

City Council Meeting of Monday, November 6, 2017

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
Leon Mason.....Director
Kelly Velez.....Clerk

Room 451
City & County Building
1437 Bannock Street
Denver CO 80202
Phone: 720-337-2000
Email: denc@denvergov.org

MEETING ASSISTANCE NOTICE - AMERICANS WITH DISABILITIES ACT AND LANGUAGE INTERPRETATION

The Council Chambers has listening devices for people with a hearing loss. Request a device from the Council Secretary. The City can provide sign language interpretation, CART (computer assisted real-time transcription), and foreign language interpretation for persons attending City Council meetings. If you need any of these accommodations, please email denc@denvergov.org or call 720-337-2000 three (3) business-days prior to the Council meeting.

CITY COUNCIL AGENDA

The City Council agenda and meeting schedule are made available for public review during normal business hours at the City & County Building, 1437 Bannock St., Rm. 451, on Thursday afternoons prior to the regularly scheduled Council meeting. The agenda packet is also posted on the City Council website at <https://www.denvergov.org/citycouncil>. Questions on agenda items may be directed to the Denver City Council at 720-337-2000.

AUDIO/VIDEO ACCESS TO CITY COUNCIL MEETINGS

City Council meetings are televised live on cable TV Channel 8, and can be viewed via live or archived webcast at <https://denver.legistar.com>.

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, sign up with the Council Secretary either before the meeting starting at 5pm in Rm. 451 of the City & County Building, or during the recess of Council. Speakers must be present to sign a speaker card – no sign-up by proxy permitted. Each speaker is allowed 3 minutes, unless another speaker has yielded his or her time which would result in a maximum of 6 minutes (for required hearings only; no yielding of time for courtesy hearings). Please contact the Denver City Council for more information at 720-337-2000.

GENERAL PUBLIC COMMENT SESSIONS

Starting at 5pm before the first and third scheduled Council meeting each month, City Council hosts a 30-minute general public comment session, allowing members of the public to address the full Council with concerns regarding any matter not scheduled for a public hearing. Speakers have 3 minutes to speak and must sign up via email at denc@denvergov.org, phone at 720-337-2000 or in person in Rm. 451, City & County Building starting at 12:00 p.m. the Friday before the session is held. Sign up ends at 4:00 p.m. the day of the session. No sign up by proxy permitted. Please contact the Denver City Council for more information at 720-337-2000.

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF THE MINUTES

[17-1253](#) Minutes of Monday, October 30, 2017

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

[17-1230](#) **Local Maintenance Districts**

Tonight, Council was scheduled to sit as the quasi-judicial Board of Equalization to consider reduction of total cost assessments for Local Maintenance Districts.

However, since no written protests of assessment were filed with the Manager of Public Works by October 19, 2017, Council will *not* sit as the Board of Equalization for the following Local Maintenance Districts:

- 22nd Street and Park Avenue West Pedestrian Mall
- 32nd and Lowell Pedestrian Mall
- Broadway Pedestrian Mall B
- Broadway Viaduct Pedestrian Mall
- Consolidated Morrison Road Pedestrian Mall
- Expanded Greek Town Pedestrian Mall
- Golden Triangle Pedestrian Mall
- Phase II Broadway Pedestrian Mall
- Phase II West 38th Avenue Pedestrian Mall
- West 38th Avenue Phase I

[17-1258](#) A letter dated November 6, 2017, from the Department of Finance on behalf of the Department of Aviation with the intent to issue Airport System Revenue Bonds, Series 2017A and Series 2017B, in an amount not to exceed \$325 million and \$30 million, respectively, for the of purpose of refunding various series of existing Airport bonds. The Series 2017A Bonds will be issued as AMT fixed rate senior lien obligations with final maturity of 2030, and the Series 2017B Bonds will be issued as Non-AMT fixed rate senior lien obligations with a final maturity date of 2033. Neither the Series 2017A or 2017B will exceed the original term of the bonds being refunded.

[17-1259](#) A letter dated November 6, 2017, from the Department of Finance on behalf of the Department of Aviation with the intent to enter into a subordinate revolving credit agreement and subordinate non-revolving credit agreement in amount not to exceed \$150 million and \$300 million, respectively, for the purpose of funding interim financing needs identified in the Airports 2018-2022 Capital Improvement Program. The term of both facilities will not exceed three years.

