

City Council Agenda and Explanatory Notes

Meeting Date: Monday, July 13, 2009 5:30 P.M.

(Public hearing detail – see pages 5-6, 8-9)

Pledge of Allegiance

Roll Call Present:_____ Late:_____ Absent:_____

Approval of Minutes of Monday, June 29, 2009

Announcements

Presentations

Communications

Proclamations – (Series of 2009)

Proc. 31, Series of 2009, A proclamation supporting funding allocations to Denver's Neighborhood Stabilization Program (NSP) to manage the housing crisis and to revitalize neighborhoods.

Sponsored by Councilmembers Montero, Garcia, López, Johnson, Robb, Boigon, and Hancock.

Proc. 32, Series of 2009, A proclamation recognizing the 60th Anniversary of the National Civic League's All American City Award and the establishment of the NCL Emerging Leaders Award honoring Denver's own beloved civic activist, John Parr.

Sponsored by Councilmembers Hancock, Garcia, López, Johnson, Lehmann, Robb, Boigon, Montero, and Linkhart.

Proc. 33, Series of 2009, A proclamation honoring Dr. Vincent Markovchick on his retirement after 32 years of service to Denver.

Sponsored by Councilmembers Montero, Garcia, López, Johnson, Lehmann, Boigon, and Linkhart.

Resolutions – (Series of 2009)

Res. 73, Series of 2009, A resolution approving the Mayor’s Reappointments to the Cherry Creek North Business Improvement District Board of Directors. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Re-appoints Don Larrance, Donald Sturm, and Stanley David Steel to the Cherry Creek North Business Improvement District for terms expiring December 31, 2011. The Committee approved filing this resolution by consent on 6-26-09.

Res. 74, Series of 2009, A resolution approving the Mayor’s Appointments to the Denver American Indian Commission. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Appoints Matthew Barkhausen III, Bellerena Begaii, Jean Belille, Steven C. Lee, Grace Sage Musser, Crystal Loudhawk-Hedgepeth, and Ruth Starr to the Denver American Indian Commission for terms ending July 11, 2011. The Committee approved filing this resolution by consent on 7-3-09.

Res. 75, Series of 2009, A resolution granting a revocable permit to The University of Denver Network Services to encroach into the right-of-way with various items at South York Street and East Jewell Avenue, with a special condition. (PUBLIC WORKS)

Grants a revocable permit to The University of Denver to encroach into the public right-of-way with 615 feet of overhead telecommunications fiber optic cable, pole hardware, service drops and guy wires at S. York and Jewell in Council District 7. This resolution was approved for filing at the Mayor-Council meeting on 6-30-09.

Bills for Introduction - (Series of 2009)

C.B. 368, Series of 2009, A bill for an ordinance approving a second amendment to the development agreement for the Country Club Gardens Historic District. (BLUEPRINT DENVER)

Approves a second amendment to the 2001 County Club Gardens Development Agreement with Broe Properties to change the trigger for extension of vested development rights from start of new construction to start of renovation of remaining structures. The Committee approved filing this bill at its meeting on 6-24-09.

C.B. 369, Series of 2009, A bill for an ordinance changing the zoning classification, with a waiver, at 3465 and 3585 Blake Street. (BLUEPRINT DENVER)

Appl. 2008I-00085. Changes the zoning of the 2.2-acre parcel at 3463 and 3585 Blake from I-2 to R-MU-30 with a waiver for residential mixed use in Council District 9. **PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill at its meeting on 6-24-09.

C.B. 370, Series of 2009, A bill for an ordinance changing the zoning classification at approximately 48-88 Steele Street. (BLUEPRINT DENVER)

Appl. 2009I-00005. Changes the zoning of the 0.86-acre parcel at 48-88 Steele from PUD and B-1 to R-MU-30 for mixed use in Council District 10. **PUBLIC HEARING AT LEAST FOUR WEEKS FOLLOWING PASSAGE ON FIRST READING.** The Committee approved filing this bill at its meeting on 6-24-09.

