

## City Council of Monday, August 31, 2015

# City and County of Denver

Robin Kniech..... At Large  
Deborah "Debbie" Ortega..... At Large  
Rafael G. Espinoza..... District 1  
Kevin Flynn..... District 2  
Paul D. López..... District 3  
Kendra Black..... District 4  
Mary Beth Susman..... District 5  
Paul Kashmann..... District 6



Jolon Clark..... District 7  
Christopher Herndon..... District 8  
Albus Brooks..... District 9  
Wayne New..... District 10  
Stacie Gilmore..... District 11  
Janna B. Young..... Director  
Kelly Velez..... Clerk

Room 451  
City & County Building  
Denver CO 80202

Phone: 720-337-2000  
Email: [dencc@denvergov.org](mailto:dencc@denvergov.org)

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**Live video and archives may be  
accessed at**

**<http://www.denvergov.org/citycouncil>**

### \*\*REMINDER\*\*

As a courtesy to those in attendance,  
please  
**turn off your cell phones.**

### MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT

The Council Chambers 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 [lorrie.kosinski@denvergov.org](mailto:lorrie.kosinski@denvergov.org) at least 72 hours in advance.

### CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at Denver City Council, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled meeting on Monday. The agenda packet is also posted on the City Council website. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

### AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

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### PUBLIC COMMENT DURING PUBLIC HEARINGS

This is the time of the meeting for the City Council to receive comments from the public regarding items up for consideration scheduled for public hearing. To speak during a public hearing, speaker cards are available during the recess of Council. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes. Public hearings allow citizens the opportunity to speak in favor or against specific items. The Council President will open the public hearing to receive public comment on that specific item. Upon hearing all public comments, the Council President will close or continue the public hearing. Council may then decide to engage in discussion and/or take action on the item.

# **City Council Agenda and Explanatory Notes**

Meeting Date: Monday, August 31, 2015 5:30 PM

## **Pledge of Allegiance**

## **Roll Call**

## **Approval of the Minutes**

## **Council Announcements**

## **Presentations**

## **Communications**

## **Proclamations**

**CP15-0589 A proclamation recognizing September 2015 as Childhood Cancer Awareness Month.**

**Sponsored by Council members Espinoza, López, Brooks, Kashmann, Black, New, Flynn, and Gilmore.**

## **Resolutions**

### **Business Development**

**CR15-0579 A resolution approving a proposed Second Amendment to Office Space Lease between the City and County of Denver and Prospect International Airport Services, Inc. for office space at Denver International Airport.**

Amends a lease agreement with Prospect International Airport Services, Inc. by adding \$48,344 in additional funds annually for a new annual total of \$58,610 to give Prospect additional office space at Denver International Airport to support wheelchair service and assistance to traveling passengers (201309825-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approving filing this resolution by consent on 8-20-15

### **Infrastructure & Culture**

**CR15-0572 A resolution granting a revocable permit to Tim Paynter, to encroach into the right-of-way at 1130 South Federal Boulevard.**

Grants a revocable permit to Tim Paynter to encroach into the right-of-way with an enclosed patio/building at 1130 South Federal Boulevard in Council District 7. The Committee approved filing this resolution by consent on 8-20-15.

**CR15-0582 A resolution laying out, opening and establishing as part of the City street system a parcel of land as West 27th Avenue between Vallejo Street and Wyandot Street.**

Dedicates land as West 27th Avenue at the intersection of West 27th Avenue and Vallejo Street in Council District 1. The Committee approved filing this resolution by consent on 8-20-15.

**CR15-0583 A resolution laying out, opening and establishing as part of the City street system parcels of land as Belleview Avenue and Quebec Street near the intersection of Belleview Avenue and Quebec Street.**

Dedicates land as both Belleview Avenue and South Quebec Street at the intersection of Belleview Avenue and South Quebec Street in Council District 4. The Committee approved filing this resolution by consent on 8-20-15.