PROCLAMATIONS

[17-1254](#) **A proclamation recognizing November as National Alzheimer’s Disease Awareness Month and National Caregiver Month.**

Sponsors Black, Gilmore, Kashmann, New, Clark, Susman, Ortega, Flynn and López

[17-1256](#) **A proclamation recognizing the Colorado Municipal League for its invaluable service to Denver and municipalities of the State of Colorado.**

Sponsors Black, New, Brooks, Flynn, Gilmore, Clark, López and Susman

MAYOR'S PROPOSED 2018 BUDGET

[17-1260](#) Herndon Amendment to the Mayor’s Proposed 2018 Budget

[17-1270](#) López Amendment No. 1 to the Mayor’s Proposed 2018 Budget

[17-1271](#) López Amendment No. 2 to the Mayor’s Proposed 2018 Budget

[17-1272](#) López Amendment No. 3 to the Mayor’s Proposed 2018 Budget

RESOLUTIONS**Business, Arts, Workforce & Aeronautical Services
Committee****[17-1138](#) A resolution approving a proposed Seventh Amendatory Agreement between the City and County of Denver and SMG to extend the term and provide additional compensation for stagehand staffing and payroll services.**

Amends a contract with SMG by adding \$20 million for a new contract total in the amount of \$63 million and to add three years for a new end date of 12-31-20, for professional payroll and human resource services for stagehands in all Denver Arts & Venues facilities citywide (CE93004-07). The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this resolution at its meeting on 10-25-17.

[17-1175](#) A resolution approving a proposed Agreement between the City and County of Denver and Norwegian Air Shuttle ASA, Limited concerning use and lease of certain premises and facilities at Denver International Airport.

Approves a one-year use and lease agreement with Norwegian Air Shuttle ASA, Limited in the amount of \$294,542 in annual revenue to operate and provide passenger air service at Denver International Airport (201735878). The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this resolution by consent on 10-25-17.

Land Use, Transportation & Infrastructure Committee**[17-1029](#) A resolution approving a proposed Use Agreement between the City and County of Denver and Denver Palm Corporation for an outdoor seating area at Skyline Park.**

Approves a lease agreement with Palm Management Corp for \$11,328 and for one year for an open-air seating area for patrons of The Palm Restaurant in Skyline Park in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this resolution by consent on 9-19-17.

[17-1121](#) A resolution approving a proposed Contract between the City and County of Denver and Flatiron Constructors, Inc., related to the East Yale Avenue Storm, Phase 1 project.

Approves a contract with Flatiron Constructors, Inc. for \$3,021,112.17 and for ten months for storm drainage improvements to mitigate recurring flooding and to include surface restoration, concrete flatwork, asphalt and concrete paving and landscaping, located near South Glencoe Street and East Yale Avenue in Council District 4 (201736063). The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this resolution by consent on 10-10-17.

[17-1159](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley at the intersection of East 46th Avenue and North Grant Street.

Dedicates city-owned land as public alley located near the intersection of East 46th Avenue and North Grant Street in Council District 9. The Committee approved filing this resolution by consent on 10-24-17.

[17-1160](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as North Grant Street at the intersection of East 46th Avenue and North Grant Street.

Dedicates city-owned land as North Grant Street located near the intersection of East 46th Avenue and North Grant Street in Council District 9. The Committee approved filing this resolution by consent on 10-24-17.

[17-1163](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as Brighton Boulevard near the intersection of 40th Street and Brighton Boulevard.

Dedicates a parcel of land as public right-of-way as Brighton Boulevard located at the intersection of 40th Street and North Brighton Boulevard in Council District 9. The Committee approved filing this resolution by consent on 10-24-17.

[17-1165](#) A resolution approving a proposed Services and Use Agreement between the City and County of Denver and Re:Vision for a youth-led bicycle library and repair shop at Garfield Lake Park.

Approves a non-financial agreement with Re:Vision for three years to operate a bike library out of Garfield Lake Park on park property located in Garfield Lake Park at 3600 West Mississippi Avenue in Council District 3 (201736306). The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this resolution by consent on 10-24-17.

[17-1167](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as a public alley near the intersection of West 17th Avenue and North Irving Street.

Dedicates a parcel of land as public right-of-way as public alley located at the intersection of West 17th Avenue and North Irving Street in Council District 3. The Committee approved filing this resolution by consent on 10-24-17.

[17-1168](#) A resolution laying out, opening and establishing as part of the City street system a parcel of land as North Sheridan Boulevard near the intersection of West 13th Avenue and North Sheridan Boulevard.

Dedicates a parcel of land as public right-of-way as Sheridan Boulevard located at the intersection of West 13th Avenue and North Sheridan Boulevard in Council District 1. The Committee approved filing this resolution by consent on 10-24-17.

[17-1169](#) A resolution accepting and approving the subdivision plat of Stapleton Filing No. 55.