C.B. 371, Series of 2009, A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and the State of Colorado, Department of Transportation, concerning the "I-70/Central Park Interchange" project and the funding therefor. (BOND IMPLEMENTATION)

Approves an Intergovernmental Agreement with the Colorado Department of Transportation allowing the City to receive and expend approximately \$18,800,000 in federal funds toward the design/build of the Central Park Blvd. and I-70 Interchange, with a local share of up to \$30 million from the Better Denver Bond Program. The Committee approved filing this bill by consent on 6-26-09.

C.B. 372, Series of 2009, A bill for an ordinance approving a proposed Contract between the City and County of Denver and ValleyCrest Landscape Development, Inc. for the Parkfield Lake Park Phase 2. (BOND IMPLEMENTATION)

Approves a \$1,289,999.75 construction contract with ValleyCrest Landscape Development for Phase 2 of Parkfield Lake Park near Chambers and 53rd Ave. in Council District 11. **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** The Committee approved filing this bill by consent on 6-19-09.

C.B. 373, Series of 2009, A bill for an ordinance approving an agreement between RMA Group, Inc. and the City & County of Denver to provide concrete repairs for lower level and ramps at the Police Administration Building Garage. (BOND IMPLEMENTATION)

Approves a \$723,927.27 contract with RMA Group for concrete repairs and new ramp canopy at the Police Administration Building funded by the mill levy. **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** The Committee approved filing this bill by consent on 7-2-09.

C.B. 374, Series of 2009, A bill for an ordinance approving an agreement between PCL Construction Services, Inc. and the City & County of Denver to remodel Denver Fire Stations. (BOND IMPLEMENTATION)

Approves a \$1,237,798 contract with PCL Construction Services for interior remodels of Fire Stations No. 6, 11, 23, 24 and 25 with Better Denver Bond Funds. **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** Councilman Hancock approved filing this bill, which is on the Committee's Consent Agenda for the week 7-6-09.

C.B. 375, Series of 2009, A bill for an ordinance amending the Fund Plan of the Revised Municipal Code to change the description of Fund 38000 to reflect actual practice of accepting outside funds for specific capital projects within the fund series. (FINANCE)

Corrects the description of the 38000 Fund Plan in the Revised Municipal Code to reflect actual practice of accepting outside funds for specific capital projects into the 38000 fund series. The Committee approved filing this bill by consent on 6-26-09.

C.B. 376, Series of 2009, A bill for an ordinance amending the Sales Tax, the Use Tax, the Lodger's Tax, the Facilities Development Admissions Tax and the Telecommunications Business Tax Articles of the Denver Revised Municipal Code to provide that each calculation on the taxpayer's return shall be rounded to the nearest whole dollar. (FINANCE)

Changes the language in the Sales Tax, Use Tax, Lodger's Tax, Facilities Development Admissions Tax and Telecommunications Business Tax ordinances regarding the filing of tax returns to provide that each calculation on the tax return is rounded to the nearest whole dollar. The Committee approved filing this bill by consent on 6-26-09.

C.B. 377, Series of 2009, A bill for an ordinance making appropriations from the Capital Improvements and Capital Maintenance Fund. (FINANCE)

Appropriates \$217,596 from the Capital Improvement Fund (CIF) contingency for costs related to the City agency moves for Environmental Health and Treasury. The Committee approved filing this bill by consent on 7-3-09.

C.B. 378, Series of 2009, A bill for an ordinance approving a Third Amendatory Agreement between the City and County of Denver and Warren Village, Inc., to provide housing services for chronic and episodic homeless persons. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Amends the contract with Warren Village, Inc. to extend the agreement nine months and to add \$184,500 to provide supportive services to chronically and episodic homeless women in Denver. **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** The Committee approved filing this bill by consent on 6-26-09.

