formation of a property taxing entity to provide for the financing of certain infrastructure supporting development of a specific area, including a pedestrian bridge from the station.

C.B. 120, Series of 2009, A bill for an ordinance approving an amendatory agreement between Redflex Traffic Systems, Inc. and the City & County of Denver that will provide the installation and maintenance of an automated photo red light enforcement system. (SAFETY)

Extends the agreement with Redflex Traffic Systems for photo red light enforcement for six months to evaluate the vendor's performance, updates the statement of work, clarifies contract language, and seeks a new bid. **The last regularly scheduled Council meeting within the 30-day review period is on 3-16-09.**

C.B. 124, Series of 2009, AS AMENDED, a bill for an ordinance approving a proposed First Amendment to Agreement between the City and County of Denver and Ricondo & Associates, Inc. concerning professional planning services at Denver International Airport. (ECONOMIC DEVELOPMENT)

Amends the contract with Ricondo and Associates to add \$1.5 million and to extend the agreement through April 24, 2011 for research and analysis services related to DIA's Master Plan Update studies. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.** Amended 3-2-09 to correct a technical error to reflect a professional planning services agreement not a concessions contract.

C.B. 126, Series of 2009, A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and the Regional Transportation District to accept reimbursement for the FasTrack Liaison agreement. (FASTRACKS)

Accepts \$316,500 in reimbursement for 2007-2008 from the Regional Transportation District for the FasTrack Liaison agreement. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.**

C.B. 127, 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)

Abolishes vacant class of assistant city attorney – unit leader.

C.B. 128, Series of 2009, A bill for an ordinance approving an Agreement between the City and County of Denver and Denver Urban Renewal Authority for a home ownership rehabilitation loan program. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves a contract with Denver Urban Renewal Authority for the Single Family Rehabilitation Loan Program and Emergency Home Repair Program in the amount of \$643,000 from CDBG funds and \$448,000 from Skyline funds. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.**

C.B. 130, Series of 2009, A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Asphalt Specialties Company, Incorporated, for asphalt hot mix material. (PUBLIC WORKS)

Approves a 2-year master purchase order with 2 one-year renewal options with Asphalt Specialties Company for asphalt hot mix material with annual purchases estimated at \$1 million. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.**

C.B. 131, Series of 2009, A bill for an ordinance approving a proposed Master Purchase Order between the City and County of Denver and Brannan Sand and Gravel, for asphalt hot mix material. (PUBLIC WORKS)

Approves a 2-year master purchase order with 2 one-year renewal options with Brannan Sand and Gravel for hot mix material with annual purchases estimated at \$1 million. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.**

C.B. 132, Series of 2009, A bill for an ordinance approving a proposed Contract between the City and County of Denver and Quality Paving Company for 2009 citywide chipseal and crackseal program. (PUBLIC WORKS)

Approves a \$1,365,931.74 contract with Quality Paving for the 2009 citywide chipseal and crackseal program. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.**

C.B. 133, Series of 2009, A bill for an ordinance approving a proposed Contract by and between the City and County of Denver and J&K Trucking for 2009 Contract Hauling, Phase II. (PUBLIC WORKS)

Approves an \$886,275 contract with J&K Trucking for 2009 contract hauling (asphalt, mill tailings, etc.) for Street Maintenance. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.**

C.B. 134, Series of 2009, A bill for an ordinance approving a proposed First Amendatory Agreement between the City and County of Denver and Curbside, Inc., for household hazardous waste collection program. (PUBLIC WORKS)

Extends the contract with Curbside through 12-31-09 and adds \$95,000, for a new total of \$575,000, providing for the collection and disposal of household hazardous waste as required under the City's Municipal Separate Storm Sewer System Permit. **The last regularly scheduled Council meeting within the 30-day review period is on 3-23-09.**

Announcement

There will be public hearings on C.B.s 155, 156, 157, and 158, Series of 2009, on Monday, March 16, 2009.

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 for Final Consideration

Bills Pending 03-23-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
101 of 09	Blueprint Denver	Final Consid.	Appl. 2008I-00027. Changes the zoning of the 1.13-acre parcels at 1901 W. 34 th and 3400-3434 Tejon from B-3 and R-2 to PUD for multi-unit residential uses in Council District 9.	2-23-09	Yes
102 of 09	Blueprint Denver	Final Consid.	Appl. 2006I-00008. Changes the zoning of the 0.62-acre parcel at 3801 E. 40 th Ave. from I-1 to R-MU-30 for commercial mixed use with some residential in Council District 9.	2-23-09	Yes
103 of 09	Blueprint Denver	Final Consid.	Appl. 2007I-00097. Changes the zoning of the 8.02-acre parcel at 26 th Ave. and Moline from R-1 to R-MU-20 for mixed residential uses and neighborhood retail in Council District 11.	2-23-09	Yes

Bills Pending 03-31-09

C.B. #	Committee	Status	Description	Continued From	Hearing?
125 of 08	FasTracks	Held in Committee 1 st Reading	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.	3-2-09	No

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