Approves a subdivision plat for Stapleton Filing No. 55 located between 46th Place and 47th Avenue, and between Central Park Boulevard and Beeler Court in Council District 8. The Committee approved filing this resolution by consent on 10-24-17.

Safety, Housing, Education & Homelessness Committee

[17-1158](#) A resolution approving the Mayor's appointment of Vera Atilano and the City Council appointments of Sherryll Kraizer, Ph.D. and Geoff Horsfall to the Head Start Policy Council.

Approves the appointment of Vera Atilano and the City Council appointments of Sherryll Kraizer, Ph.D. and Geoff Horsfall to the Head Start Policy Council for terms effective immediately and expiring on November 5, 2018, or until successors are duly appointed. The Committee approved filing this resolution by consent on 10-25-17.

[17-1162](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Colorado Health Network, Inc., d/b/a Denver Colorado AIDS Project and Howard Dental Center, for emergency and financial assistance programs pursuant to the Ryan White Grant program.

Amends a contract with Colorado Health Network, Inc., doing business as Denver Colorado AIDS Project and Howard Dental Center, by adding \$1,155,346 for a new contract total in the amount of \$2,280,012 for medical case management, mental health services, early intervention, emergency financial and housing assistance, and substance abuse assistance to individuals living with HIV/AIDS citywide. There is no change to the contract duration (201734734-01). The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this resolution by consent on 10-25-17.

[17-1176](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Denver Leased Housing Associates VI, LLLP for a loan for the development of new affordable housing.

Approves a loan agreement with Leased Housing Associates VI, LLLP in the amount of \$3 million through 4-30-19, to support the acquisition and construction of 252 units of affordable, income-restricted rental housing at 5810 Argonne Street in Council District 11 (OEDEV-201735583-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this resolution at its meeting on 10-25-17.

BILLS FOR INTRODUCTION

Business, Arts, Workforce & Aeronautical Services Committee

[17-1177](#) A bill for an ordinance amending Article V of Chapter 42 and Article II of Chapter 32 of the Denver Revised Municipal Code by repealing and reenacting a new Article V of Chapter 42 concerning the licensing and regulation of private security businesses and private security guards, and amending Article II of Chapter 32 concerning licensing fees for private security businesses and private security guards.

Amends Article V of Chapter 42 and Article II of Chapter 32 of the Denver Revised Municipal Code concerning the licensing and regulation of private security businesses and private security guards. The Committee approved filing this bill at its meeting on 10-25-17.

Finance & Governance Committee**[17-1243](#) A bill for an ordinance authorizing a supplemental appropriation from the General Contingency Fund to the Liability Claims Special Revenue Fund.**

Approves a \$4.65 million supplemental appropriation for the Liability and Claims Special Revenue Fund to cover settlement costs involving the Sheriff's Department. This bill was approved for filing by Councilmember Flynn.

Land Use, Transportation & Infrastructure Committee**[17-1170](#) A bill for an ordinance relinquishing the easement established in the Deed of Easement recorded with the Denver Clerk & Recorder at Reception No. 9900095674, located at 65th Avenue and Tower Road.**

Relinquishes the easement in its entirety recorded on 06-01-99 with Reception No. 9900095674 located at approximately 65th Avenue and Tower Road in Council District 11. The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this bill by consent on 10-24-17.

Safety, Housing, Education & Homelessness Committee**[17-0709](#) A bill for an ordinance adding a new section 8-141 to Chapter 8 of the Denver Revised Municipal Code to prohibit surgical claw removal, declawing, onychectomy, or tendonectomy on cats.**

Adds a new section 8-141 to Chapter 8 of the Denver Revised Municipal Code to prohibit surgical claw removal, declawing, onychectomy, or tendonectomy on cats. The Committee approved filing this bill at its meeting on 10-25-17.

[17-1164](#) A bill for an ordinance approving a proposed Intergovernmental Agreement Concerning the Funding, Implementation and Administration of Programs Involving Police Officers in Schools between the City and County of Denver and School District Number One.

Approves a revenue contract with School District No. 1 (Denver Public Schools) in the amount of \$589,179.50 for provision by the Denver Police Department of School Resource Officers at various Denver Public School locations throughout the 2017-2018 school year (POLIC-201736749-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-27-17. The Committee approved filing this bill by consent on 10-25-17.

