

City Council Meeting of Monday, July 24, 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: dencc@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 dencc@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 regularly 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 city matter. Speakers have 3 minutes to speak and must sign up via email at dencc@denvergov.org, phone at 720-337-2000 or in person in Rm. 451, City & County Building before 4:30pm on the day the general public comment session is scheduled. 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

[17-0821](#) Minutes of Monday, July 17, 2017

COUNCIL ANNOUNCEMENTS

PRESENTATIONS

COMMUNICATIONS

PROCLAMATIONS

[17-0827](#) **A proclamation proclaiming the week of July 24, 2017 - July 28, 2017 as Birmingham PREVENT Violence Week in Denver, Colorado.**

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

RESOLUTIONS

Finance & Governance Committee

[17-0510](#) **A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Machol & Johannes, LLC for legal and collection services.**

Approves a one-year, no-cost extension of the contract with Machol & Johannes, LLC through 12-31-19 for legal and collection services for the Department of Finance (201313156-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 5-9-17.

[17-0717](#) A resolution approving a proposed Fourth Amendatory Agreement by and between the City and County of Denver and Kronos Incorporated increasing the funds and term for software support and maintenance.

Adds \$1,930,523.26 and three years to the contract with Kronos, Incorporated for a new total of \$6,038,951.65 and end date of 12-31-19 for citywide employee timekeeping and scheduling support and maintenance services (TECHS-CE82121). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 7-11-17.

[17-0761](#) A resolution approving a proposed Purchase Order between the City and County of Denver and Upstate Wholesale Supply, Inc., to purchase and install tablet computer equipment in Denver Police vehicles to replace the existing mobile computer terminals.

Approves a \$886,100 purchase order with Upstate Wholesale Supply for tablet computers, keyboards, docking stations, and mounting equipment to replace mobile computer terminals in Denver Police Department vehicles (EAPPS-0000006830). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 7-11-17.

Land Use, Transportation & Infrastructure Committee

[17-0687](#) A resolution approving a proposed Multi-Year Festival Lease Agreement between the City and County of Denver and Denver Festivals LLC for the use of Overland Golf Course for a multi-day, multi-stage musical festival.

Approves a lease agreement with Denver Festivals, LLC, for five years at an annual rate of \$200,000 with additional monetary and non-monetary considerations to produce an annual three-day music festival at Overland Golf Course in Council District 7 (201735508). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution at its meeting on 6-20-17.

Safety, Housing, Education & Homelessness Committee**[17-0758](#) A resolution approving a proposed Fourth Amendatory Agreement between the City and County of Denver and Custom Environmental Services, Inc., to provide on-call services for the management of hazardous materials and regulated wastes.**

Amends a contract with Custom Environmental Services, Inc. to add \$600,000 for a new contract total of \$1.5 million for on-call hazardous materials collection and disposal including chemical, solid and hazardous waste, bio-waste, and hazmat incidences for multiple agencies citywide. There is no change to the contract term (ENVHL-201312426). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 7-12-17.

[17-0760](#) A resolution approving the Mayor's appointment to the Denver Health and Hospital Authority Board.

Approves the Mayoral appointment of Kevin Quinn to the Denver Health and Hospital Authority Board of Directors for a term effective immediately and expiring on 6-30-22, or until a successor is duly appointed. The Committee approved filing this resolution by consent on 7-12-17.

[17-0765](#) A resolution approving a proposed Escrow Agreement between the City and County of Denver and U.S. Bank National Association, a national banking association and NAVA Lakehouse Limited Partnership, a Delaware limited partnership to satisfy off-site compliance for amended affordable housing plan for South Sloan Lake.

Approves an escrow agreement and the creation of an escrow account with NAVA Lakehouse Limited Partnership and U.S. Bank National Association in the amount of \$906,568 to support the off-site construction of four affordable for-sale units available to households earning 65% to 80% of area median income (AMI) located at 2165 South Galapago Street in Council District 7 and meeting the requirement for a development located at South Sloan Lake in District 1 (FINAN-201733459-00). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 7-12-17.

[17-0766](#) A resolution approving a proposed Second Amendment and Modification Agreement between the City and County of Denver and the Housing Authority of the City and County of Denver to remove certain property as collateral for the agreement, replace the collateral with two units, and add additional funds to the agreement.

Amends a loan agreement with Denver Housing Authority (DHA) to rehabilitate 57 scattered housing units located primarily in the Lincoln Park neighborhood by allowing for DHA to sell two units to homebuyers with incomes up to 80% of Area Median Income, and attach 30-year covenants restricting the resale price and homebuyer eligibility of those condos, adding an additional performance loan of \$65,752 to reduce the sales price of those two units so that they will be affordable to 80% AMI buyers, and extending the term of the covenant on the 57-unit portfolio so that it remains affordable for an additional 30 years (GE6A125). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 7-12-17.