## **Safety & Well-being**

**CR15-0576 A resolution approving the Mayor's reappointments to the Denver Commission on Aging.**

Approves the Mayoral appointments of Tom Case, Cec Ortiz, Maureen Spiegleman, Beverly Sunshine, and Janine Vanderburg to the Denver Commission on Aging for terms effective immediately and expiring 8-31-17, or until successors are duly appointed. The Committee approved filing this resolution by consent on 8-20-15.

**CR15-0577 A resolution approving the Mayor's reappointments and appointments to the Denver Women's Commission.**

Approves the Mayoral reappointments of Sabrina Coleman, Patrick Byrne, Tamika Gorman, Jessica Skibo, Courtney Smith, Lilly Berger, Corelle Spettigue, and Kara Veitch, and the appointments of Nancy Reichman, Nicole Carter, Kimberly Ford, Serina Montoya, Miriam Peña, and Nicole Portee to the Denver Women's Commission for terms effective immediately and expiring 6-30-17, or until successors are duly appointed. The Committee approved filing this resolution by consent on 8-20-15.

**CR15-0580 A resolution approving the Mayor's youth appointments to the Advisory Commission on Youth.**

Approves the Mayoral youth appointments of Eric Webb, Cornelius Foxworth, Taylor Parrish, Edith Olivas-Ordonez, and Milah Thomas to the Advisory Commission on Youth for terms effective immediately and expiring on 8-31-18, or until successors are duly appointed. The Committee approved filing this resolution by consent on 8-20-15.

**CR15-0628 A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the**

**total sum of Eight Hundred Sixty Thousand Dollars (\$860,000.00) for full payment and satisfaction of all claims in Civil Action No. 10-cv-00651-JLK-MJW in the United States District Court for the District of Colorado issued as:**

- **The sum of Seven Hundred Seventy-Five Thousand Dollars (\$775,000) payable to James D. Moore and his attorneys, Killmer, Lane & Newman, LLP; and**
- **The sum of Eighty-Five Thousand Dollars (\$85,000) payable to Killmer, Lane & Newman, LLP.**

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 8-25-15.

## **Bills for Introduction**

### **Finance & Services**

**CB15-0560 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Coffee Etcetera, LLC for leased space for the operation of a coffee shop in the Lindsey Flanigan Courthouse.**

Adds five years at lease rates escalating annually (for a new total contract amount of \$115,500) to the concession agreement with Coffee Etcetera for the coffee shop in the Lindsey Flanigan Courthouse in Council District 10 (FINAN RC15001-01).

The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill at its meeting on 8-11-15.

### **Governance & Charter Review**

**CB15-0574 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.**

Amends the Classification and Pay Plan by changing multiple Finance & Accounting related pay grades and classification titles, establishing nine (9) new classifications, and abolishing the classification of Accounting Technician. The Committee approving filing this bill by consent on 8-20-15.

### **Infrastructure & Culture**

**CB15-0554 A bill for an ordinance approving a proposed Second Amendatory Agreement between the City and County of Denver and WM Recycle America, L.L.C., for recycling and marketing services.**

Amends a revenue contract with WM Recycle America to allow a reduction in revenue through October 2016 by tying revenue to the market index for recycling, resulting in an estimated loss of \$800,000 in City revenues due to a downturn in global recycling markets (201102838). The last regularly scheduled Council

meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill at its meeting on 8-12-15.

## **Neighborhoods & Planning**

### **CB15-0585 A bill for an ordinance amending Article I of Chapter 30 (Landmark Preservation) of the Revised Municipal Code.**

Amends Chapter 30, Article 1, Sections 9 & 10, of the Denver Revised Municipal Code to provide correct references to state rules pertaining to landmark preservations and to reflect current review guidelines for historic rehabilitation tax credits. The Committee approved filing this bill at its meeting on 8-19-15.