BILLS FOR FINAL CONSIDERATION**Business, Arts, Workforce & Aeronautical Services
Committee****[17-1145](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and Aviation Station North Metropolitan District No. 1 regarding the operation and maintenance of the Peña-Next Station development project at Denver International Airport.**

Approves a five-year intergovernmental agreement with Aviation Station North Metropolitan District No. 1 in the amount of \$800,000 for the operation and maintenance of the Peña-Next Station development project, including the commuter rail stop, the Panasonic Enterprise Solutions Company (PESCO) headquarters, and surrounding transit-oriented development, located from Peña Boulevard to Tower Road and 56th Avenue to 64th Avenue in Council District 11 (201737149). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 10-18-17.

Land Use, Transportation & Infrastructure Committee**[17-1151](#) A bill for an ordinance approving a proposed Intergovernmental Agreement between the City and County of Denver and the City of Commerce City for design, construction, and funding related to Tower Road Widening and the Tower Road/Pena Boulevard Interchange.**

Approves an intergovernmental agreement with Commerce City for \$6.5 million and for four years to extend and build the Tower Road Widening construction project from the southern boundary of Commerce City into the City to the intersection of the Tower Road and Peña Boulevard Interchange (201737072). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 10-17-17.

[17-1152](#) A bill for an ordinance vacating a portion of the right of way near the intersection of Wynkoop Street and 40th Street, with reservations.

Vacates a portion of the right-of-way at approximately Wynkoop Street and 40th Street with reservations in Council District 9. The Committee approved filing this bill by consent on 10-17-17.

Safety, Housing, Education & Homelessness Committee**[17-1058](#) A bill for an ordinance approving a proposed Third Amendatory Agreement between the City and County of Denver and Denver Health and Hospital Authority to provide transitional residential treatment services with funding through the Crime Prevention Control Commission.**

Amends a contract with Denver Health and Hospital Authority (DHHA) - Transitional Residential Treatment (TRT) by adding \$230,759 for a new contract total in the amount of \$783,216, and to extend the term one year through 9-30-18 to provide services to a minimum of 30 individuals per year involved with the criminal justice system within a comprehensive continuum of care at DHHA's detoxification center Denver CARES (2015-23052-03). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 9-27-17.

[17-1142](#) A bill for an ordinance approving a proposed Agreement between the City and County of Denver and Denver Health and Hospital Authority for emergency and financial assistance programs pursuant to the Ryan White Grant program.

Approves a one-year agreement with Denver Health and Hospital Authority (DHHA) in the amount of \$1,259,951 for outpatient and ambulatory medical care, medical case management, mental health, and early intervention services to individuals living with HIV/AIDS citywide (201736499-00). The last regularly scheduled Council meeting within the 30-day review period is on 11-13-17. The Committee approved filing this bill by consent on 10-18-17.

[17-1229](#) A bill for an ordinance amending Ordinance 20170726, Series of 2017, to extend certain timeframes related to the ability of owners and tenants to apply for compliance plans and conditional certificates of occupancy who do not voluntarily disclose the presence of unpermitted work in their buildings.

Amends Ordinance 20170726, Series of 2017, to change all references of "January 19, 2018" in the ordinance to "March 2, 2019". This bill is filed by the authority of Councilmembers Kashmann and Ortega.

RECAP OF BILLS TO BE CALLED OUT

PRE-RECESS ANNOUNCEMENT

Tonight, there will be a one-hour courtesy public hearing on Council Bill 17-0709, prohibiting cat declawing. Anyone wishing to speak on either 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

PUBLIC HEARINGS - BILLS FOR INTRODUCTION

[17-0709](#) **A bill for an ordinance adding a new section 8-141 to Chapter 8 of the Denver Revised Municipal Code to prohibit surgical claw removal, declawing, onychectomy, or tendonectomy on cats.**

Adds a new section 8-141 to Chapter 8 of the Denver Revised Municipal Code to prohibit surgical claw removal, declawing, onychectomy, or tendonectomy on cats. The Committee approved filing this bill at its meeting on 10-25-17.

PRE-ADJOURNMENT ANNOUNCEMENT

City Council, sitting ex-officio, as the Boards of Directors for the Denver 14th Street General Improvement District, RiNo Denver General Improvement District, and Gateway Village General Improvement District will hold public hearings on Monday, November 20, 2017, related to the 2018 work plans and budgets for each district.

ADJOURN

PENDING

[17-1022](#) **A bill for an ordinance changing the zoning classification for 2001-2005 East 18th Avenue in City Park West.**

Approves an official map amendment to rezone property located at 2001-2005 East 18th Avenue from PUD #107 to G-MX-3, (planned development in the former zoning code to general, urban mixed-use) in Council District 9. The Committee approved filing this bill at its meeting on 10-3-17.

Final Consideration

Required Public Hearing