C.B. 379, Series of 2009, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and The Colorado Coalition For The Homeless, to provide funds for rental subsidies and security deposits for eighty (80) income qualified households. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Approves a one-year contract with the Colorado Coalition for the Homeless in the amount of \$644,268 for tenant-based rental assistance and security deposits for (80) homeless and low-income individuals. **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** The Committee approved filing this bill at its meeting on 5-26-09.

C.B. 380, Series of 2009, A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc., to provide funds for implementing program activities related to the Neighborhood Stabilization Program (NSP). (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Authorizes an agreement between the City and County of Denver and Denver Neighborhood Revitalization, Inc. (entity includes Denver Urban Renewal Authority (DURA)) in the amount of \$2 million for implementation and services related to the Neighborhood Stabilization Program. **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** The Committee approved filing this bill by consent on 5-1-09.

C.B. 381, 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 State of Colorado concerning "Workforce Investment Act and Wagner-Peyser PY09/FY10" programs and the funding therefor. (NEIGHBORHOOD, COMMUNITY & BUSINESS REVITALIZATION)

Accepts the following grants from the Colorado Dept. of Labor and Employment for the allocation of PY 09/10 Workforce Investment Act and Wagner-Peyser programs: WIA Adult (\$1,457,062), WIA Youth (\$1,472,005), and WIA Dislocated Worker (\$1,131,260), Wagner-Peyser (\$1,246,106). **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** The Committee approved filing this bill by consent on 6-12-09.

C.B. 382, Series of 2009, A bill for an ordinance approving a proposed Contract between the City and County of Denver and BT Construction, Inc. for mainline storm sewer construction in eastbound 6th Avenue between Hudson to Eudora. (PUBLIC WORKS)

Approves a \$682,602 contract with BT Construction for mainline storm sewer construction in east-bound 6th Ave. between Hudson and Eudora. **The last regularly scheduled Council meeting within the 30-day review period is on 8-3-09.** The Committee approved filing this bill by consent on 7-2-09.

C.B. 383, Series of 2009, A bill for an ordinance approving and providing for the execution of a proposed contract between the City and County of Denver and the State of Colorado concerning the "Community Corrections FY09-10" program and the funding therefor. (SAFETY)

Accepts \$12,329,391.68 from the State of Colorado to fund the FY09-10 Community Corrections program. The Committee approved filing this bill by consent on 6-26-09.

Tonight Council will hold a required public hearing on C.B. 312, Series of 2009. Anyone wishing to speak on this matter 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. 312, Series of 2009, approves a zoning map amendment. 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 **C.B. 312, Series of 2009, A bill for an ordinance changing the**
PUBLIC **zoning classification of 3830-3834, 3718, 3716, 3714, and 3712**
HEARING **West 32nd Avenue and 3141 Meade Street. (BLUEPRINT**
DENVER)

Appl. 2009I-00002. Changes the zoning of a sliver of each of the six parcels described above from R-2 to B-2 to correct an error in the zoning map in Council District 1.

C.B. 348, Series of 2009, AS AMENDED, 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. Amended 6-29-09 to clarify that the Board of Environmental Health has rule-making authority and will conduct a public hearing regarding setting or changing civil penalty amounts to be assessed administratively; removes details regarding factors to consider in setting penalty amounts; specifies that the Manager of the Department of Environmental Health is authorized to issue individual citations per the rules promulgated by the Board; and renumbers sections.

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.**

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.

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.**

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.**

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.**

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.**

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.

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. 27th Ave. between Shoshone and Quivas in Council District 9.

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

Relinquishes easements in previously vacated W. 29th Ave. west of Inca in Council District 9.

Announcement

Dependent upon publication there will be public hearings on C.B.s 369 and 370, Series of 2009, on Monday, August 10, 2009. Any protests against C.B. 369 or 370, Series of 2009, must be filed in the Council Office no later than Monday, August 3, 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

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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.		