### **CB15-0586 A bill for an ordinance changing the zoning classifications for 4245 Fox Street, 4143-4159 Fox Street, 642 W. 43rd Avenue, 4211 Fox Street, and 4205 Fox Street, Denver, Colorado 80216.**

Rezones 4245 North Fox Street from I-A UO-2, I-B, UO-2 (Light/General Industrial, Billboard Use Overlay) to C-MX-20 (Urban Center, Mixed Use, 20 stories), C-MS-8 (Urban Center, Main Street, 8 stories); 642 West 43rd Avenue from I-A, UO-2 (Light Industrial, Billboard Use Overlay) to C-MX-20 (Urban Center, Mixed-Use, 20 stories); and 4211, 4205, and 4143-4159 North Fox Street from I-A, UO-2 (Light Industrial, Billboard Use Overlay) to C-MS-8 (Urban Center, Main Street, 8 stories) in Council District 9. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 8-19-15.

## **Safety & Well-being**

### **CB15-0570 A bill for an ordinance approving a proposed Master Funding Agreement between the City and County of Denver and Colorado Housing and Finance Authority for the Denver Revolving Affordable Housing Loan Fund.**

Approves a Master Funding Agreement with Colorado Housing and Finance Authority (CHFA) paid out of the Revolving Affording Housing Loan Fund (RAHLF) for the administration, underwriting and servicing of the City's Revolving Affordable Housing Loan Fund (RAHLF). The costs will be covered by borrowers from the fund in the form of application and origination fees and a portion of the interest paid by borrowers. The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill at its meeting on 8-18-15.

### **CB15-0571 A bill for an ordinance amending Article III of Chapter 27 of the Revised Municipal Code of the City and County of Denver regarding Preservation of Affordable Housing.**

Amends Chapter 27, Article III of the Revised Municipal Code (Preservation of Affordable Housing) to expand coverage to all affordable properties that have

received any public assistance; expand coverage to properties that are for sale; provide the City or its designee a right of first refusal on for-sale units; and increase the length of the required notice period. The Committee approved filing this bill at its meeting on 8-18-15.

**CB15-0575 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Savio House to provide Out-of-Home Placement Services in a residential child care facility (RCFF) setting for children/youth in the custody of the Department of Human Services.**

Amends a contract with Savio House Residential Child Care Facility to add a tiered rate structure for the vendor payment for a contract in the amount of \$844,225 to provide placements and case management services to children in out-of-home care. This amendment adds no additional dollars to the contract total (2015-21827-01). The last regularly scheduled Council meeting within the 30-day review period is on 9-21-15. The Committee approved filing this bill by consent on 8-20-15.

**CB15-0584 A bill for an ordinance amending Ordinance No. 74, Series of 2013, concerning the "Metro Mortgage Assistance Plus Program" in the General Government Special Revenue Fund.**

Amends the Metro Mortgage Assistance Plus Program Fund in the General Government Revenue Fund to allow for authorizing expenditures from the fund to be spent on additional affordable housing activities as approved jointly by the City's Director of Office of Economic Development and Chief Financial Officer. The Committee approved filing this bill at its meeting on 8-18-15.

## **Recap of Bills to be Called Out**

### **Pre-Recess Announcement**

**Tonight, there will be a required public hearing on CB15-0503, changing the zoning classification for 22 South Adams street and 44 South Adams Street. It is Council's intent to postpone final consideration of CB15-0498, changing the zoning classification for 6502 East Union Avenue with its public hearing to Monday, September 21, 2015. If you are here to speak on this matter we ask that you return on Monday, September 21, 2015. Anyone wishing to speak on CB15-0503, 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**

### **Public Hearings - Bills for Final Consideration**

## Neighborhoods & Planning

### **CB15-0498 A bill for an ordinance changing the zoning classification for 6502 East Union Avenue.**

Rezones 6502 East Union Avenue from B-4 with waivers and conditions, UO-1, UO-2 (Subarea 4, Use Overlays) to S-MX-12 (Suburban, Mixed Use, 12 stories) in Council District 4. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 7-22-15.