[17-0767](#) A resolution approving a proposed Loan Agreement between the City and County of Denver and Rocky Mountain Mutual Housing Association, Inc. to finance the development of a 130 unit affordable housing project.

Approves a loan agreement with Rocky Mountain Mutual Housing Association, Inc. for \$1.3 million to provide construction and permanent financing on a 130-unit affordable rental housing project known as Arroyo Village Apartments at 1290 North King Street, 1299 North Knox Court, and 345 West 13th Street in Council District 3 (OEDEV-201734509). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 7-12-17.

[17-0768](#) A resolution approving a proposed Amendment and Modification Agreement between the City and County of Denver and The Delores Project amending the loan agreement to consent to the replacement of the existing homeless shelter facility located on the property with a new shelter facility.

Amends a loan agreement with The Delores Project (TDP) by adding formal consent to replace an existing shelter for women and transgender individuals experiencing homelessness with a new shelter facility that will be operated by TDP and in conjunction with the construction of 130 units of permanent supportive housing and workforce housing for 30% - 50% AMI residents located at 1290-1292 King Street in Council District 3 (OEDEV-GE68003-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution by consent on 7-12-17.

[17-0829](#) A resolution authorizing and approving the expenditure and payment from the appropriation account designated "liability claims," the total sum of Seventy Thousand Dollars (\$70,000.00), payable to Brice A. Tondre, P.C. Client Trust Account in full payment and satisfaction of all claims in Case No. 14-cv-02605-JLK-KMT, in the United States District Court for the District of Colorado.

Settles a claim involving the Denver Police Department. This resolution was approved for filing at the Mayor-Council meeting on 7-18-17.

Special Issues: Marijuana

[17-0734](#) A resolution approving a proposed Amendatory Agreement between the City and County of Denver and Amelie Company for a one-year extension and additional sums to facilitate the Youth Marijuana Education and Prevention Campaign.

Adds \$850,000 and one year to a contract with Amelie Company for a new total of \$1.3 million and end date of 12-31-18 to facilitate the citywide Youth Marijuana Education and Prevention Campaign through strategic planning, creative development, and media planning and placement (EXCIS - 201731482-01). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution at its meeting on 7-10-17.

BILLS FOR INTRODUCTION**Land Use, Transportation & Infrastructure Committee****[17-0750](#) A bill for an ordinance changing the zoning classification for 1208 North Quitman Street in West Colfax.**

Rezones property located at 1208 North Quitman Street from G-MU-3 to G-RX-5 (general, urban neighborhood multi-unit to general, urban residential mixed-use) in Council District 3. 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 7-11-17.

[17-0751](#) A bill for an ordinance changing the zoning classification for 4060 North Elati Street in Globeville.

Rezones property at 4060 North Elati Street from I-A UO-2 to C-RX-12 (industrial to urban center, mixed-use) 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 7-11-17.

[17-0752](#) A bill for an ordinance changing the zoning classification for 3955, 3965 and 3995 North High Street in Cole.

Rezones property at 3955, 3965, and 3995 North High Street from I-B, UO-2 to I-MX-3, UO-2 (industrial to industrial, mixed-use) 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 7-11-17.

[17-0759](#) A bill for an ordinance relinquishing a portion of the easement established in the Deed of Easement recorded with the Denver Clerk & Recorder at Reception No. 93-016849 located near the intersection of Wewatta Street and 22nd Street.

Relinquishes a portion of easements recorded under Reception No. 93-0016849 located at Coors Field at approximately Wewatta Street and 22nd Street in Council District 9. The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this bill by consent on 7-11-17.

BILLS FOR FINAL CONSIDERATION**Finance & Governance Committee****[17-0691](#) A bill for an ordinance making supplemental appropriations to the Denver Municipal Airport System Enterprise Capital Equipment and Improvement Fund.**

Appropriates \$150 million to Denver International Airport's Capital Fund to utilize its excess cash reserves to support the completion of near-term capital projects instead of issuing debt to fund such projects at Denver International Airport. The Committee approved filing this bill by consent on 7-4-17.

[17-0735](#) A bill for an ordinance establishing a new fund in the General Government Special Revenue Fund for the "Firefighter Heart Benefit" program.

Establishes the Firefighter Heart Benefit Program Special Revenue Fund for firefighters who sustain certain identified heart and circulatory malfunctions within 48 hours of a defined work event pursuant to Colorado Senate Bill 14-172. The Committee approved filing this bill by consent on 7-4-17.