### **CB15-0503 A bill for an ordinance changing the zoning classification for 22 South Adams Street and 44 South Adams Street.**

Rezones 22 South Adams Street and 44 South Adams Street from Planned Unit Development 75 (PUD 75) to G-MU-12 (General Urban, Multi-Unit, 12 stories) in Council District 10. IF ORDERED PUBLISHED, A PUBLIC HEARING WILL BE HELD ON THIS ITEM. REFER TO THE "PENDING" SECTION OF THE FUTURE COUNCIL MEETING AGENDAS FOR THE DATE. The Committee approved filing this bill at its meeting on 7-22-15.

## Bills for Final Consideration

### Finance & Services

#### **CB15-0561 A bill for an ordinance approving a proposed Second Amendatory Lease Agreement between the City and County of Denver and Kew Realty Corporation for maintenance and storage facility for the Denver Sheriff's Department at 3700 Havana Street.**

Adds three years at lease rates escalating annually to the agreement with Kew Realty Corporation (for a new total contract of \$940,031.80) for warehouse space for the Denver Sheriff Department (FINAN CE 76001-02). The last regularly scheduled Council meeting within the 30-day review period is on 9-14-15. The Committee approved filing this bill at its meeting on 8-11-15.

### Safety & Well-being

#### **CB15-0502 A bill for an ordinance approving a proposed Amendatory Agreement between the City and County of Denver and Maple Star Colorado to provide supportive services to families caring for children in out-of-home care.**

Adds \$362,402 to the contract with Maple Star Colorado for a total contract amount of \$591,167 for community based supportive services to relative/kinship families caring for children in out-of-home care (SOCSV-2014-19162(1)). The last regularly scheduled Council meeting within the 30-day review period is on 9-14-15. The

Committee approved filing this bill by consent on 7-23-15.

**CB15-0565 A bill for an ordinance authorizing the purchase of capital equipment from the General Fund and Planned Fleet Replacement Fund.**

Approves the purchase of a fire engine and fire truck from Pierce Manufacturing in the total amount of \$1,486,803 to support fire protection and emergency response in the City of Englewood as part of an intergovernmental agreement. The vehicle expenditures will be offset by revenue from the City of Englewood. The last regularly scheduled Council meeting within the 30-day review period is on 9-14-15. The Committee approved filing this bill by consent on 8-13-15.

**CB15-0567 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 concerning the "Emergency Solutions Grant (ESG) FY15" program and the funding therefor.**

Accepts \$611,476 in Emergency Solutions Grant funds from the US Department of Housing and Urban Development for fiscal year 2015 to address and prevent homelessness (23383). The last regularly scheduled Council meeting within the 30-day review period is on 9-14-15. The Committee approved filing this bill by consent on 8-13-15.

**CB15-0569 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 Department of Health and Human Services concerning the "Head Start FY15-16" program and the funding therefor.**

Authorizes the appropriation of the remaining balance of \$1,839,277 in the Federal Head Start grant for the Denver Great Kids Head Start Program. The last regularly scheduled Council meeting within the 30-day review period is on 9-14-15. The Committee approved filing this bill by consent on 8-13-15.

## **Announcement**

**On Monday, September 28, 2015, there will be a required public hearing on CB15-0586, changing the zoning classifications for 4245 Fox Street, 4143-4159 Fox Street, 642 W. 43rd Avenue, 4211 Fox Street, and 4205 Fox Street, Denver, Colorado 80216. Any protests against CB15-0586 must be filed with the Council Offices no later than Monday, September 21, 2015.**

## **Adjourn**

## **Pending**

**For 9-14-15**

**CB15-0535 A bill for an ordinance changing the zoning classification for**



**4400 Fox Street.**

**Required Public Hearing  
Final Consideration**

**For 9-14-15**

**CB15-0536 A bill for an ordinance changing the zoning classification for  
2500 and 2600 Lawrence Street, with a waiver.**

**Required Public Hearing  
Final Consideration**