RECAP OF BILLS TO BE CALLED OUT**PRE-RECESS ANNOUNCEMENT**

Tonight, there will be a required public hearing on Council Bill 17-0565, changing the zoning classification for 8504 East Martin Luther King Jr. Boulevard and 2962 North Central Park Boulevard in Stapleton; a required public hearing on Council bill 17-0659, naming the City-owned building located at 2851 Tremont Place the Anna Jo Haynes Early Learning Center; and, a one-hour courtesy public hearing on Council Resolution 17-0687, regarding the proposed three-day Overland Golf Course Music Festival. 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**

PUBLIC HEARINGS - BILLS FOR FINAL CONSIDERATION**Land Use, Transportation & Infrastructure Committee****[17-0565](#) A bill for an ordinance changing the zoning classification for 8504 East Martin Luther King Jr. Boulevard and 2962 North Central Park Boulevard in Stapleton.**

Rezones property located at 8504 East Martin Luther King Jr. Boulevard and 2962 North Central Park Boulevard from C-MU-20 to M-RX-5A (commercial, mixed-use to master planned, residential, mixed-use) in Council District 8. The Committee approved filing this bill at its meeting on 5-23-17.

[17-0659](#) A bill for an ordinance naming the City-owned building located at 2851 Tremont Place the Anna Jo Haynes Early Learning Center.

Re-names the building at 2851 Tremont Place for community leader Anna Jo Haynes. The Committee approved filing this bill at its meeting on 6-6-17.

PUBLIC HEARINGS - RESOLUTIONS**Land Use, Transportation & Infrastructure Committee****[17-0687](#) A resolution approving a proposed Multi-Year Festival Lease Agreement between the City and County of Denver and Denver Festivals LLC for the use of Overland Golf Course for a multi-day, multi-stage musical festival.**

Approves a lease agreement with Denver Festivals, LLC, for five years at an annual rate of \$200,000 with additional monetary and non-monetary considerations to produce an annual three-day music festival at Overland Golf Course in Council District 7 (201735508). The last regularly scheduled Council meeting within the 30-day review period is on 8-14-17. The Committee approved filing this resolution at its meeting on 6-20-17.

PRE-ADJOURNMENT ANNOUNCEMENT

Dependent upon publication, on Monday, August 21, 2017, Council will hold a required public hearing on Council Bill 17-0750, changing the zoning classification for 1208 North Quitman Street in West Colfax; a required public hearing on Council Bill 17-0751, changing the zoning classification for 4060 North Elati Street in Globeville; and, a required public hearing on Council Bill 17-0752, changing the zoning classification 3955, 3965 and 3995 North High Street in Cole. Any protests against Council Bill 17-0750, 17-0751, or 17-0752 must be filed with the Council Offices no later than noon on Monday, August 14, 2017.

ADJOURN

PENDING

FOR 8-7-17

[17-0680](#) A bill for an ordinance changing the zoning classification for 4001 North Jason Street in Sunnyside.

Rezones property located at 4001 North Jason Street from I-MX-3 to C-RX-8 (industrial, mixed-use to urban center, residential mixed-use) in Council District 1. The Committee approved filing this bill at its meeting on 5-20-17.

Final Consideration**Required Public Hearing****[17-0728](#) A bill for an ordinance providing an extension of approximately ten months of an existing moratorium enacted by Ordinance 20160541, Series of 2016 on the approval of site development plans and the amendment of approved site development plans for construction of certain buildings using the Garden Court building form in the Denver Zoning Code.**

Provides an extension of approximately ten months of an existing moratorium enacted by Ordinance 20160541, Series of 2016, on the approval of site development plans and the amendment of approved site development plans for construction of certain buildings using the Garden Court building form in the Denver Zoning Code. The Committee approved filing this bill at its meeting on 5-27-17.

Final Consideration**Required Public Hearing****[17-0729](#) A bill for an ordinance changing the zoning classification for 1400 South Irving Street and 1436 South Irving Street in Mar Lee.**

Rezones property located at 1400 South Irving Street and 1436 South Irving Street from PUD 180 to S-MU-3 (planned development to suburban, multi-unit) in Council District 3. The Committee approved filing this bill at its meeting on 5-27-17.

Final Consideration**Required Public Hearing**

FOR 8-14-17

[17-0690](#) **A resolution to set a public hearing relating to the adoption Emily Griffith Opportunity School Urban Redevelopment Plan and directing the Denver Urban Renewal Authority to take certain actions in connection with the hearing.**

Sets a public hearing before City Council for 08-14-17 on the Emily Griffith Opportunity School Urban Redevelopment Plan in Council District 9. The Committee approved filing this resolution by consent on 6-20-17.